

ICANN - Cartagena

BOARD with LARRY STRICKLING Meeting

7 December 2010

6:30 p.m. Session

>>LAWRENCE STRICKLING: So I have found what it takes to get a private audience with the board.

>>PETER DENGATE THRUSH: Don't share that with anybody else, though.

[Laughter]

Larry, thanks for coming. Obviously, you have talked to a number of us and you suggested to me over dinner last night that it might be useful to come and talk about the letter. And I think we had a quick check around and we thought, yeah, that's a good idea because we thought -- we thought we were working along reasonably well, meeting the obligations under the Affirmation of Commitments. And we can always have room for improvement.

And I suppose then we get the letter, and you have clearly got a very different view from where we thought we were. So I think it would be very helpful just to hear from you about the concerns that you have and hopefully what we need to do to move forward to not have people feeling that we're not meeting our commitments.

So why don't I hand it over to you. I think you have met everybody. I don't want to do anything more. Just hand it over to you and let you tell us your thoughts.

>>LAWRENCE STRICKLING: Thank you, Peter and Rod.

>>PETER DENGATE THRUSH: We are currently scribing this session. But under our rules if you want us not to scribe this, we just turn it off.

>>LAWRENCE STRICKLING: I'm fine to be on the record. I have spoken to some of you individually, and I urged every one of you who I talked to individually to share my views as far as they wished. And I have absolutely no problem with anything I say here being in the public record.

And, again, let me start by thanking Peter and Rod for inviting me here today. I'm pleased to have the opportunity to talk to all of you and answer your questions relating to the letter of last week.

Let me just start with a few observations and comments. First off, the United States government and myself personally are totally committed to the multistakeholder model that ICANN represents. I hope there's absolutely no concern about the strength of our commitment.

I personally have spent a substantial amount of my time in the last 12 months on this issue, both in terms of how it impacts ICANN but also how this multistakeholder model can be expanded to other aspects of Internet policy both inside the United States and globally.

So at the Department of Commerce, we are heading up an Internet policy task force that our Secretary put in place this spring. And we're looking at the issues of online privacy, on the issues of the protection of copyright online, the free flow of information globally, cyber security. Those are the four issues we're taking up at the start of our efforts.

And in every one of these, not only are we proposing a multistakeholder model as the best way to deal with these issues in the fast-moving environment of the Internet, but we've been holding up ICANN as the example why the multistakeholder model ought to be used.

So we are cheerleaders for this. But as I've said to several of you, there's a model but then there's the reality. And it is incumbent on us at this particular point in time, more so than perhaps ever before, to do what we can to ensure the model, that the reality fits the model. And that's why I have been so involved in these issues in the past 12 months and will continue to be so. And that's, I think, in large part, the reason for the tough love you got last week with the letter that we sent.

The Affirmation of Commitments that was negotiated between the United States and ICANN and ratified by those of you in this room that were on the board at that time is a very serious document.

On the one hand, I think it represents the strongest statement to date by the United States in support of ICANN in the multistakeholder model but with it came responsibilities on the part of ICANN.

We've waited a year. And quite honestly, in the context of the top-level domain issue, we just didn't think things were happening with the sort of urgency, attention, care, whatever you want to say, that one would have expected by an organization that had, in effect, received a tremendous bestowal of a benefit from us in terms of meeting those responsibilities.

And these were not new issues. I mean, these were issues that either are directly in the text of the Affirmation or were matters that were raised separately in conversations with ICANN, staff and management over the course of the last 12 months. So none of this should come as a surprise to anybody.

And what it comes back to at the end of the day is our concern that we want to be able to demonstrate to the rest of the world that the quality of decision-making by this organization is absolutely top drawer.

It's probably good enough the way it is now. But for what we are trying to do with this model, it's got to be absolutely top drawer. And that was reflected in some of the things that were in the Affirmation. And even to the extent they were in the Affirmation, these were not new issues, for the most part.

The issue of explaining a decision, that's not something we dreamed up last year and put in the Affirmation. That has been an issue that has bedeviled ICANN for years.

And in the Affirmation, we felt, okay, this is our opportunity to get a commitment from this organization to really elevate its quality of decision-making to a point that everybody could look to and point to as a model for how a multistakeholder model ought to perform.

As best as I can tell, none of those particular provisions have been implemented. And I don't know exactly what has happened in the last 12 months, or actually more than that at this point, but the document is not that long. It is only a few pages.

And I guess I would ask the board, when this was passed, what did the board do in terms of going through this and saying, "Okay. We have committed in this document to the United States government and to the world because we felt these were issues the world cared about, not just us."

But you committed to provide a thorough and reasoned explanation of decisions taken and the rationale thereof and the sources of data and information on ICANN relied. And it is expanded on even more fully in paragraph 4.

What did this board do? Did you -- when reading that, was there a directive given to implement that? Did the ICANN staff and management take that issue on and implement it?

So we gave folks a year. And I know there's been concern about the strength of the language I used last week, although quite honestly, I thought I toned it down a bit.

[Laughter]

But whatever. But we have pretty much left ICANN alone in terms of raising these issues in the public record. But last week, I felt I had to step in and make clear that we thought you were on a track, particularly with the expectation that the gTLD issue would come for a vote this week, that there was a lot of unfinished business and we weren't sure people understood that, in our view, it hadn't been done. In the world's view, this work hadn't been done and that we feel that ICANN was headed for something of a train wreck to proceed forward without dealing with these issues.

Now, I've heard expressed the idea that somehow I or the United States is opposed to the expansion of top-level domains. That's not the case. I don't have a view one way or the other. Frankly, that's up to you to decide.

What I do care about is that when you decide that question, that you do it with a quality of decision-making with all of the information in front of you that you ought to have with the experts having given you the opportunity to ask questions and evaluate the pros and cons of decisions as fully as possible.

That was the issue on the economic studies and why I raised it, given the fact that we had understood that there were going to be at least two phases of economic studies. And at the time I wrote the letter last week, we had only seen the one in June that was quite preliminary, had indicated additional work would be done. I'm glad to see that the second report was released the day after I sent my letter, which is fine. I'm not -- I'm not saying there was any connection.

[Laughter]

I'm sure you would have wanted to get it out before the meeting. But the idea that you can put a serious economic study out on a Friday, a week before there's a meeting, expect the GAC to have responded to it, to expect the constituencies and the supporting organizations and everybody else who is part of the community to have, A, read it, B, assimilated it, and, C, to have had the ability to provide meaningful comments or reactions to it to help inform your decision-making process was quite obviously silly.

And for anybody to think that you could do that, you know, I would just suggest that that's not a -- that's not a -- that's not what I call top-level decision-making, if that's what people had in mind. And that's why in the absence of that report being issued, I felt I had to step in and make, you know, the U.S. position quite clear on this.

And it still remains the case that the United States does not yet believe -- and I think you heard this from the U.K. and some of the other governments in the room, that the case has been made that a large-scale expansion of top-level domains in that situation, that the benefits of doing so are going to outweigh the costs. And that has been an issue from not just me but my predecessors at the U.S. Department of Commerce. And it remains an issue to the day. And that was the reason why we had

insisted that these studies, as have other nations, be carried out prior to people making a final decision. And I hope you all find a way to do that still.

And let me just finish my preliminary comments with an issue of the support for the international community in terms of GAC's -- I'm sorry, the ICANN's relations with the GAC.

I had a chance to sit through the meeting that just finished and I went up to Heather afterwards and congratulated her on what I thought was a most impressive meeting.

I thought that the governments in that room were very well prepared and were very directed with all of you in terms of what their issues are.

It was also quite apparent to me that there's a real divergence in the sense that Bruce, I know, made a comment about, "Gee, I thought we were converging in our views," and I think you heard most directly from these governments that, no, they don't believe that's the case.

And I don't know what is the cause of that divergence in views, but that's a real issue that has to be dealt with.

I've told some of you and will repeat here: I don't know what all of the top challenges are to ICANN in the next three to five years, but I absolutely believe that in that top three will be the issue of ICANN's relations with foreign governments.

And the GAC is the perfect opportunity where ICANN can reach out and deal with governments and show them the value of participating in the ICANN process.

I mean, you heard in the room representatives from several nations say, "We took a hit for you in Mexico at the ITU plenipotentiary defending ICANN, and yet we come to these meetings here and we're being asked at the last minute to consult on issues where we couldn't possibly have received instructions from our governments in time to participate."

I think you all are missing a tremendous opportunity to deal with this issue of ICANN and Internet governance and the role of foreign governments, and it's absolutely incumbent upon you all to find a way to work with the GAC along the lines that Heather and her fellow members expressed to you today.

I think you have seen in the ATRT comments the idea and the recommendation to reach out to governments at all levels and to engage senior members of these governments on perhaps a set of issues that's not the day-to-day GAC work but other types of issues that would probably be important to that.

I think that's important for your ultimate preservation as an independent organization, and I cannot, I guess, emphasize enough the importance of working

out these processes with the GAC in terms of receiving their advice, treating it with respect by responding to it promptly and fully, sitting down and mediating with them where it appears there are disagreements.

I heard today, on the issues that were raised in that room, a very strong willingness on the part of the governments to work with you to resolve these issues, and I urge you all to take that up before you rush headlong into making decisions such as the ones that may be before you this Friday.

So I think I've probably said enough and maybe I should just stop and see if folks have questions.

>>PETER DENGATE THRUSH: Thanks, Larry, for that very clear and passionate delivery.

It is always something that -- you know, and I've seen your commitment on the accountability team to that first point you made, which is defending the model.

I suppose what you're really talking about is not just the quality of the decision-making; the first topic is really the quality of the decision reporting. That seems to be something that we keep talking about doing better.

I guess part of our response to that has been the way we've crafted the resolutions, but there's obviously much more we can do there.

In terms of what we did when we signed the Affirmation of Commitments, we immediately had a number of fairly intense board discussions and the inevitable PowerPoint listing all the obligations and et cetera, and we set up the sort of steps that -- some of which you've seen -- on the accountability and review team. The brainstorming chart with all the activities and all the things that have to go on.

So I know you're not saying that we haven't done anything.

>>LAWRENCE STRICKLING: No.

>>PETER DENGATE THRUSH: I guess we sort felt a bit that way with the tone of the letter, but, I mean, that's not what you said. So I mean I can --

>>LAWRENCE STRICKLING: Like I say, wait till I get really exercised.

[Laughter]

>>PETER DENGATE THRUSH: So what would be the kind of things that you would have expected to see that would have stopped -- would have been -- meant you hadn't felt the need to write such a letter?

What are the kind of things that you think -- you were expecting to see and haven't seen?

>>LAWRENCE STRICKLING: I would direct you, I guess, to my letter.

The first three things I would have expected to have seen were: Number one, that the economic studies were performed and performed for the board where the board took them seriously in terms of trying to understand them, trying to engage with the economists, trying to really grapple with this issue.

I mean, we know -- and Rod pointed out at the GAC meeting -- it's very difficult to quantify some of these points, and in some cases, it may be impossible.

But it's very clear that there are a lot of warning signs, just in the studies that have been done so far, incomplete as they are, to suggest that rushing headlong into this issue, I think, could be a mistake.

But I want to very quickly kind of backtrack from that remark in the sense that I don't think it's my place, in my role, to tell you how to make your decisions in terms of what the outcome should be.

And I do think I have a role to play and will play the role of evaluating the quality of decision-making, which largely is processes, but at the end of the day it really comes down to did the board have in front of it the facts it needed to have to make an informed decision, and does their decision, as reflected in their report of that decision, reflect a reasoned, mature, responsible decision.

So you say, Peter, that, "Well, is the issue documenting it or getting good decisions?"

The issue is getting good decisions.

Documenting a decision is one of the ways to get a good decision. Because when people actually sit down and have to write out why they're doing what they're doing, all of a sudden a lot of things become obvious and apparent that perhaps weren't so obvious and apparent in the discussion and in the vote.

We see that every time the ATRT meets.

For example, we write our things down and we come back to them three weeks later and in some cases we're asking ourselves, "So why did we say that?"

And we've been engaging in that self-reflection here the last two days, after we've listened to you folks and people from the GAC, and you will see those changes reflected.

But the simple exercise of explaining yourself leads to good decision making, and I -
- and it's in that -- that's one of the reasons we think it's so important to be doing it.

>>PETER DENGATE THRUSH: Okay. All right.

>>LAWRENCE STRICKLING: But I just -- I didn't fully answer your question.

I started with the economic studies.

But the second one I guess I did get into, which is the ability to --

>>PETER DENGATE THRUSH: Document.

>>LAWRENCE STRICKLING: -- to document.

And then the third one, I think, really focuses on the issue of having worked with the GAC and followed through the processes required by the bylaws in terms of consultation and mediation before you proceed with a decision.

>>PETER DENGATE THRUSH: Well, no. Actually, the procedure is the other way around. We vote first, and then -- foolishly, the bylaws actually mean we make a division in conflict first and then we try and negotiate our way out of it afterwards.

>>LAWRENCE STRICKLING: Boy, I'm not sure I agree with that.

That's not my reading of the bylaws at all.

And I don't know how you could even say that that makes sense. If you've already voted on it, how could you possibly then, quote, work it out with the GAC?

>>PETER DENGATE THRUSH: I agree. That's why, in fact, we're having a pre-vote consultation with them at 8:00 tomorrow morning on xxx.

>>LAWRENCE STRICKLING: Well, wait for the second letter, if that's what you all are going to do.

That -- I'm sorry, Peter. That just strikes me as bizarre.

>>PETER DENGATE THRUSH: We agree. That's why we -- we -- what we appear to be going to have to do is have a consultation with them first and then a consultation with them afterwards, which seems...

>>LAWRENCE STRICKLING: I don't know that it's valuable to get into a debate. I don't have my copy of the bylaws in front of me, but let's be -- let's talk about a practical process, which is, you've received GAC advice. The obligation is for the

board to come back -- the board, not the staff, to come back and indicate those pieces of the advice that they cannot accept.

Presumably, at the same time -- although you and I talked about this last night -- you would also tell the GAC that portion of the advice you are accepting so that they can understand whether, in fact, you understood their advice.

>>PETER DENGATE THRUSH: Yeah.

>>LAWRENCE STRICKLING: I understand that --

>>PETER DENGATE THRUSH: That's all done, yeah. That's all done.

>>LAWRENCE STRICKLING: -- you're working through that issue.

Then the bylaws indicate that if there is still disagreement at that point, that you have an obligation to mediate with the GAC to see if you can reach resolution, presumably all before you take a vote.

If you're unable to and you're going to proceed in the face of GAC advice to the contrary, the bylaws allow you to do that, but you have to explain it at that point.

>>PETER DENGATE THRUSH: Absolutely.

>>LAWRENCE STRICKLING: But the idea that there's a mediation after the vote? I think that's silliness.

>>PETER DENGATE THRUSH: Okay. Well, let's not have an argument about the bylaws. I think that the idea is to do what's sensible, as well as --

>>LAWRENCE STRICKLING: But let me just say I don't know how -- based on, as I understand the facts on both top-level domains and ICM, how you can possibly have a mediation this week, in terms of the fact that information has not been provided to the GAC that they've asked for, the fact that they do not feel they understand exactly what the board has disagreed with and why.

It seems like that would be a valuable discussion to have tomorrow, but I don't see how you can expect the folks, given the amount of time that they've had, the short amount of time, given the failure of materials that have been supplied to them, to possibly be ready for a consultation with you tomorrow in terms of them giving you their feedback in trying to work out these issues.

I'm sure the GAC will be happy to do that at the appropriate time, but I don't see how that could possibly happen tomorrow.

>>PETER DENGATE THRUSH: Okay. Bertrand?

>>BERTRAND DE LA CHAPELLE: Just one very quick point because I have the bylaws in front of me. I think there is one typo. There's a "D" instead of an "S" in a sentence that says --

>>PETER DENGATE THRUSH: Sorry, but let's not --

>>BERTRAND DE LA CHAPELLE: No. I mean --

>>PETER DENGATE THRUSH: No, no. I don't want to talk -- let's not get down into the weeds about the bylaws. I think Larry's point's a very good one. We want to try and make sure that we do things in the right amount of time and with the right amount of process when we make this...

Anyone else have a comment about what Larry's been saying?

Cherine?

>>CHERINE CHALABY: I mean, I just want you to leave knowing that we hear you. I mean, you make very good points. It's not all black. It's not all white. But I think we hear you.

We hear you about the economic analysis. We hear you about the relationship with the GAC. And I think, you know, I mean, you comment to this board, this board works so hard and frankly has a lot of brains around the table and everybody is trying to do their best.

Things are not always right, but I think your messages are very clear and loud and we accept them.

>>LAWRENCE STRICKLING: Thank you. And I appreciate that.

I mean I really, really, really want ICANN to succeed. I really want you to be the model for all other multistakeholder initiatives around the world, many of which -- several of which we are trying to initiate. And so I hope you take my -- and I guess "tough love" is the best way to put it. I hope you take it in that spirit.

I want you all to succeed and I hope you accept that when I see things that I think are detracting from you all's -- your all's realization of that ideal -- and we all know the ideals are virtually impossible to reach, but this organization is further along than any other that I know of, and you should be proud of that.

But it's -- to pick up on a phrase from the last session, we're not there yet, and I am going to be on your case to get you there, I guess is what I will say.

>>PETER DENGATE THRUSH: Thanks, Larry.

Rod?

>>ROD BECKSTROM: Yes.

Larry, I would just like to thank you very much for your constructive remarks and your incredible commitment of time over this past year on this effort, and I think that your statements were very helpful and clarifying to all of us, and I just want to thank you for having come to visit us and spend this time. I think this has been very, very constructive.

And I leave it to the chair, but we may want to just move to an informal just, you know, social time, but I think you've communicated very clearly, at least to me, and I'm very appreciative. Thank you.

>>LAWRENCE STRICKLING: Thank you, Rod.

>>PETER DENGATE THRUSH: Yeah. I've got other people wanting to comment.

Dennis?

You're not getting out that easily.

[Laughter]

>>PETER DENGATE THRUSH: They're slow to come back to the boil, but...

>>DENNIS JENNINGS: Thank you, Peter.

>>PETER DENGATE THRUSH: No. Dennis and then Katim.

Dennis.

>>DENNIS JENNINGS: Yeah. Larry, thank you very much indeed.

One of the reasons I was excited to join this board three year's ago is I did see that ICANN was a model for addressing globalization-type problems that were outside the remit of the national territories and that weren't comfortably dealt with by governments other than through an international treaty, and I thought this was a very important model, and I've been very excited to try and contribute to that.

I've been nervous over the last while about the measure of support that we were getting from the U.S. Government, and I'm very pleased to hear you affirm that that support is there from you and from lots of others.

And not only supporting ICANN, but recognizing that ICANN is on the critical path, perhaps, to using the model in other areas, and therefore with a much more serious onus on us not only to get it right but to get it right pretty quickly.

And I find that very positive and I think we need your continuing support -- tough love as it is, whatever -- to assist us step up to the bar and be the exemplar for similar succeeding multistakeholder models, and that's what made me excited about this and you're now making me excited again that maybe we're making a contribution.

>>LAWRENCE STRICKLING: I hope the nominating committee is listening.

[Laughter]

>>PETER DENGATE THRUSH: I -- yeah. We wonder about that too.

Katim?

>>KATIM TOURAY: Okay. Thanks, Peter, and thanks, Larry.

And I was just wondering, Larry, whether, given the toughness, the tough love that's in this letter, when we get there you would also be, one, you know, maybe write us a letter to really tell us that we've gotten there, and then, two, reinforce your enthusiasm in terms of advocating for what ICANN is all about in multistakeholderism. Because I think this would also be an incentive for us to really get to work and make sure that we get to where we all need to be.

And again, thanks.

>>PETER DENGATE THRUSH: Thanks, Katim.

Rita?

>>RITA RODIN JOHNSTON: Yeah. Thanks, Larry.

As the others said, I really appreciate your remarks and I think after being on this board for five years, the most encouraging thing I've heard is that the USG and you, in fact, do support this.

I agree, I've heard a lot of different things through the years and I'm really happy to hear that you're supporting this model.

I guess the one thing I wanted to just follow up on is, you know, the AoC I think was taken very seriously by this board, and you guys, you said, you know, you left us alone for a year. I think maybe what I'd love to charge management and this board to do is figure out a way that they can interface with you more effectively so you

don't have to be waiting a year and being unhappy with our performance to then have to get the kind of tough love. I'd rather, you know, talk to you throughout and make sure that we're doing things and have a better communication so that we are more in your favor, Dad.

>>LAWRENCE STRICKLING: Yeah. My comments probably weren't -- I didn't mean them to be interpreted in that fashion.

When I say I left you alone, I didn't mean to infer you all left me alone.

[Laughter]

>>LAWRENCE STRICKLING: But I mean that in the absolute best terms.

I mean Rod has been diligent in meeting with me when he comes to Washington.

Jamie Hedlund, I meet with Jamie once a month.

I have a -- I hope -- I believe I have a great relationship with Peter. We share interests in rugby and New Zealand and such.

And I very much have enjoyed our time together on the ATRT.

So it has not been that you all haven't been in touch with me.

I think when I say "leaving you alone," I haven't -- we don't come into meetings and I don't pull out the AoC and say, "Okay, Rod, what have you done this month on this?"

I just don't think that that --

You all are adults. You're very mature people. You're very responsible people. I don't think it's my place to be -- play schoolteacher like that, and I hope I don't -- and I don't want to play that role.

And so -- but probably in this case, maybe I let things drift in that regard a little longer than perhaps I should have.

But it's not because you aren't -- that your team is not in touch with me. They are, and they're quite good about it.

>>ROD BECKSTROM: Thank you for sharing that, Larry.

>>PETER DENGATE THRUSH: And my secret interest in rugby is now out, so...

[Laughter]

>>LAWRENCE STRICKLING: Wait, wait. You're from New Zealand. How could it be a secret?

[Laughter]

>>PETER DENGATE THRUSH: Harald?

>>HARALD ALVESTRAND: So this is my -- the three last days of three years on the board for me, so it's been exciting in many ways, and so --

>>LAWRENCE STRICKLING: Another pitch to the nominating Committee?

>>HARALD ALVESTRAND: No.

[Laughter]

>>HARALD ALVESTRAND: One of the great things I've heard now is that you are using words that remind me of Winston Churchill's remarks about democracy. It's the worst possible -- ICANN is the worst possible form of multistakeholderism except for all the others.

[Laughter]

>>HARALD ALVESTRAND: And --

>>LAWRENCE STRICKLING: Can I start using that, do you think?

I'm not sure that's the message I'm seeking to convey, but that's okay.

>>HARALD ALVESTRAND: I mean, if we can do -- if we can keep our eyes on the ball of improving our game, and if my esteemed colleagues can carry on that forward and we can remember to tell people about the progress we're making, I think that this looks good. Thanks for the support.

>>PETER DENGATE THRUSH: I guess -- and this is not intended to sound exculpatory in any sense, but all of us actually feel much the same way, and many of us wonder why we can't do things faster at ICANN. And, you know, we've put -- the CEO has the performance of the thing as part of his objectives. It went straight into the plan.

But it just takes -- you've got to just look at the ICANN cycles.

If we were a California-based corporation, this could have been fixed in about six weeks. Or not fixed, but there would have been a posse of people put onto AoC performance and within days there would have been a plan and things.

Trouble is, we can't actually do that. ICANN doesn't -- you know, maybe we could do better on all those things, but we have to -- part of the whole bottom-up process and part of the fact that different cultures and different languages and most of the work gets done every -- on the sort of trimester plan, et cetera, I mean, those -- I've been spending a lot of time trying to improve ICANN in a lot of ways, including these, and I tell you, I mean, all of us feel the frustration that, for whatever reason, it's difficult to do.

So I think that has to be taken into account. I don't want -- This isn't an excuse, but the very nature of the multistakeholderism that we're developing does mean slow progress on some things.

On the one hand, that's actually part of our defense against capture, because otherwise someone comes in with a plan and takes news a direction that we don't want to go.

So I just think in terms of expectation setting, et cetera, which is part of what we're talking about, that just has to be borne in mind, I think. And you heard it from the GAC a minute ago.

Anytime you want people to consider something and make a change, that's the process you have got to go through.

So I just thought I'd add that. It's not intending to excuse anything.

Anyone else?

In which case we say thank you and the floor is yours.

>>LARRY STRICKLING: Let me just give you one other example before I leave to try to cement the esteem in which I hold all of you and the important role I think you can play. And it's a small point, but I think it's an important one.

Joining the ATRT, one of the things we heard, and you heard it discussed on Sunday and Monday, is this idea that there needs to be an independent, binding review mechanism on the board. You probably also heard that there was a lot of division on the ATRT as to whether or not that's a good idea or not.

I just want to emphasize, in case you're not aware of it, certainly Peter was one of those opponents, but I was right there with him, and I'll tell you why. Which is if we can get the quality of decision make to go the type of level I'm talking about, there should never ever be the need for an independent review panel with some kind of binding authority to overturn you.

And I believe you can all get there collectively. And it's my expectation and optimism that we can do that that leads me to be solidly in opposition to the idea of some kind of binding independent review.

I would much rather have the focus be on what can we do to help you all improve what you're doing and less on the idea that we have to have somebody else out there, which will create its own set of accountability and transparency issues to sit there and overrule, perhaps, what you are doing.

There's no way, anybody, any three people anywhere, are going to do a better job of this than you can if you've got the processes in place, if you're doing this as a feedback-based, evidence-driven process where -- with all of the things that that entails is laid out in the AoC and laid out in our recommendations.

And so we really urge you to move forward on that, and so that three years from now, when the next team -- or two years from now when the next team is impaneled, we want them to say, "What is all this about independent review panels with binding authority? Why would we ever want that?" Because you don't, and there's no need for it, and the people in this room can ensure that that is an issue that goes away. And I am solidly behind all on that. With Peter. We're yoked to go on this one. And I think it shows the optimism and the support and esteem that we have for you individually and collectively to pull this off.

So with that, thank you very much and good luck for the rest of the week.

>>PETER DENGATE THRUSH: Thank you, Larry.

[Applause]

(Larry Strickling leaves the room. Post-meeting discussion in separate transcript)