ICANN

Coordinator: Brenda Brewer
May 10, 2016
5:14 pm CT

Coordinator: This meeting is now being recorded.

Woman: All right. Hello everyone.

((Crosstalk))

(Trang):   This is the Implementation Oversight Task Force Call Number 8 on the 10th of May 2016. Thank you everyone for joining today. Apologies. I know that we did a last minute cancellation for the meetings last weekend and our apologies for doing that. There were some last minute scheduling conflicts that came up.

We are going to be doing a doodle poll about two weeks out. Is that right (Yukov)? One week out for future IOTF meetings with the hope that by doing so we could identify the best time for the majority of folks for these meetings moving forward on a week-to-week basis as opposed to having it at a standard time like we have been doing. So (Yukov)'s been sending out those doodle polls. And thank you for working with us on that.

On today's call we have the same agenda that we had prepared for you for the call last week. And we're going to be using sort of the same - working from the same agenda this week. Can we move to the agenda slide please? Take a look at it.

So for today's call we'd like to close out if we can any discussions as it relates to the IANA escalation mechanisms. We have been working with Donna very closely on the CSC and have made significant progress that we'd like to update you on today.

And then the last item on the list is the document review process and timeline. We have made some changes to that slide based on two facts that we received from the last call and we'd like to take another look at that with you.

So those are the main items that we have for the agenda. And then maybe under other business we can also touch on the request to have a implementation of the session at ICANN 56 and any additional items that anyone would like to bring up.

(Jonathan), did you want to add anything before we get started?

(Jonathan):   Thanks (Trang). I'll pick it up later. I just want to talk about scheduling but I'll pick that up under Item 4. Thank you.

(Trang):   Thank you (Jonathan). And (Paul), you have your hand up.

(Paul):   Thank you (Trang). Very brief question. Can we be assured that the statistics gathering for the SLE (sleeve) is working correctly and all data that's required is being captured appropriately?

(Trang):   Thank you (Paul). Yes. I'll bring that up under any other business. All right. So with that, maybe we can go ahead and move on to the next item, the IANA escalation mechanisms.

As a reminder, the last call we shared this slide with you, which captured the clarification that Chuck and the design team that work on this provided to us. There was a request on the last call that additional time be given to more carefully review this clarification. And I think the request was for a week to review that. And I think it's been more than a week now since we canceled last Wednesday's meeting.

So I just wanted to circle back on this and see if there's any additional comment or discussion that anyone would like to raise on this particular topic or if we can consider this closed. (Paul), you were the one that had requested I believe if I'm not mistaken additional time to review this. You know, do you have any additional concerns or comments that you'd like to raise? Are you okay with this?

(Paul):   So just a quick thank you all for allowing additional time on this issue. I just wanted to have a chance to go back to the CC community to find out if they - if members of the CC community had any issues.

I haven't had any substantial issues from the CCs being raised. The only thing that has been brought to my attention was just -- I'm not sure if it's covered and I'll be guided by you (Trang) -- is to make sure that the ccNSO members and the non-ccNSO members have equal access to the escalation mechanism and fundamentally are not discriminated against irrespective of which camp they're in albeit the ICANN policies apply more to the ccNSO members who obviously have, you know, agreed to follow them.

But the escalation mechanism as such provide non-discriminatory. The comments I received were no real substance. But I'm grateful to everyone for allowing a little more time for us to consult with our respective communities. So thank you (Trang).

(Trang): Thank you (Paul) for that. And yes, these customer service escalation mechanisms are open to all of IANA (and the) functional customers. So, you know, it doesn't discriminate between, you know, The C's or G's or, you know, people that may be on the CC - that may participate or not participate within the ccNSO. It's open to all IANA naming (unintelligible) customers.

All right. So with that, I - Chuck, you have your hand up. Please go ahead.

Chuck Gomes: Thanks (Trang) and thanks (Paul). I just wanted to add too that it's my understanding too that individual registry operators whether they be C or G who are members of the GNSO or Registry Stakeholder Group or the ccNSO have the right also to file IRPs. And so I don't think there's any discrimination there in terms of IANA customers from doing that and raising an issue. So thanks.

(Trang): Thank you (Chuck). All right. So with that I think we can consider this item closed. And then we'll update our decision (log) to reflect that.

All right. So next item on the agenda is the CSC update. Donna, I - let's load the slide up and then Donna would you be willing to give the group and update on the work that we have been doing on the CSC?

Donna Austin: Yes (Trang). I will. It's Donna Austin.

(Trang): Thank you Donna.

Donna Austin: So thanks to (Trang) and (Yokov) for the work that they've done in making some progress here. So one of the initial things that we had to do is just calibrate the CSC charter in terms of questions that we've responded to as a result of, you know, Sidley drafting the charter and just making sure that we were consistent in any responses that we provided the clarification questions related to the charter that was taking place for the bylaws.

But also there were a few occasions I think when Sidley had asked questions about what we meant by exploited. So we just went through and - or (Trang) and (Yukov) went through and pulled out all those different pieces of information to make sure that the responses we had were consistent and that we were interpreting the charter in its most up to date form as we understood it. So that's essentially what this slide here is speaking to. Next slide please.

(Yukov) I guess. So in terms of the formation process so one of the things that became obvious along the way is that there's different little components of responsibility within the charter itself. So we've basically, you know, took all different requirements out and then tried to map what it was we actually need to do to try to get the first CSC established.

So we drafted the skill set (into the other) diversity requirements. Now I'll add that for the Registry Stakeholder Group we've been through a process of identifying what our process will look like in terms of selections for the two gTLD registry operators.

And we've seen that we have been a little bit more specific about the skill requirements. And the ccNSO has actually been going through a similar process. So that kind of ticks the box on the skill set and (GO) diversity requirements.

And we've defined the formation process and timeline. The timeline is still a little bit fluid because we're still trying to get, you know, the different groups - we're trying to understand the - how long it's going to take each group to do their separate parts and then put the timeline together.

To some extent we're working between doing an expression of interest or an announcement. ICANN will do an announcement around the 16th of May with the expectation that we will have the CSC selections made by mid-August. Next slide please (Yukov).

So this speaks to the work that we've been doing with the ccNSO Registry Stakeholder Group and also I've really only just started the conversation with the GNSO this week. So it's on the agenda for the Council meeting on Thursday.

So I'll have a little bit of a preliminary discussion about what the requirements are for the GNSO in terms of setting up the CSC and then we'll get into some more conversations after that about specifics for how the GNSO will do the selection of the liaison and also the full slate at the end of the day in conjunction with the ccNSO.

So the membership process is - if you'll recall we have two gTLD registry operators and two ccTLD registry operators, which we consider to be members of the CSC. And there's also a provision for another TLD registry operator that isn't considered a C or a G. So somebody like (.arpa) and could also put in interest to be considered for the membership slate.

And then with the liaisons essentially one liaison from each supporting and advisory committee other than a registry and that's the…

((Crosstalk))

Donna Austin: And the final slide. So this is a timeline that we're working to at the moment trying to take into consideration all the moving parts. As I said, there's a little bit of a gap in the middle there as we try to work out how the, you know, at the moment I think the Registry Stakeholder Group is looking to make selections by the 17th of June. So our expression of interest window is really only open for about a month.

I think the ccNSO is looking to have a longer window and then we have to bring those two groups back together to do the discussion around the membership selection. And then the third the consideration for the ccNSO and GSNO to consider the final slate and also for the GNSO to select the liaison that will come out of the GNSO. So this is loosely what the formation timeline is going to look like.

So that's all I have in terms of an update. Alan, I see you hand up.

Alan Greenberg: That's not intentional.

Donna Austin: Oh sorry. Wasn't your hand up? Something moved on your - and I thought the hand was going up. Sorry. So does anybody have any questions you'd like me to answer? All righty then. I think we can move on (Trang). Thanks everybody.

(Trang):   Thank you Donna. All right. So document review of process and timeline. Next slide please. So this is the timeline that we had circulated previously. And I think this is the timeline that had also been shared with Sidley.

This is the high level timeline that basically show the various activities as well as the timeframe for the formation of (PTI) essentially. So I know it looks a bit small on the screen. Hopefully you have the ability to zoom in on this a little bit. So I'll just kind of walk through what's on the slide and then we'll share with you some of the things that may be shifting a little bit.

So what you see down here is the first line at the very bottom talks about selection of a name for PTI because as we go to incorporate PTI as a new legal entity, we need to give it a name.

So, you know, we essentially would have according to this timeline all the way through sort of the end of June to go through that process and select a name.

The next line above that that you see relates to all of the PTI formation documents. And that is specifically the PTI bylaws, the PTI Articles of Incorporation and the PTI conflict of interest policy. Those three are what we're calling the PTI formation document.

And as part of the timeline if you can see, we show here that ICANN would be drafting those documents and that would take through the end of April. The month of May would be used for community review of the documents. And then there will be a 30-day public comment period that would take place in June and then the ICANN Board would then consider comments received and then approve the PTI formation documents.

Once the PTI Board approves those formation documents then we can move ahead with incorporation of PTI. And that's the small orange box or bar that you see there about three lines up.

After PTI is incorporated, then the ICANN Board can then appoint and seat the PTI Board of Directors for PTI. And then after the PTI Board is constituted, they can then of course appoint PTI officers. So that's sort of the order of events that you see there.

Also you can see above that is a 501c3 filing bar. That can occur after ICANN has - after PTI is incorporated. So once there is a legal entity, then we can ahead and that legal entity can then go ahead and file for 501c3 tax-exempt status.

The green line you see at the top represents activities relating to the ICANN PTI contract. So according to this timeline what we have repeatedly projected is that ICANN would be drafting those documents through the - through towards the end of May.

And then the community would have a little over a month to review those documents. And then those documents could go out for public comment during the month of July. After the public comment period closes, we would then insert the actual performance target into the contract, the naming function contract.

And the reason that that's going to be done after the public comment period is because as previously discussed with the SLE Design Team in Marrakech, the data collection period will end approximately early to mid-July at which time ICANN would then present to the SLE Design Team our suggestions for performance target.

And so because of that timing, which occur sort of middle of July, we won't have the actual performance target available insertion into the contract until after the public comment period closes.

But the contract itself will have sort of a complex schedule, if you would, for the performance target. So just the actual values will be filled out once we have it. And then after that, the ICANN PTI Board would approve the contracts and then contract execution would take place.

So that's sort of the order of events that would take place. We - obviously it's not, you know, a little bit of into May already and we have not yet shared with you the PTI formation document.

We do have those documents ready. We wanted to talk to you about sort of the process - an (unintelligible) process in terms of who reviews it and what - who reviews it first and second and how do we work together with this group, with Sidley, et cetera, before it is released.

The other consideration that we had is that since there is a Board workshop later this week, we'd like the opportunity to also brief the Board before we release those documents. But they are ready and they are written.

So we can - we're in the process of working on updating this timeline to reflect the release or the drafting process being completed in the middle of May and shifting everything towards the right a little bit. So we're working on that and will share - and we'll share those documents with you shortly after this call.

The other thing that we also are working on is the more detailed timeline for the community review period. As you can see on this slide, we are just representing that as a big block of time. And what we've been working on is breaking out that one - that block of time into more concrete steps.

And I'm looking at (Yukov) to see where we are in terms of that process if it's ready to be shared yet.

(Yukov): (Unintelligible).

(Trang): Okay. So (Yukov) - sorry. We were just having an offline chat. So the detailed timeline is also ready to be shared as well. And I don't know if this, you know, if that's something that we can load up and share with the group right now.

(Yukov): (Unintelligible).

(Trang): Okay. So we do have a draft of it. I guess it just needs my review before we share it.

Woman: There's a little bit of a variation so we can internally agree on that perspective but we're almost there.

(Trang): Okay.

Woman: Yes.

(Trang): So I guess the discussion that we want to have today with this group is in terms of next step and review. We're going to share with you first of course sort of the timing that we're looking at and then discuss with you, you know, once we are ready…

((Crosstalk))

(Trang): …documents, what is the, you know, how do we go about working with this team, working with the CWG, working with Sidley to move forward with this.

So (Jonathan), I see you have your hand up so I will shut up for now and let you please jump in.

(Jonathan):   (Trang), I think I was somewhat anticipating that last question you made. I mean it was actually initially coming into the point thinking about the Client Committee meeting that had taken place last week but you also raised a good point about how these groups interact and (I mean it's) quite a delicate situation to manage here because technically the CWG is supposed to be providing this sort of appropriate level of oversight for the implementation to ensure its (constancy) with the letter and spirit of the proposal as you know.

We've got this group, which is intended to facilitate that really and provide a forum of more rapid response. But we've got to be careful we don't get out of step with the CWG. So we've got a challenge there.

And we've also now had the conversation via the Client Committee who itself has got a responsibility to the CWG not to get out of sync with the CWG. And we had that conversation with Sidley last week.

And it became clear talking with Sidley that we are - that this time scale is ambitious and stretching and we've left Sidley behind a little. Now you will know I think that Sidley released to us their comments on the heads of terms or the high level points with respect to the PTI formation document.

And the challenge there is that you were almost ready to release the (unintelligible) when you hadn't yet seen the comments on - at the heads of terms level.

So I guess what I'm doing is there's no sense of accusation there but collectively we've got slightly out of sync and we really do need to bring this back into line.

Now I know you should have received those comments by now and I'm just wondering when we get to see your first draft and indeed I guess the Board later this week gets to see your first draft of documents.

What level of - to what extent will they reflect Sidley's comments or at the heads of terms level or are we still going to be out of sync with that first draft? That's really the question with a lot of preamble to it. Any could speak to that (must be at the table) to enter dialog or other one's contribution.

(Trang):   Yes. Thank you (Jonathan). And the first draft once we get to a point - and first of all, we won't be sharing with the Board the actual draft. I don't believe what will be shared with Board is exactly what we shared with Sidley; just the head of terms.

And so Sidley's comments back at least to the head of terms are being reviewed and will be incorporated into - it will be incorporated if necessary. You know, this all consists and then obviously there won't be any update necessary but it's to get (sent) that updates need to be made. They will be made and we'd like to in the first step draft that will be shared. You know, either this group, Sidley or the CWG.

(Jonathan):   That's very encouraging. And that's policy - yes. It's (Jonathan) speaking again. That's posted here. I guess one of the things we might want to do then - I don't know how practical this is whether this is really unnecessary work or not.

But it does strike me as we've got this table (unintelligible), which includes their (unintelligible) - has an open mic somewhere. Is that the table from Sidley with the comments - if you are indeed reviewing those comments and either incorporate it and more - or in some way reject or not - it might be good to have an ICANN response in there so that when an implementation team responds it's - so it's clear for Sidley and the CWG how (things) will be dealt with. I don't know how practical that is.

((Crosstalk))

(Trang): That sounds reasonable from a process perspective. I can check and see if there's any issues or concerns with that internally. But from a process perspective, that sounds reasonable to me.

So yes, certainly. Let me take that back in totally and confirm that that's something that we'll be able to provide.

(Jonathan): Thank you. Just as I said, it looks like (Yukov)'s mic might be open but either (unintelligible). I'm not sure what that is.

(Trang): Thanks (Jonathan). I think that's my microphone. We're all in the same office. (Yokov) and (Natalie) and I. So I'll go on mute when I'm not speaking. (Paul), you have your hand up. Please go ahead.

(Paul): So thank you (Trang). Following on from (Jonathan)'s point, we have raised this at previous calls specifically Annex C, Sections 7 and 8 of the CWG report. You very kindly said on an earlier call that it would be addressed within the Sidley outline.

It does not seem to have been addressed. Can we be assured that in your draft bylaws it will be addressed at least? That's Annex C, Sections 7 and 8.

(Trang):   Thank you (Paul). With regards to Annex C, a recommendation is that that specific Section 7 and 8 be addressed within the naming function contract between ICANN and PTI and not within the bylaws. That's our recommendation.

And the document that's at least circulated is actually the head of terms for the bylaws. And that's why you don't see it reflected there because it's a recommendation that that be reflected within the naming function contract.

And then just to add to that a little bit more. The other document that we also have ready to be shared is sort of the section headers of that naming function contract.

I know that there was a request to have something similar to that be shared with this group sooner rather than later so that we can have a sense of how the document would be structured.

So we went back and then we think that we are going to be able to share that with you fairly soon as well. And not just the headers of the various sections but also the mapping of those headers to either sections within the CWG proposal or sections within the current IANA contract that's relevant to that section.

So that is something that we can share with you. And I believe that that was requested previously. So (Jonathan), is that a new hand?

Jonathan Robinson: Thanks, Trang. So just to perhaps help with responding to Paul's comments and perhaps preempting his comeback on this one. Paul, we tackled this issue specifically with the – with Sidley last Thursday, the inclusion of your concerns in either the PTI bylaws or the contract between ICANN and PTI. And Sidley were very firm in their view that the protections would be equivalent in either case.

And so, you know, to give you comfort on that I'd encourage you to listen to the recording of that client committee meeting because we did specifically pick this up mindful of your concern. So just to let you know that. I don't right now remember the full rationale for which I encourage you to listen. But I just thought I'd come in and let you know that – and others – that we dealt with the – the issue of whether or not they should be included in bylaws or IANA PTI contract.

And essentially Sidley said they are equally difficult to modify and your protections were equivalent. And it was in fact their recommendation that for other reasons that they were put into the contracts rather than the bylaws. So I just thought I'd come in that. May or may not answer what you're going to come back on, Paul.

Paul McGrady: So thank you, Jonathan. Thank you, Trang. And I remember the conversation with other members of the group which basically reaffirmed that view that they were of equal importance. And I think the conversation of the group was there may be benefit in protections being in both. Again I come back to the fact of unfortunately the CC community is very diverse and the CC community does really need to have assurances that the diversity will be respected.

Now, remember, there are those that are obligated to follow or – not obligated – indicate their willingness to follow ICANN-developed policy. There are those that are explicitly are outside of it and in fact ICANN has referred to that in court cases that it's had in recent past.

So I think, if you wouldn't mind, I will listen to the tape, very happy to. But if you wouldn't mind if we could have something in writing from Sidley as to why they specifically advised not having something in the bylaws. I understand the contract is strong and I think it was Alan that raised it and Alan raised some very good points.

I have read the language that actually does enforce the contract is an appropriate vehicle. But I do think, for those parties that are concerned having something in the bylaws would reassure them significantly. So if we could get something from Sidley in writing that would be great to address the specific point. But really having something in the bylaws gives that level of support to those jurisdictions that potentially are hostile. And we are all aware of litigation ongoing at the moment.

And if it's in the bylaws that's a foundation document of the organization. If it's a contract between two entities, be they related entities, I fear that some of the parties that are not in favor of the ICANN model, and we know the ongoing CC court cases with somewhat authoritarian countries, I just think it's a prudent forward-looking rationale rather than our Western way of looking at things. But I'm guided by you and I will listen to the recording. Thank you.

Jonathan Robinson: Thanks.

((Crosstalk))

Jonathan Robinson: This is Jonathan, I'll just come back – yes, I think listen to it. We certainly specifically sought Sidley's advice and input based on the knowledge of your concerns. I can't offer a whole lot more than that, and it may well be that we need to pick this up further. But like I say, have a listen, see if you are – you and those that are driving this point are more satisfied by that and if not we need to then look.

But, you know, as far as this it is our responsibility as CWG chairs and, if you like, client committee representatives, we dealt with various things on that call but I do recall we specifically went into that. And so let's have a look at it and see whether it's satisfactory reassurance or remains an issue.

Lise Fuhr: Jonathan and Paul, sorry to just jump in and not raising my hand but I keep getting kicked off – of the Adobe room. But I will support Jonathan in his, well, trying to reassure you that we actually got a very good explanation why it did need to be in the PTI bylaws.

So this was more like an overall checklist, the Annex C, where it's 7 and 8 is important principles that need to be incorporated in all the documents. And I – well but listen to the recordings and I can see I just interrupted Greg whose hand is up. Sorry. I'll shut up. Thank you.

Trang Nguyen: Thank you, Lise. Greg, please go ahead.

Greg Shatan: Thanks. Lise, you didn't interrupt me, it was actually very good thing to have said as part of this conversation. This may fall under the category of fools rush in where angels fear to tread but I'll speak anyway. If anybody had any doubt about my status.

So I understand, you know, having listened to the lawyers and being a lawyer myself, that, you know, everything that was said about putting things in contracts versus bylaws and the strength of the contract and the difficulty of changing it, but I think that where Paul is – Paul is kind of looking at this in a – from a different angle and it almost doesn't matter that housing this in the contract accomplishes the internal objective just as well if not better than the bylaws and the particular aspect we're talking about might more naturally be the type of things that one sees in a contract versus what one sees in a bylaw.

But again, I don't think that matters. We're talking about something that's optics and relationships and mollification, if you will, of parties who may be inclined or disinclined to be completely at ease with all of the current situation and movements that are taking place.

And that given that there aren't terribly negative issues with putting such things in bylaws and given that, you know, ICANN bylaws tend to be a rather unique document compared to any other bylaw I've ever seen anyway, and so does – and PTI as well, they won't be quite as unique if there are levels of uniqueness, I'm sure will also be hardly cookie cutter.

But I think we need to look at this more as a cultural, political dynamic issue for relationship-building and socialization of our project as opposed to a legal which blocks go in which holes and accomplish which objectives kind of exercise. Thanks.

Trang Nguyen: Thank you, Greg. Okay if I can – at this point if I can sort of bring us back to the question that we had initially when we talked about this topic of (unintelligible) which is next steps in terms of how do we now, moving forward, work with this group, with Sidley, with the CWG, etcetera, in full reviews of these documents. And, Jonathan and Lise, I'm not certain at this

point, you know, how to carry this conversation or what the next steps there would be.

You know, I think we need some direction from this group or from you as to how do we want to, you know, move forward, work with you in the review and finalizations of these various documents. Jonathan, please go ahead.

Jonathan Robinson: Maybe I misunderstood but were you asking about this specific issue we've just been on at a sort of higher level how we move forward with all of this?

Trang Nguyen: At a higher level how we move forward, Jonathan. The issue that Paul and – just raised around Annex C, I think that's certainly, you know, a topic that will come up in the course of discussions of the PTI formation documents, the bylaws, as well as the contract so that's, you know, I'm sure that that topic will come up within those discussions moving forward.

I was more thinking about at a high level the next step in terms of, you know, working either with the IOTF for Sidley or CWG, you know, across all of these documents, the bylaws, the articles of incorporation, the contracts, etcetera, and the review process.

Jonathan Robinson: I think we certainly have an obligation, and Lise is ready to come in on this as well I suspect. One of the things I'm conscious of is that – and fortunately we have a meeting on Thursday this week of the CWG. It's critical that we bring the CWG fully into the loop. Sidley certainly were keen to be better plugged in and so I think we've got to – and where they are most out of sync with us in this work where they had prepared their initial response to the heads of terms on the formation documents and yet ICANN implementation team were already drafting the document. So we were most out of sync there.

I think with respect to the contract we'll do better there because you're going to give us a heads of terms there rather than the contract per se with all of the different sections and so we'll be able to get that to Sidley. So I think providing we can get back in sync on the formation documents we have we'll be better off with the contract.

I do think it's going to be a challenge because of the way we're set up where in principle at least the client committee should be being instructed by the CWG and the IOTF is here to assist CWG. So I think I'm probably going to have to talk it through with Lise a little more tomorrow, take the CWG through where we are and talk with them about, you know, working expeditiously yet not flying solo. So we're going to have to a little bit of work on this given the pressures of the timetable.

I think that's enough said for the moment. But suffice it to say that probably we're going to have to work closely together and Sidley is going to have to be copied in to the communications as early as possible and so it's really a matter of joining us client committee, Sidley, IOTF and CWG and making sure these aren't operating sort of independently of one another when really they're meant to be sort of insisting that the things work smoothly, not working independently of one another.

And I know there's not a crisis at this point but we're slightly out of sync. Thank you.

Trang Nguyen: Thanks, Jonathan. Lise.

Lise Fuhr: Yes, not to echo what Jonathan is saying but I'm actually agreeing totally with what he said. I just wanted to underline that we have been very specific with

the CWG on that every decision that was taken with this group would go to the CWG for consultation afterwards and actually being decided finally within the CWG. So this is actually the group that is signing off on any of the implementation work.

And that said, some can of course be done online but I think when you look at the contract, when you look at the PTI bylaws and stuff like that that needs to be treated within the group. So we need to take care or make sure that we have the time to actually deal with this with Sidley, with the CWG as such.

And here it's – these documents are really essential for part of our project and the proposal so I actually find that we need to take the time to go through those documents in order to have the community feel safe and feel that it's been done in the way it's been forecasted in the proposal. Thank you.

Trang Nguyen: Thank you, Lise. Okay so what I got from that is we'll continue to have conversations on this particular topic and kind of figure out a coordination point and how to stay coordinated and in sync moving forward. So we'll pick up this conversation again and get some finalization with regards to sort of process and move forward approach.

I'm looking at the clock and I'm conscious of the time because we do have several items now under any other business. So with that maybe we can hold – or we can stop the conversation at this point around document review process and perhaps move on to any other business.

Chuck, did you have anything to add before we move on to any other business? Your hand went up there for just a second.

Chuck Gomes: Yes, I took it down because you wanted to go on. But I'll be real brief. I think we talked about this in our last call a couple weeks ago. But the only way that the different groups are going to be able to review this and still me the timelines is if we do it concurrently.

You know, so I just want to make that point. If we do it – try and do the review serially by the different groups, including this one, that need to review the documents, we'll never make the timeline I don't believe. Thanks.

Trang Nguyen: Thanks, Chuck. All right let's move on to – oh, Jonathan, please go ahead.

Jonathan Robinson: I was expecting that we could move on. But I think I agree with Chuck and it's really just a matter of making sure that the groups are comfortable. And my biggest concern is that we have no CWG meeting for a while, just making sure the entire group is – on the CWG group is properly up to speed with – but in principle I agree with Chuck.

I could move on to cover my AOB item and then I can leave the road clear for others, Trang, that's probably the most efficient. So just on scheduling briefly, we were of course running these on a regular set of schedules twice per week with the option to cancel.

The problem we ran into, in particular from a European perspective, is these are always happening late and night. And so if you've got any social or other work issues going on in the week it makes it quite difficult to accommodate these, you know, in addition to a full working day. And it happens that Lise and I are trying to ensure that one of us is on each call if not both of us.

And so we ran into that problem last week, which is why we went into this – the prospect of just looking at the calendar a week ahead and scheduling it.

And I know there is a tension between booking things up for many weeks ahead. I'm open to any suggestions if there's a better way, for example, we could Doodle them two weeks ahead and make sure that there is – and so that's really what we were trying to do – respond to.

And if anyone's got a sort of better way or an alternative to deal with this, certainly be receptive. And I see James in the chat recognizes that two weeks might be an improvement.

So from my point of view, and I'd be perfectly happy to work looking two weeks ahead, it's just booking out many weeks ahead when you don't know what all of your evenings in a week are going to look like and things change at sort of shorter notice so I'd be happy with two weeks ahead if that makes things easier.

Trang Nguyen: Thank you, Jonathan. And it sounds like, you know, maybe we can move forward with scheduling it two weeks ahead, that seems to work for folks. I see Cheryl agreeing with James as well. All right very good, thank you Jonathan.

Moving on to the next topic under AOB, there was a request I believe it was started by Alissa Cooper with regards to having an implementation update session at ICANN 56. I – as I said in the email that I circulated to the IOTF mail list, there's an issue with doing that because of the new Meeting B format staff is not able to actually schedule sessions.

So, you know, if the group would like to have such a session be held they would need to be scheduled through an SO or AC. I know that the – I know that the calendar is getting so that the meeting – that the session calendar is getting finalized.

It looks to me like there was still some potentially some slots that could be used for a 60-minute session but again, you know, we'll need sort of your help, you know, to get that meeting scheduled if that is something that this group wants to do. So I just wanted to reiterate that, you know, the content of that email that I sent.

And James in the chat room, you've mentioned that maybe we could schedule it over lunch if necessary, certainly I think Chuck also raised the same point, that is certainly an option. So I'm just reading in the chat room James does not have audio. Okay so let me read what James typed. "Could we meet over lunch if necessary. Donna, can you help us with this from a GNSO perspective?"

And Avri is typing. Donna, you have your hand up, please go ahead.

Donna Austin: Yes, thanks Trang. James, the answer is tentatively – well certainly I can help by, you know, seeing if we can find some time on the schedule. But things are starting to clam up so, you know, so long as people understand that potentially the time that we could come up with to have the meeting is going to conflict with something. So it may not be possible to get everybody in the same room at the same time. But we can certainly make the request. Thanks.

Trang Nguyen: Thank you, Donna. All right let's move on to the next item. Alan, do you want to bring up RZERC?

Alan Greenberg: Yes, thank you. As any of you who have been watching the CWG list there's been a – effectively a food fight between Milton and me and one or two other people on what the RZERC should be doing and what the board has approval

over. And the issue is really whether it is solely names or whether it – from the point of view of architecture that really only applies to names.

Operationally there certainly has had been an NTIA authorization process before with regard to operational issues for the other registries and the presumption – I certainly my presumption was we were talking about continuing that process with what is now called the RZERC and the board approval.

Milton of course claims that there must be nothing to do with any other groups. That implies that either there is no longer any authorization function and IANA can do what they want with regard to significant operational changes in the other registries, or the other groups have to set up presumably a similar multi-expert body and an authorization process.

It's not within my mandate to determine that but if Milton is on the meeting on Thursday – I think it's Thursday – or tomorrow, whenever it is, then clearly there's going to be some dispute. David Conrad will be at the meeting, and I think he – to the extent he can give personal opinions and not those of the ICANN CTO, will try to lend some level of sanity to this. But I'm just giving a heads up that it might be – it might get ugly or might not and all I can do is present what I believe was the DTF view at the time.

Clearly I can't speak on behalf of anyone else, although my understanding was the mandate of DTF was to make sure that when the NTIA authorization function goes away that someone else is doing it. At that point in the life of the CWG we were not particularly focused on the extreme separation of names from the other communities in terms of those functions.

So I'm not quite sure how to proceed other than cautiously and hope it doesn't blow up but I wanted to give everyone a heads up. Is anyone still there?

Trang Nguyen: Yes, thank you, Alan.

Alan Greenberg: I love stunning people so they all disappear.

Trang Nguyen: And so does anyone have anything else for Alan on the RZERC?

Alan Greenberg: I will point out that the name RZERC probably was not appropriate if indeed it is supposed to be making operational changes on things other – recommendations and operational changes on things other than the root zone. But we may want to change the name if indeed the function stays the same.

Trang Nguyen: Right. Paul, you have your hand up, please go ahead.

Paul McGrady: So I'll be very brief. I think, Alan, you're doing a great (list) and I'm not participating to be candid because I'm not up to speed sufficiently to be able to add historical or learned content. The question would be why not just ask the other two groups if they wish to, wish they intend to participate in the RZERC and then it sort of – it kills the argument. I know Milton's view but I share your view that we believe that there is one group. It is only an occasional advisory body, just for upgrades as it were.

But I would reach out to the other group. I think, Alan, the IETF Alan, I think he raised some comments. But it's very difficult unless you're following it as you are for us to comment. But I'm very grateful to you on the list for following it.

Alan Greenberg: Thank you. I'll point out there's no question the other groups are going to participate as advisors into whatever this group does, there's certainly no question about that. The question is the day IANA decides to do a major software upgrade that affects all three registries who is it that's going to approve on behalf of the other – of the other groups? This may never happen in my lifetime. It has happened before. And the real question is who is going to take – play that role that NTIA use to play?

So I'll phrase it like that and certainly there's been a lot of confusion because Andrew at one point, you know, said well what if the IETF recommends a new registry? Well if they recommend a new registry that's a new registry, period. The only question is how does IANA support it and that's the question that this group was there for. So I'll raise the issues and leave it up to the co-chairs to manage the dispute if there is a dispute. If there isn't fine so be it. I'm done.

Trang Nguyen: Thanks, Alan. Thanks, Alan. All right we have a couple of minutes left and the last item under any other business was the request from Paul for an update with regard to the names SLEs. So, Paul, I may have a more substantive update that I can provide this Thursday but as of right now what I can share is that we have been collecting data, we – there has not been any substantive code changes that need to be made in order to be able to capture the SLEs that have been defined. So that work is ongoing.

We are also working on building a dashboard for a reporting of these performance metrics. So work is ongoing. We feel – I think we feel pretty good at this point that we are able to collect the data that, you know, we're supposed to be collecting. So, you know, as I said, I may be able to give a more substantive update on Thursday. We do have a touch base that we're

supposed to have our internal process working on this tomorrow. So hopefully by Thursday on the CWG call we'll be able to provide a little bit more detail.

Okay, all right so I think that is it in terms of things that we had for the agenda today. Is there any last comment from anyone before we close the call? All right well in that case we'll go ahead and close today's call. Thank you again and we'll talk next week or Thursday on the CWG call.

Alan Greenberg: It's Alan. Before you hang up I'm having trouble with Adobe Connect, I'm trying to get in again if someone can let me in I was just declined. I'm trying to test to make sure it'll work for next time.

Trang Nguyen: Okay, Alan. Thank you. Thank you.

Cheryl Langdon-Orr: Bye.

Trang Nguyen: All right thanks, everyone. Bye-bye.

END