

ICANN

**Moderator: Brenda Brewer
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8:00 am CT**

Coordinator: The recordings are started.

Yuko Green: Thank you. Welcome everybody. This is CWG IANA meeting number 84. Today's 21 July at 06:00 UTC. I would like to hand it over to Lise now.

Lise Fuhr: Thank you, Yuko, and welcome everyone to this CWG call. I will chair the call today. We had this call at a different time than normally because we're trying to accommodate all the different time zones and this very late for the U.S. but convenient for the Asia Pacific region.

Jonathan and I decided to, with the present agenda, that this call should only be one hour but we decided to keep the call because things are moving really fast and we need to work continuously with the different issues. We know this is a holiday period for many but the timing doesn't allow us to pause now.

I will very quickly go through the different action items from the last time that's on the last call. And Yuko has also mentioned the agenda that was sent out for this meeting. The first one is that Sidley is to draft the public comment submission, having to use their table as a tool for the discussion of the issue

on articles and bylaws, and this is in process. We don't foresee to discuss this today.

We have an action item that is - CWG is to submit Sidley's comments to the PTI articles and bylaws as part of the CWG's public comment. But this will be done whenever we receive the draft from Sidley and have discussed this. We have Sidley and ICANN Legal that should provide language on the PTI purpose to be coordinated in the articles and the bylaws. I believe we will touch upon this today. There's been some discussions on list. I don't know if we are ready to discuss this. We will get back to that.

And ICANN is to provide some slides or documentation on process for public comment proceedings and next steps in finalization of documents. And I know that (Tyne) sent this out to the group and we will discuss it under ICANN 2 implementation update. Then we have the recirculation - ICANN and Yuko is to recirculate an Excel table to the CWG IANA, and this has also been done.

So with that we have most of our action items either in process or they have been fulfilled. Are there any questions to those? I see none. I will proceed and just give you a quick update on there'll be a slight change in staff supporting the CWG. As you know, Grace has been supporting us since the beginning but now she is unfortunately leaving ICANN because she's got an offer she couldn't refuse with the U.S. Department of Commerce. Yuko will be taking over from Grace from today, so that's why Yuko's doing the roll call. She'll be assisted and Grace will help her for the next two calls, but apart from that we'll have Yuko as - doing what Grace did.

And we would like to thank Grace for the help and good work she's provided for us as chairs and to the CWG group as a whole. And I would like to wish

her good luck with her new opportunities. We will miss Grace but we're happy to welcome Yuko here in her new role with the CWG.

And since we only have an hour we'll quickly move on to the implementation update from staff. I see congratulations to Grace and thanks in the chat, but with that going on I'll hand it over to you, Trang, to give an implementation update.

Trang Nguyen: Thank you, Lise. Can you hear me okay?

Lise Fuhr: Yes we can.

Trang Nguyen: Terrific, thank you. Hello everyone. There are a couple of items that in terms of implementation update that we'd like to cover today. There are no substantive updates since the last couple days when the CWG, the previous CWG call was held. There's a couple of updates that we'd like to give to you today, one having to do with the (RZA) qualifications, and then the other item being what is projected here in the Adobe Connect room, the PTI documents review process and timeline.

With regards to the (RZA) qualification, as a reminder, that was the request that ICANN had received during the Helsinki ICANN meeting that when ICANN issued the request to the appointing organization to appoint representatives to (RZA) that we include some, to the extent possible, qualifications and that would be very helpful to the appointing organizations in initiating their end processes.

And so we have been in discussions and have exchanged some emails via the IOTS mail list to come to agreement on a couple of set of qualifications, actually I believe there were four items in terms of qualifications that we

would be able to include in our request to the appointing organization. They called the four items -- and we can circulate those four items to the CWG after this call -- but essentially the four items, the first one gives a high level description of what the (RZA) is going to be doing.

The second item is - the qualification is around the technical expertise required in the role as well as the ability to facilitate and bring together the relevant expertise within their own respective communities. And then there's one - a couple qualifications relating to communications and the ability to participate within the (RZA) board. So those are the four pieces of qualification, and I think we have now really good language around those four items with the IOTS. So we will be, like I mentioned, moving forward with including all of those in the request that we'll be sending out to the appointing organizations.

Let me take a pause there and see if there are any questions or comments before I move on. All right, sounds good. Since there are no questions or comments it looks like, we'll move on. On the last call, CWG call there was a request for ICANN to share the process to review and finalize all of the PTI documents as far as the timing around that. So what we put together for you here a couple slides.

This first slide shows the process, which are the chevrons at the top of the page. And then the bottom box is essentially is a bit more of a detailed description on what would occur during each of those process steps. So let me run through this really quick and then take any questions that you may have.

Essentially the main steps in the process would be, you know, ICANN producing the first draft of a document and then followed by a process where there would be review of that document and discussions to be had, as well as

iteration of the first draft. And then there would be a very short period typically to finalize and prep the document for public comment, and then of course there is the public comment period. And then after the public comment period would be the staff analysis and updating of the document based on the comments received. And then the final step in the process will be the approval.

So in terms of involvement from the various parties during each one of these steps, as you can see there, of course ICANN is responsible for producing the first draft of the document based on the CWG proposal and/or any other requirements, such as, you know, as I mentioned when we were drafting the naming function agreement, we also had to look at the PTI bylaws that were already drafted to make sure that all of the relevant provisions within the bylaws were carried over into the contract as well. So that's what we mean by other requirements.

And once that first draft is distributed, there is going to be a period of review and discussion, usually with the operational community. So in this particular case if we're talking about the CWG, there would be a discussion period with the CWG, including Sidley, as appropriate, to review that first draft. And if there are any questions, you know, ICANN can provide input where needed. And of course Sidley would also be involved in the review of that document based on the direction of the CWG and then providing any feedback as relevant into that process.

And also as directed the CWG, Sidley could also draft feedback to provide to ICANN and/or work with ICANN to draft language, an example of which would be the PTI purpose, you know, where the CWG had directed ICANN Legal and Sidley to work together to draft revised language for the PTI purpose based on some of the direction that was given on the last call.

So that's sort of the process that would go on during that review and discuss and iterate phase. Through that process, we envision that the relevant input would be incorporated into a second draft and then it would just be prepped for the public comment period, and then ICANN will post it for public comment. We have slated a 30-day public comment period for all of the documents, PTI-related documents.

During the public comment period, ICANN staff will be monitoring the public comment, and as comments are submitted, we will bring them to the CWG during the scheduled CWG call and provide an overview of the comments that have been submitted, as well as, to the extent possible, ICANN's plans on how the comments will be dealt with. And that's - we want to do that as soon as the comments come in because we have a very short turnaround time for the staff analysis at the tail end.

So as comments come in, ideally what we'd like to be able to do is share them with you, tell you how we intend to deal with them, and then basically through that process, confirm the way that we are going to be dealing with them is consistent with the CWG proposal and if there are any concerns or questions, then we can deal with them, you know, earlier on this process rather than at the tail end of the public comment period.

And of course Sidley will continue to be involved during that process, as directed by the CWG, and providing input as needed. It's also envisioned that during that process, the CWG would have another opportunity to review the draft that was posted for public comment to determine whether or not the CWG would like to submit any additional comments during the comment period. So of course that discussion will go on during the public comment

period as well, and ICANN would provide input where needed, as well as Sidley.

And then it's envisioned that once the public comment period closes, that process will continue into the early part of that process, the summary and analysis process. Because we would assume that there would be some comments that would be submitted at the very end of the public comment period.

So for those comments that are submitted at the very end, we'll do a quick analysis and turnaround and, as much as possible, provide the CWG with an overview of those comments that were submitted, how we would plan to deal with them and discuss whether or not there are any issues with the way that ICANN intends to deal with those comments.

And then as you can see there, there needs to be a short period of time for ICANN to finalize the document and prep them for posting, the summary and analysis, as well as the revised document. And then for all of the PTI documents, board approval would be required as the final step. So that is an overview of the process. Let me - hopefully none of this new. It's sort of what we are already doing to some extent, so I hope there's no surprises here, just a matter of putting this down into a document.

So let me stop there and see if there are any comments or questions. Kavouss, please go ahead.

Kavouss Arasteh: Good morning. Can you hear me? Hello?

Trang Nguyen: Yes we can hear you.

Kavouss Arasteh: Hello? Can you hear me?

Trang Nguyen: Yes please go ahead.

Kavouss Arasteh: Yes sorry. I was a little bit shocked this morning at the 6 o'clock UTC hearing that Grace is leaving. We're happy it's good for her. It is not good for us to hear this news at very early morning, so on and so forth. She has worked with us for almost two years, and I suggest the co-chairs of the CWG and also (unintelligible) CWG writing a letter of appreciation to ICANN, whether it will affect it or not affect it for her, but at least this is our duty to express our sincere appreciation for the devotion, for call beyond duty, and for many, many other (unintelligible), qualifications. So this is something that we should not call yet.

And now I have one small question. Document is a very general term. It could be applied to anything. So what do we mean by PTI document review process? Review process I understand and PTI I understand, but document I don't know which document is under this process, output, particular output? So could we have some small explanations from either you or from Lise or from Jonathan, or from anybody? Thank you.

Trang Nguyen: Thank you, Kavouss. The document that we are referring to here and all of the PTI-related documents are listed under - you can see the list of them under agenda item number three there. It's the PTI articles of incorporation, the PTI governance document, including the conflict of interest policy, board of conducted, expected standard of behavior, the PTI bylaw, the naming functions agreement, and the services agreement.

Kavouss Arasteh: Thank you.

Trang Nguyen: Paul, please go ahead.

Paul Kane: Thank you very much. I don't want to dwell on it but I just want to make sure, because unfortunately I can't see, I'm using a very small screen, at what point after the comment period is the CWG required to sign off on the official documents of PTI basically following the conversation we had the last call we had? Thanks.

Trang Nguyen: Thank you, Paul. So I'm not sure what official sign off means. I - the way that we have created this process is to ensure that we have regular check in points with the CWG throughout the entire process, you know, so as to say that any issues that come up along the way would have been resolved.

So as you can see, before a document is even posted for public comment period, the CWG would have had an opportunity to actually review the draft, provide any feedback and be engaged - and ICANN would be engaged with the CWG to better understand what the issues are so that the document can be updated in a way that meets the requirements of the CWG proposals. And that happens before it has a public comment period.

During the public comment period, as the CWG holds discussions regarding whether or not it want to submit any additional comments, ICANN could also be engaged in that process to better understand what the issues are and deal with them along the way so that it doesn't become a surprise at the tail end when the comment is submitted, but during the discussion it would be an engagement process and it would be very clear on how the comment would be dealt with.

And then comments from other parties that are submitted during the public comment period, as I mentioned, we will monitor those comments as they

come in and then share with the CWG our plans on how we would deal with them. So again, it won't come as a surprise at the end of the public comment period how those comments will be dealt with. So it's a consumer engagement process all the way throughout and that's how we want to set it up.

Paul Kane: I don't want to dwell on it because it's still early on the morning for many, but I'm just trying to understand the process. There are comments. ICANN is very kindly going to assimilate those comments and then is going to discuss it with whom, the CWG who say yes that's a great comment, that is not a great comment, yes that's already captured, no it's not? Or is ICANN going to discuss it within its own organization, in which point...

Trang Nguyen: No, no, the discussion would be with the CWG sort of...

Paul Kane: Go ahead.

Yuko Green: The discussion would be with the CWG similar to what I've been doing relating to the (RZA) charter and the comments that we've received on the (RZA) charter, where we would summarize to the group sort of who submitted what comments and whether or not we would implement the change and the rationale for why we would implement the change, and if the change is - or if the suggestion or comment isn't going to be implemented, why would not be able to implement the suggested change.

So it would be discussion held with the CWG, but the responsibility of the summary and an analysis and updating of the document is the responsibility of ICANN. And that's just our standard public comment process.

Lise Fuhr: Yuko, this is Lise. I see some questions in the chat and I think you're - it's really important to understand the role of CWG, because CWG was formed to

actually make the proposals and submit those to the NTIA for the ICG. Now we reformed or re-scoped the CWG to be the team that's actually following the implementation and we're there to ensure.

So for me it's not a matter of ownership of the document, it's more of a matter of we as a group are here to align and ensure that whatever implementation is in line with what the proposal of the purpose of the proposal. So I see Paul and I see (Jordan) wants to have ownership of this. It's not a matter of ownership, it's a matter of us working together and ensuring that this is in line. And well ICANN actually is the one doing the implementation, but we have a say in it. Thank you.

Yuko Green: Thank you, Lise for that clarification. That is really helpful. So thank you very much. And hopefully that clarifies things a bit more for you, Paul and (Jordan). (Unintelligible) Okay terrific.

Trang Nguyen: Okay let's move on to the next slide, which has the timing. And Brenda or Yuko, we can release scroll control. I know the slide is very small so perhaps - thank you so much. You can zoom in as needed. So this slide presents and shapes for you the various key days for all of the PTI-related documents. As you can see there, I don't know perhaps I can just run through this real quick.

I think this is one where you can take a closer study, if you like. But for the articles of incorporation, that is the document that will close public comment first, it is expected that the comment period for the articles of incorporation will be by the end of this month, July 31. Staff has a week to finalize the summary and analysis of the comments and post a revised articles of incorporation, slated for August 5. And then the ICANN board approval is expected to take place on August 9. And then on August 10, ICANN will file for incorporation.

As I previously mentioned, it is important for us to show progress to NTIA by being able to, at minimum, file for incorporation prior to the due date of our implementation report to NTIA, which is August 12. So that's the date that we want to drive towards and want to keep to.

With regards to the PTI bylaws, those documents are currently out for public comment, and the public comment window will close on August 11. It is expected that the staff analysis and revised bylaws will be published by the 18th of August, and then followed by PTI board approval, which is a TBD date for now because there are some things that needs to occur between the incorporation of PTI, which we don't know the exact date of, we can only forecast the date that we submit the paperwork, you know, to when the PTI board is seated. So as soon as, you know, we are able to have the PTI board seated and call a first meeting, then the bylaws will be presented to the PTI board for approval.

All of the PTI governance documents, the conflict of interest, policy, board code of conduct, and ethic standards of behavior, those documents will close public comment period on August 7, and ICANN plans to finalize the staff analysis and post the revised document by August 12. Again, you know, this day being a critical date for us in that we can also then report finalization of these documents to NTIA in our implementation.

Trang Nguyen: And as you can see there, that will be followed by PTI board approval (unintelligible) in terms of the bylaws approval date.

And then moving on to the contracts, as you can see there, there will be contracts, the naming function agreement and the two subcontracting

agreements for the numbers and protocol perimeter, as well as the services agreement. For the naming function agreement, a draft - a first draft of that agreement has now been circulated. We are asking that the CWG provide any feedback on the first draft by the 29th of this month, if at all possible.

We are looking into potentially ways to provide additional time around without pushing out the timeline too much. Because as it is, this timeline shows that the board approval of the agreements will take place on September 18. The further we push it out and the closer it gets to 9-30, that doesn't allow us any wiggle room if anything comes up unexpectedly. So as much as possible, we'd like to keep to the timing but we understand that the 29th may not be enough time for the CWG to provide feedback, so we are looking into, you know, how to be able to shift the schedule a bit without moving that end date out too much.

The subcontracting agreements have also been circulated for review. We are hoping to receive feedback on those documents sort of end of the first week of August there so that those documents could be finalized by August 12 and so that we can report that as another completion to NTIA when we submit our implementation report.

The services agreement we recognize will take a bit longer to finalize. So it's on somewhat of a similar timeline as the naming function agreement, except it would not have a public comment period. Instead, the CWG, IR, and IATF will be able to have a longer review period, as you can see there, of approximately I want to say close to four weeks there. And then all of those agreements will be approved by the ICANN and PTI board in mid-September.

So at a high level, that's the current work plan for all of the PTI documents. I will take a pause to see if there's any questions or comments. Kavouss, please go ahead.

Kavouss Arasteh: Yes, I have a question. Perhaps it is already mentioned. Why the operational committee or operational community, we have already these three, those dealing with perimeters, those dealing with names, and those dealing with the numbers. Numbers and perimeters we know who they are, but who will be the operational community for naming, GNSO (unintelligible), who will be part of that? Thank you.

Trang Nguyen: Lise? Thank you, Kavouss. Lise or Jonathan, would you like me to try to answer that or would you like to come in on that?

Kavouss Arasteh: No, I want to discuss who they (unintelligible). If the answer is sufficient, I don't comment. If the answer is not sufficient, I comment. Because the two of them are quite clear that they review, the number and the perimeters. IATF numbers, ASO and others review them. But for the naming I don't know. Who is the naming?

Trang Nguyen: Thank you, Kavouss. Yes I'm trying to figure out how to address that question. Obviously the naming function - we have a description of the naming, what would constitute the naming function in the naming function contract or naming function agreement, and I don't have it right in front of me. And I'm afraid I'm going to leave somebody out, but essentially it's the registry operators, which means gTLDs, ccTLDs, it would also mean the operators for .NIT for example, which is currently IANA. So the naming function agreement is in effect to service that group of customer. And I don't know if Jonathan and Lise if you have anything else that you'd like to add to that.

Lise Fuhr: Well, sorry I must admit I didn't completely get the question. So if you repeat it, I'll try to answer it.

Kavouss Arasteh: Yes, my question is that during the ICG action community, operational community identified perimeters and protocols, numbers and the naming, which was more or less CWG. Now perimeters and protocol is really clear, IATF are numbers. Numbers (unintelligible) ISO (unintelligible) and narrow and so on. But I don't know who would be called (unintelligible) to review this document.

A group of people as I mentioned – GNSO, (csNSO). I don't know the gTLD operator, registry, register. It is not clear for me who - because we are talking of reviewing a document. We know the entity who review. We should go to whom this will be addressed and to whom will (get it). We should be in the middle of no work if we don't clearly identify. Thank you.

Lise Fuhr: Okay thank you Kavouss. Very good question. Well, regarding the naming community, you have the established organization, the ccNSO and the GNSO. But those have actually commissioned it to the CWG to be a part of this review process. So that's why we actually formed the CWG.

And those were formed so they actually represented ccNSO but also registries outside the ccNSO. You know, some countries are not a member of the ccNSO.

And you have the other parties from the gTLD world that, the GNSO, that also put in members here in the CWG. So I guess the CWG is the entity reviewing this and then you have the public comment period where everyone can review it and submit.

Kavouss Arasteh: I'm sorry it is not clear the operational community. Part of the CWG - CWG review and CWG sent to itself the results of that review now which is not clear. I think this little part is not clear. I have no problem if this (naming) action be devoted or given to GNSO and (CNSO) and they organize some sort of arrangement.

But I don't think that CCWG on one part should consider itself as part of the operational community and the other part as the reviewer or the result of those review. I don't think - something is missing here. Thank you.

Lise Fuhr: Okay. Any other comments to this?

Seun Ojedeji: Hello. This is Seun (Unintelligible) on the queue.

Lise Fuhr: Seun yes. Okay Seun go ahead.

Seun Ojedeji: Okay, I think this is - it's a bit of what demand was there. I think if CWG is a group that developed the proposal for (unintelligible), just like we have (the Christy) develop any proposals for numbers. Those will review or we'll follow up the proposals as a members of the community, so as a CWG (such an) organization, the at-large, the CCWG - I mean the ccNSO, the GNSO, they're all part of those (unintelligible) review.

So it's not actually that we are doing the review or the (charter) organizations are doing the review and then giving their (unintelligible) CWG.

(Unintelligible) just like the communities of the numbers did a review of the output of the (Chris) and it gives a feedback to (Chris) too. Thank you.

Lise Fuhr: Okay. I see support in the chat from Avri. Seun has a point. CWG is part of ICANN that represents the naming (operational) community.

Kavouss Arasteh: May I have another continuation? I don't understand this situation. I can agree with (Greg) that saying that naming functions, agreement of ICANN and (PTI). If they are ICANN and (PTI) at operational community, part of the (operational) responsible naming, I have no problem.

They prepare a document. They review and send this to another entity before CWG. But if CWG on one hand is judge and the other hand is the one who will be judged, I don't understand that. So it is not clear. I don't think it is.

I think if you go to the previous diagram, you see that there are some missing points. You don't need to reply that now. Please have a look and to see what is the most appropriate way. If it is the way that (Greg) has put, I have no problem.

If there is other way, I have difficulty. We cannot be judged and we cannot have a judgment for ourselves. We should be one on this, the CWG. So I don't think that is clear. Thank you.

Lise Fuhr: Well I see Jonathan has his hand up. But before handing over to Jonathan, I'd just like to remind you that first of all the proposal was signed off by all the naming communities and then we formed CWG as an implementation group to support the implementation as such.

During the implementation we helped implementation ICANN team to form the document. And then we have a public comment period where everyone can submit. So it's not the ones that are making the document that are also judging the document.

It's actually much more complex than that, but I think it's very transparent and very open way to do it. And still CWG has a say in the public comment but all the others have too, so it's not that we have priority. But Jonathan go ahead.

Jonathan Robinson: Lise. I think you covered it pretty well there. Kavouss has asked us to just rethink that and make sure we are satisfied that the people who prepare the document aren't reviewing the document as well. In my view that is not.

As you said, CWG prepared a proposal. ICANN staff ultimately take that proposal and implement in. In this case, the naming function agreement is drafted in a (unintelligible).

Lise Fuhr: Jonathan we lost you. We can't hear you. Jonathan are you...? And I see Kavouss is typing. While we're waiting for Jonathan to get audio I'll let Avri talk.

And I just want to highlight we have 15 minutes left of this call and we have only managed to get to item number 2. I would really like us all to have time to have Sidley present what they have on the governance documents. Thank you. Avri go ahead.

Avri Doria: Thank you. Avri speaking. Hopefully I can be heard. I think the point and the answer to the question asked by Kavouss is that it's not the same people preparing the document as it is approving it – and I think that's where Jonathan was going with his statement but I shouldn't presume – is that ICANN has prepared the document. We have commented. We have reviewed at intermediate stages.

And when ICANN finishes it, (unintelligible) goes to the public comment. Then the CWG seems very much the appropriate place to approve it. If we needed to go further then we would need endorsement of the charter bodies. But that's not normally it's done with implementation reviews as the empowered implementation review team from the chartering organizations. It does seem to be the CWG's task. Thanks.

Lise Fuhr: Thank you Avri. I don't know, Jonathan are you back on audio or...? Okay, Kavouss, I see your point. I think we need to move on and we have all tried to actually define the operational community dealing with naming.

And the only thing I see that's a little difficult on that is actually the non-members, which is the registries, the ccTLD registries that are not a member off ccNSO, but they have a contact list so they are also informed about all this work. Thank you.

I will move on to item number 3, the key issues were as PTI articles of incorporation we at the last meeting decided that Sidley and ICANN Legal will work with this and find some wording for the purpose of PTI. And I don't think we have any news on this unless I see any hands from Sidley or ICANN Legal.

So I think we should move on to the PTI governance documents. I know that ICANN Legal submitted some answers. I think maybe we should start with those and then have Sidley highlight if there is any issues you think are particularly concern so you could highlight those. You don't need to go through all minor changes but if there are some issues we should focus on.

But first I'll let Sam quickly give the answers that you sent to the list earlier today.

Samantha Eisner: Thanks Lise. This is Sam Eisner from ICANN Legal. We of course received the documents from Sidley tonight when the CWG or the CWG Client Committee received them. So we haven't completed a full review of the - but it's suggested by Sidley though on the whole they seem to make sense. And we'll be completing a review to see if we have any further comments on it.

My responses that I submitted to the client committee were directly related to questions that were posed within the expected standards of behavior document. So whoever is driving the Adobe room, if you could flip to that document instead...

So Sidley posed a couple questions in this document. First there was a footnote to the top of the document itself asking whether or not this document made sense in light of PTI and if it was needed.

And I wanted to clarify the reason that this was brought into the PTI format (first sweet), we don't think that it causes any sort of issue with contradiction of proposal and (everything) (unintelligible) in support of the proposal and community involvement within PTI.

The NTIA's report that they released on June 9 included if you recall a list of action items that had traffic lights associated with them, and either yellow or green because thankfully there were no red traffic lights there.

And one of the yellow traffic lights went to issues surrounding the governance of PTI and really was a basis for the three documents you see here that we were always planning on developing a conflict of interest policy in relation to PTI. That's something that we do with an (unintelligible) application in any event as well as a code of conduct.

But NTIA also specifically called out the expected standards of behavior that were in place within ICANN as the example of a sort of ethical guideline for behavior within PTI and for those participating in PTI as something that would be a good practice to bring in.

And so our move towards bringing in the expected standards of behavior is in direct response to that yellow traffic signal from NTIA. And I know and (Tracey) confirmed that the conversations that we've had with NTIA since - and we've actually released a list, a chart on this publicly. NTIA was satisfied with the suggestion that PTI would have expected standards of behavior as well. So that's what drove the actual development of this document and (supporting) over of it from ICANN.

And then there was a second comment - and Sharon I think that goes to a couple of the different edits that we saw from Sidley questioning whether or not some of the references to meetings or recommendation building or participation were applicable given that PTI is not envisioned to have any sort of ICANN style public meetings.

And while we agree with Sidley that PTI is not intends to have those sorts of meetings, there are still many different programs of work that directly relate to PTI and there will be many unknown touch points I think at this point that the customers of PTI will have with PTI. But we know that there will be some of the established processes such as the (CSC) and (IFRT) that will be ongoing that we think that there is likely a possibility of those groups meeting.

So we want to make sure that those meetings are clearly governed by expected standards of behavior for how people will interact not just with PTI and staff on board but also amongst itself or amongst the members themselves and also

that they would come to those meetings with the same intentions of informed participation and participating fully in the development of recommendations even though they're not the policy recommendations that are specifically called out for the ICANN expected standards of behavior.

So I just wanted to lay that groundwork for the CWG as you review the expected standards of behavior for consistency with the CWG proposal.

Lise Fuhr: Thank you Sam. We have eight minutes left and I know Sharon has her hand up. I'll hand it over to Sharon but I don't know if you can - we need to actually also get to the important parts of the document and this might be the two questions, I don't know. But just be mindful of time. Sharon go ahead.

Sharon Flanagan: Thanks. So that's helpful background from Sam. We weren't aware of that requirement on this document. It just looked to us like a document that maybe wasn't needed or relevant. But if NTIA is asking for it, we don't have any objection to it, and they are certainly admirable goals that are articulated. So that's all fine.

The one example though that was noted, and it shows up if you look at the bullet that reads ("Act"). And it refers to regularly attending all scheduled meetings. So the lead-in says that customers and others would regularly attend all scheduled meetings.

We just thought for PTI it's not like ICANN where there are these regularly scheduled meetings that people participate in. PTI doesn't have that, and so we didn't want to create some obligation on the customer's part for example that they need to be showing up at meetings in order to be a customer of the IANA functions.

So that one maybe is a place where we might want to, you know, pare it back a bit just because it didn't seem quite on point, but the other changes we had here were I think pretty minor.

Lise Fuhr: Thank you Sharon. And I see Kavouss is having his hand up. Kavouss go ahead. We still have two other documents to go through so please (unintelligible).

Kavouss Arasteh: Yes okay I have to raise if you put a document they have to raise our questions.

Lise Fuhr: Yes, yes, yes, go ahead.

Kavouss Arasteh: Yes what is the reason that this bullet dealing with the consensus or working to build consensus has been deleted? Are we in a case that we work on consensus even if the multistakeholder don't understand each other? Without defining what a consensus is, but at least we bear in mind why it has been deleted. Thank you.

Sharon Flanagan: I can respond on that. That was on we just thought again it just didn't seem like - we have no objection to consensus of course but for PTI would there really be a process of consensus. We just weren't sure. PTI's a pretty focused purpose. So no objection to putting that one in. I think it's fine if people want to put that back in.

The meeting sites I thought was just - it just to me looked like it was creating an obligation, and I didn't think people would think that that was appropriate to be putting in particular on the customers.

Kavouss Arasteh: I suggest we put it in but if not we modify the third line. I don't think that anyone could undertake responsibility to ensure undertaking responsibility to (intelligible), making every effort or endeavoring yes, but not taking responsibility for ensuring that the success of the multistakeholder by trying to reach consensus.

If you modify the third line, I think it's a useful element. We have to keep it in because always consensus is the best way of work. Thank you.

Lise Fuhr: Thank you Kavouss. That was - yes it's an important point and I think it was a good suggestion. Sharon go ahead.

Sharon Flanagan: Okay well I think there is a place for some clarification and Sam and (Necat) points out that the working groups need to work towards consensus. But, you know, keep in mind the working groups are largely creatures of ICANN where these guidelines exist. So again we just want to make sure this doesn't kind of become overly broad so that was the reason for those comments.

Given the time I think it probably makes sense for me to turn to the other two documents – the code of conduct and the conflict of interest policy. The code of conduct I think our comments were very minor.

As Sam mentioned on an earlier call, these all were based on the ICANN documents and we got red lines against those and they all seemed fine. There were just a few things we thought should be modified to fit PTI but nothing I think that's work flagging on this call.

The conflict of interest policy, similarly it's an ICANN based document. It seemed generally fine to us. There were a few places where we wanted to modify it to make sure it was in line with what the PTI bylaws contemplate,

but otherwise, you know, we thought it was a good document and worked fine.

So one comment we have raised was when there are conflicts of interest, the way the document was set up, those conflicts would be raised with the secretary of PTI. That makes sense at the ICANN level because the secretary I'm guessing is probably the general counsel or someone of that level.

PTI's secretary is probably going to be a much more kind of ministerial role and so we thought that conflict should actually be brought to the chair of the board rather than a secretary. So that was one comment we made.

And then we made some comments to the approval if there is a conflicted transaction what approval would be required. We tried to tie that more closely to what the bylaws contemplate. So I don't think that was overly controversial.

We also made a change to make clear that there is no compensation to the directors of PTI. So there was some language about directors weighing in on their own compensation. We thought that would come out since there's not going to be compensation of the PTI directors.

And then last, more of a technical question that we wanted to just flag for you all is if you scroll down there is - towards the very end there's a definition of what a financial interest is. And a financial interest is relevant to what is a conflicted transaction or where there's a conflict of interest.

And there is a reference in that paragraph in a definition of financial interest that defines policy programs and other matters including but not limited to the application for or the registration of top level domains. That's a lift from the

ICANN document and we weren't sure if that should be revised in any way for PTI.

Should it refer to delegations or redelegations or anything else that would be particular to PTI? We're not in the position to answer that question but we wanted to flag it for you all. And I think that was all we had on those documents. Thank you.

Lise Fuhr: Right, thank you Sharon. Any questions or comments for Sharon and especially on the last issue she raised? Jonathan go ahead.

Jonathan Robinson: Thanks Lise. Very briefly, I think this has come to the CWG in some ways a little bit early. Ideally what would have happened would be - and it strikes me as the process which should be that Sidley has reviewed it, give these comments to ICANN Legal who were the source of these documents gets a chance to respond, which clearly Sam tried to do in a very short time.

Because of the compressed time scales we are working on, we get ourselves in a position. I think my view of where the CWG needs to wade in as it were as if there is a difficulty in finding an agreement between ICANN Legal and Sidley.

So Sidley's promptly provided its input. ICANN Legal may or may not accept most of these changes or recommendations. (Unintelligible) for a second primary revised version of the documents once Sidley's suggestions and comments have been taken into account. And then only focusing on if there are any remaining outstanding areas.

Lise Fuhr: Thank you Jonathan. That is a very good idea. We'll have a second revision to do next call. Thank you. And if there is no further questions or comments I

think we should move on. We're just past the hour. We have - I don't think we have any other updates on any of the key issues as I recall it. If there is, please let me know.

Man: (Unintelligible)

Lise Fuhr: We have - except the PTI bylaws, we had the Annex C recirculated. While mindful of time, I think we should remind you that Annex C has been recirculated. Please read it and see Sidley's comments to Annex C in relation to PTI bylaws and the naming functions agreement.

And then I think we should go through these on the next call if there are any questions. If not we'll just proceed with the bylaws as they are.

On that I think we should move to AOB. And I would like to highlight that we are considering having a meeting next Tuesday and we still need to confirm the time on the 28th in the end. Chuck, your hand is up. Chuck go ahead.

Chuck Gomes: I just have a brief item under any other business if you're ready for...

Lise Fuhr: Okay, yes, yes.

Chuck Gomes: As I indicated in the meeting on Tuesday, the Design Team O had a meeting yesterday with - including Xavier and this team and Elise Gerich from the IANA team and so forth regarding the IANA budget.

I just want to very briefly report that it was very productive. Those on DTO raised some good - provided some good input to staff in the proposal that they have presented at a high level for the budget process to make sure that the CWG requirements are met.

And it looks really good to us on DTO. As soon as it gets fleshed out further of course we will present it to the full CWG with our input and recommendations.

Lise Fuhr: Thank you Chuck for the update and thank you for still taking care of DTO. I see Trang's hand is up. Trang go ahead.

Trang Nguyen: Thank you Lise. Just one quick point as a reminder that in a few hours we will have a call with the Design Team A as well as those within the CWG that will be interested to review the (SLE) data that we have been collecting for the last half or so month as well as our proposed (SLE) threshold.

So I believe everyone here should have received a calendar invite for that call. If you are interested in participating. Just wanted to remind everybody about that. Thank you Lise.

Lise Fuhr: Thank you Trang for the reminder. This is very good point to make, that the meeting regarding the (SLE) is always open and it will take place today. So please join if you're interested.

And I'll just remind you again we might have a meeting on next Tuesday just to prewarn you on this. And we will get back to you as soon as possible on the timing of this and on the timing on the meeting that's scheduled on Thursday.

And I don't know if there's any other questions. And I see Jonathan put in the chat that the (SLE) meeting is at 2000 hours UTC.

Any other questions or any other business? If not, I'll conclude this call and thank you for joining. I'm sorry we ran a bit late, but it has been a very good discussion. Thank you and enjoy your day or night wherever you are. Bye.

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