

Working Session 2 - Meeting # 62 (21 October 2015)

Members, Participants and Guests: Aarti Bhavana, Akinbo A, Alain Bidron, Alan Greenberg, Alice Munyua, Alissa Cooper, Allan MacGillivray, Alpha Addoulaye Thiam, Amadou Ly, Amy Stathos, Ana Pop, Andrea Beccalli, Andrew Harris, Andrew Sullivan, Ari, Arun Sukumar, Asha Hemrajani, Athina Fragkouli, Audrey Plonk, Avri Doria, Barbara Wanner, Becky Burr, Bennette Thomas, Boyoung Kim, Brenden Kuerbis, Brett Schaefer, Bruce Tonkin, Caitrin Dwyer, Carlos Affonso, Carole Cornell, Cherine Chalaby, Cheryl Langdon-Orr, Chris Disspain, Chris LaHatte, Craig Ng, Christopher Wilkinson, David McAuley, Desiree Miloshevic, Diego Canabarro, David R. Johnson, Duncan Burns, Eberhard Lisse, Edmon, Edward Morris, Emily Pimentel, Erika Mann, Farzaneh Badii, Filiz Yilmaz, Finn Petersen, Flávia Lefèvre Guimarães, Gloria Katuuku, Gordon Cillcott, Greg B, Greg Shatan, Greg Wood, Guru Acharya, Izumi Okutani, J. Lay, James Gannon, Jan Scholte, Jari Arkko, Jayson, Jeff LeVee, Joe Catapano, John Curran, John Demco, John Jeffrey, John Poole, John W, Jonathan Zuck, Jonne Soininen, Jordan Carter, Jorge Cancio, Josh Rowe, Julia Wolman, Julio Polito, Kate Wallace, Kavouss Arasteh, Keith Drazek, Ken Salaets, Kevin Espinola, Konstantinos Komaitis, Lars Steffen, Leon Sanchez, Lise Fuhr, Liz Wang, Luca Urech, Lynn St. Amour, Maciej Tomaszewski, Malcolm Hutty, Mamadou, Mariano Mejia, Mark Carvell, Markus Kummer, Martin Boyle, Mary Uduma, Mary Wong, Mathieu Weill, Matthew Shears, Maura Gambassi, McTim, Megan Richards, Michael Niebel, Mike Chartier, Milton Mueller, Nathalie Coupet, Nicholas Lisse, Nigel Hickson, Nurani Nimpuno, Ole Jacobsen, Olga Cavalli, Oscar Mike, Par Brumark, Pedro Ivo Silva, Phil Buckingham, Rafael Perez Galindo, Ram Mohan, Rishabh Dara, Robin Gross, Roelof Meijer, Rory Conaty, Sabine Meyer, Sally Wentworth, Sam Dickinson, Samantha Eisner, Sebastien Bachollet, Claudi Selli, Serena Lai, Seun Ojedeji, Shawn W, Sivasubramanian Muthusamy, Stacy, Steve DelBianco, Thomas Rickert, Tijani Ben Jemaa, Tonohiro Fujisaki, Valerie D'Costa, Wanawit Ahkuputra, Wolf-Ulrich Knoben, Xavier Calvez (140)

Legal Counsel: Edward McNicholas, Holly Gregory, Nancy McGlamery, Rosemary Fei, Steven Chiodini

Staff: Alain Durand, Alice Jansen, Bernie Turcotte, Brenda Brewer, Grace Abuhamad, Hillary Jett, Karen Mulberry, Laena Rahim, Marika Konings, Theresa Swinehart,

Apologies: Giovanni Seppia

Please let Brenda know if your name has been left off the list (attendees or apologies).

Transcript

- [Transcript CCWG ACCT Working Session 2_21 October.docx](#)
- [Transcript CCWG ACCT Working Session 2_21 October.pdf](#)

Recording

- The Adobe Connect recording is available here: <https://icann.adobeconnect.com/p6xlpkg130a/?launcher=false&fcsContent=true&pbMode=normal>
- The audio recording is available here: <http://audio.icann.org/meetings/dublin2015/ccwg-accountability-21oct15-en.mp3>

Agenda

1. Welcome, Roll call, Sol (17:00-17:05)
2. Further assessment of merits of the models (17:05-18:05)
3. Taking stock and next steps (18:05-18:50)
4. Removal of individual Board director(18:50-19:05)
5. AoC into the Bylaws (if time permits)
6. Work plan (19:05-19:50)
7. A.O.B (19:50-20:00)

Notes

Documents Presented

- [AoC - analysis of PC2 v5 Wed.pdf](#)
- [Dublin breakout on Indiv removal vbb.pdf](#)
- [Heatmap - https://docs.google.com/document/d/1Bu6ze45ONESJyO_f3RCpEafQsb1VAPgCFHtmWsNlloM/edit](#)
- [CCWG-Accountability Working Session II-1.pdf](#)

Chat

Brenda Brewer: (10/21/2015 10:31) Hello, my name is Brenda and I will be monitoring this chat room. In this role, I am the voice for the remote participants, ensuring that they are heard equally with those who are "in-room" participants. When submitting a question that you want me to read out loud on the mic, please provide your name and affiliation if you have one, start your sentence with <QUESTION> and end it with <QUESTION>. When submitting a comment that you want me to read out loud of the mic, once again provide your name and affiliation if you have one then start your sentence with a <COMMENT> and end it with <COMMENT>. Text outside these quotes will be considered as part of "chat" and will not be read out loud on the mic. Any questions or comments provided outside of the session time will not be read aloud. All chat sessions are being archived and follow the ICANN Expected Standards of Behavior: <http://www.icann.org/en/news/in-focus/accountability/expected-standards>

Jordan Carter (.nz, WP1 rapporteur): (11:15) I just want to say for the record that I feel desperately uncomfortable at how "platform/room" this set up is

Jordan Carter (.nz, WP1 rapporteur): (11:15) we will do our best not to run the meeting in keeping with the physical layout we have to work with

Alice Jansen: (11:17) Link to heatmap https://docs.google.com/document/d/1Bu6ze45ONESJyO_f3RCpEafQsb1VAPgCFHtmWsNlIoM/edit

matthew shears: (11:17) thanks Jordan

matthew shears: (11:18) can we make the image on the screen bigger?

Milton: (11:18) How can we debate Matthieu when you have unilaterally decreed that we already agree on most of the points being debated?

Sébastien: (11:18) Can we have the link to the presentation?

Sébastien: (11:19) Can you give us the rith to scrole the presentation?

matthew shears: (11:20) yes, scroll control please

Arun Sukumar: (11:22) <Question> if the

Avri Doria: (11:23) ATRT has argued for default transparency, so this should not be so grat a problem.

Arun Sukumar: (11:23) if ICANN refuses to provide the docs under the bylaws, what's the sole designator's recourse/question>

Holly J. Gregory (Sidley): (11:23) This is the beginning of the CCWG discussion re these inspection rights and transparency. Slide only says it is possible. Details and limits remain to be worked out. This is a statement of the possible.

Keith Drazek: (11:24) If all documents are already public, it would presumably be unnecessary to request access to them.

Greg Shatan: (11:24) There are a series of apocalyptic assumptions being made here, whihc I believe are rather overstated.

Samantha Eisner: (11:24) @Greg, can you please explain what you mean about my assumptions being "apocolytic"?

David McAuley (RySG): (11:24) I am in the queue for Kavouss

matthew shears: (11:24) + 1 on scroll control!

Diego Canabarro: (11:25) Is there any link to the scribes being displayed above? The one on the session website is not working properly

Cheryl Langdon-Orr - CLO: (11:26) @Sam why would that matter you raised be any different than whenn the 'Members' got such access???

Arun Sukumar: (11:26) we don't necessarily have to route the transparency in

Greg Shatan: (11:26) e.g., that documents will "necessarily" be shared with the SOs and ACs. That is only one of many possible outcomes, generally or in a particular instance.

Arun Sukumar: (11:26) or inspection rights through designator

David McAuley (RySG): (11:26) Kavouss needs to leave in ten minutes so request consioderation for line help

Arun Sukumar: (11:27) it can simply be a fundamental bylaw since designator in any event has limited legal rights of enforceability

Samantha Eisner: (11:27) @Cheryl, it's not different

Steve DelBianco [GNSO - CSG]: (11:27) Please see our 2nd draft proposal at page 75 for the new document disclosure policy for AoC review teams

MTS - Chuck: (11:28) Here's a link to the scribe text. <https://www.streamtext.net/player?event=Auditorium21oct2015>

Diego Canabarro: (11:28) Thank you chuck.

Holly J. Gregory (Sidley): (11:29) Even in a member model inspection rights are not absolute; confidentiality obligations can be imposed, and there is a "reasonableness" test for the request in the statute

Robin Gross [GNSO - NCSG]: (11:30) what is the scope of issues for discussion in the queue?

Cheryl Langdon-Orr - CLO: (11:30) so then the process as outlined current.y by Steve should suffice as 'protection' perhaps @Sam???

Robin Gross [GNSO - NCSG]: (11:30) only transparency?

Greg Shatan: (11:30) Robin, yes for the moment

Robin Gross [GNSO - NCSG]: (11:31) thanks, Greg

Keith Drazek: (11:31) If we're relying on designator powers (spill the board or remove board members) to enforce all the powers, it's clear we need access to these items so the sole designator can know when the spillage needs to happen. Without this transparency, how would the community make an informed decision?

Steve DelBianco [GNSO - CSG]: (11:31) Note that there were no public comments raising any concern about the disclosure plan I just described

Jordan Carter (.nz, WP1 rapporteur): (11:31) It's a good plan.

Robin Gross [GNSO - NCSG]: (11:32) Exactly, Keith.

Steve DelBianco [GNSO - CSG]: (11:32) I encourage everyone to give it a look. Page 75 of our 2nd draft proposal

Jordan Carter (.nz, WP1 rapporteur): (11:32) we'd need to develop such pronto

Jordan Carter (.nz, WP1 rapporteur): (11:32) (the KD suggestion above)

Steve DelBianco [GNSO - CSG]: (11:33) please note that the page 75 disclosures are part of Work Stream ONE

Jordan Carter (.nz, WP1 rapporteur): (11:34) Becky Burr has joined late from the ccNSO Council for the record

matthew shears: (11:34) I am concerned that there is a creation (it seems to me) of a new community mechanism related to global public interest in the second slide on separation

Keith Drazek: (11:35) We clearly need this access to information, however we get it. Details can be worked out. I support the inclusion of this point.

Guru Acharya: (11:35) +1 Brett

Cheryl Langdon-Orr - CLO: (11:36) thanks Keith, that meshes with my Personal POV

Greg Shatan: (11:36) We need firm guarantees that this will occur in WS2. But then again, that is true of WS2 generally.

Jordan Carter (.nz, WP1 rapporteur): (11:36) and our report suggests a way to provide that assurance, Greg

Milton: (11:37) Steve, when the public comments were made we were talking about a member model not a designator model

matthew shears: (11:37) The slides on separation do not indicate whether or not there is recourse to the community escalation process if the ICANN Board does not approve the work of the SCWG or the selection of a new IFO

Jonathan Zuck (IPC): (11:37) The responsibility for WS2 will fall more to the community. We just need to maintain momentum.

Robin Gross [GNSO - NCSG]: (11:37) we were saying "member model" before - so we had some transparency baked in to that plan. Now if we are moving to a place that does not come with transparency, we need it in WS1.

Guru Acharya: (11:37) +1 Matthew

Guru Acharya: (11:38) +1 Robin

Greg Shatan: (11:38) @JZuck -- you mean you're not sticking around for WS2.

matthew shears: (11:38) + 1 Robin

Milton: (11:39) Agree with Robin. If we are being pushed into SD we have to move transparency improvements into WS1

Keith Drazek: (11:39) Correct Robin

Guru Acharya: (11:39) Go Milton!

Jonathan Zuck (IPC): (11:39) oh, no one is getting rid of me but I think we need to stop thinking of WS2 as a board issue. it's going to be a community issue once that community is empowered.

Robin Gross [GNSO - NCSG]: (11:39) Agree, Jonathan.

Milton: (11:39) As a general principle, i don't believe in WS2

Becky Burr: (11:39) Apologies for arriving late, was in the ccNSO Council meeting.

Greg Shatan: (11:40) WS2 is just the second half of this WG's work.

Greg Shatan: (11:40) We're just getting going.

Robin Gross [GNSO - NCSG]: (11:40) Greg, I thought it was a lifetime sentence.

matthew shears: (11:40) agree Greg

Milton: (11:40) WS2 will be an AoC-like replay, accomplishing very little

Jordan Carter (.nz, WP1 rapporteur): (11:40) the second third.

Jordan Carter (.nz, WP1 rapporteur): (11:40) Milton: do you think so? I thought our method to not have it like that was helpful. Do we need to strengthen it?

Greg Shatan: (11:41) @Robin, at least. It could go into the afterlife....

Steve DelBianco [GNSO - CSG]: (11:41) @Milton -- my point about the absence of public comments on page 75 document disclosure is this: it's suitable to use this same policy for the appointed AC/SO representatives -- at any time. Agree?

Guru Acharya: (11:41) Agreed with Milton. Nobody will agree to spill the board for improving DIDP. To say we will have community powers after WS1 to implement WS2 is a farce.

Sabine Meyer: (11:41) afterlife is my definition of WS3...

Milton: (11:41) @Steve: no

Jonathan Zuck (IPC): (11:42) @Milton, I think it's very different than the ATRT (in fact the ATRT will be different) with some community empowerment. My pessimism is about the community coming to gether more so than the board approving recommendations.

Steve DelBianco [GNSO - CSG]: (11:42) Milton -- we could do this in work stream ONE

Milton: (11:42) That I agree with Stevee

Milton: (11:42) Steve

James Gannon: (11:42) +1

Guru Acharya: (11:43) +1 Ed

Jonathan Zuck (IPC): (11:43) The passivity inherent in the cynicism surrounding WS2 will become a self fulfilling prophecy. The community needs to get its act together.

Samantha Eisner: (11:43) To clarify, I didn't suggest it would be used on a daily basis, and anticipated it would require community direction prior to exercising the right to inspect

Chris Disspain: (11:44) I am concerned that we don't begin using the designator as MORE than an enforcer

matthew shears: (11:44) + 1 Jonathan - WS2 is essential

Phil Buckingham: (11:44) +1 Ed - in the unlikely event it will happen

Chris Disspain: (11:45) can I remind us all that we have agreed that for most of us the ONLY reason to have a memeber or designator is to enforce the community powers as agreed

Sivasubramanian M: (11:45) There is no harm in examining Transparency during WS1, in the interest of adopting the sole designator model

Chris Disspain: (11:45) we have not dicussed nor have we agreed to translate the members stat righta into the designator

Milton: (11:45) WS2 _could be_ essential, but the CCWG's cave in to board resistance in WS1 does not create confidence

Guru Acharya: (11:45) Strickling recently said change is jurisdiction is a big no. So jurisdiction in WS2 is anyway silly and unactionable. If we push transperency from WS2 to WS1 then we can just do away with WS2.

Jonathan Zuck (IPC): (11:46) @Chris. that's right but the core community powers are separate from the model so discussing a way to implement powers outside of enforcement is in bounds I think.

Sivasubramanian M: (11:46) Why do we need to do away with WS2?

Jonathan Zuck (IPC): (11:46) @Guru, there's a lot more to WS2 than transparency

Sivasubramanian M: (11:46) Accountability imporovements ought to be an ongoing process

Holly J. Gregory (Sidley): (11:47) Separation path on slides is pre-escalation steps available to the community

Chris Disspain: (11:47) yes....but I am sensing that we are now attempting to claim the statutory rights

Robin Gross [GNSO - NCSG]: (11:47) I think it was the slide originally up

Steve DelBianco [GNSO - CSG]: (11:47) +1 Zuck -- the exercise of community powers happens the same under M or D. Only if the board refuses to follow the bylaws do we move to enforcement, where M and D have diffenent enforcement paths for some powers

Chris Disspain: (11:47) but my real point is that I am comfortable with the designator provided it remains as the enforcer

Jonathan Zuck (IPC): (11:48) @Chris, no one is looking for the power to dissolve the corporation. I think we're ok

Chris Disspain: (11:48) understoo and thanks

matthew shears: (11:48) the new community power on public interst on separation - how is hat detemined and when has ot been discussed?

Jordan Carter (.nz, WP1 rapporteur): (11:48) Chris: there is logic in seeing whether some add-ons mitigate final separation

Jordan Carter (.nz, WP1 rapporteur): (11:48) oh goodness. mitigate the change in enforcement models

Chris Disspain: (11:49) hehe

Milton: (11:49) It is more than an "appearance" that yoou are distant from the community up there ;-)

matthew shears: (11:49) also disagree that separation is the work is just the work of the CWG - it is essential for transition that the CWG and CCWG work together to have a full undertstading of how separation will work!

Keith Drazek: (11:49) Apologies for going backwards, but on the transparency question...should we consider using the language Steve read on AoC Reviews/Confidential Document Disclosure to help frame the proper treatment of such documents. It's an established resource. Page 75 of our last report, as read by Steve.

Jordan Carter (.nz, WP1 rapporteur): (11:49) Matthew S - I can't see what you are referring to.

matthew shears: (11:49) second slide separation

Mathieu Weill, ccNSO, co-chair: (11:49) @Keith: indeed I take this as a useful way to implement if we move that way

Jordan Carter (.nz, WP1 rapporteur): (11:49) oh the blue text

Jonathan Zuck (IPC): (11:49) +1 Keith

Jordan Carter (.nz, WP1 rapporteur): (11:50) I saw that, Matthew S, as being a reference to a determination by the Community Mechanism

Keith Drazek: (11:50) sorry for being late with that....it took me a bit to open our report

Guru Acharya: (11:50) Chairs: At least give the community a chance to blink before you declare designator to have sufficient traction.

matthew shears: (11:51) yes, Jordan, but how, and particularly given that we don't know what the public interests is

Robin Gross [GNSO - NCSG]: (11:51) We said at the very beginning of this transparency was one of our most fundamental priorities. But we thought we addressed that via membership in WS1. So we must put transparency in WS1.

Avri Doria: (11:53) wow, that as a tricky moment.

Avri Doria: (11:54) .. was a

Steve DelBianco [GNSO - CSG]: (11:54) Malcolm is speaking for the ISP Constituency, BTW

Jordan Carter (.nz, WP1 rapporteur): (11:54) Avri: that could mean many things

Brett Schaefer: (11:54) I'm not prepared to endorse anything until I see the details in black and white

Guru Acharya: (11:55) +1 Malcom: Any support to SD needs to be conditional not just on Transparency but many other conditions including the need for ICANN to always submit to arbitration.

matthew shears: (11:55) have we discussed the rest of the chart we started on the other day?

Avri Doria: (11:55) i think it was as brilliant sleight of hand. abracadabra, the reference model has switched. awesome.

Milton: (11:56) +1 Robin. Let's stick to requirements.

Guru Acharya: (11:56) +1 Robin

Brenden Kuerbis: (11:56) Agree with Guru

Avri Doria: (11:56) it was so brilliant, i am not going to object.

Milton: (11:57) Thomas, Mathieu pushed us through that session so fast we didn't decide anything

Milton: (11:57) You need to reopen the queue and actually allow people to discuss things

Guru Acharya: (11:58) +1 Avri: How has the reference model changed and how the burden of fighting for concessions has also changed

Brett Schaefer: (11:59) There were significant powers in the membership model that are lacking in the designator model. The group has discussed possible patches, but until we see the details spelled out and have time to think through them, how can we make a blanket endorsement?

Holly J. Gregory (Sidley): (11:59) The separation process is enforceable as bylaws. PLUS If the decision the Board ultimately makes is against community wishes, then the escalation path -- the staircase -- and the ultimate "spill the board", is available

Bruce Tonkin: (11:59) Agreed @Holly.

Bruce Tonkin: (12:00) Also we need to remember that the IANA function is trivial to

Jonathan Zuck (IPC): (12:00) @Brett, I guess it's conditional approval so that the focus is on the patches. If they are not forthcoming, no one is stuck with their conditional approval

Greg Shatan: (12:00) IANA is never trivial!

Bruce Tonkin: (12:00) operate well. If we can't manage that then you should replace the staff and the Board.

Keith Drazek: (12:01) I now support using the Sole Designator model as the reference model for the final phase of our work. I believe it currently has support of most of the group and is the most likely model to achieve consensus at the end. The devil is in the details, but I'm comfortable the SD model can deliver the community empowerment and enforceability we need. Fundamentally I'm good with this approach subject to further detailed work.

Eberhard Lisse [NA ccTLD Manager]: (12:01) This CCWG is not really conducting its business on a bottom up multistakeholder basis

Eberhard Lisse [NA ccTLD Manager]: (12:02) CoChairs are ramming their ideas through.

Keith Drazek: (12:02) The patches are critical, but with them I support SD.

Milton: (12:02) yes they are

Avri Doria: (12:02) i think they are right. 1, they took us through all the known issues, offered fixes and no one had any objections. 2. they asked used whether anyone had any additional point they had not covered, no one did. so what else is there to argue about. brilliant. i applaud.

Brett Schaefer: (12:02) @Jonathan, I prefer membership, my consideration of designator is entirely dependent on the details of the patches. See the problem?

matthew shears: (12:02) Bruce - where in the separation process are you suggesting that we can spill the board because I believe it could well be but it is unclear in the slide pack

Mathieu Weill, ccNSO, co-chair: (12:02) @Avri : is there irony there ? I fear so

Milton: (12:03) Avri, this is not an accurate summary of what happened. Matthieu went through all the controversial issues and announced that we all had agreed on this position.

Avri Doria: (12:03) no irony, i am impressed, genuinely.

Robin Gross [GNSO - NCSG]: (12:03) Agree Brett, we need to see DETAILS about how this will happen before decisions about fixes.

Guru Acharya: (12:03) Request the chairs to take a sense of the mood/traction using the online poll so that we can identify the preferred reference model for patches

Avri Doria: (12:03) it was clean, logical and surgical.

Milton: (12:03) No time was offered to debate his construction, and then we were channeled into a narrow discussion of transparency

Jonathan Zuck (IPC): (12:03) @Brett, I prefer membership too but I have become convinced that as a practical matter, our actual enforcement powers would be difficult to use. I think we need to compare the SD to the requirements, not the SM. Make sense?

David McAuley (RySG): (12:04) +1 Jonathan

Milton: (12:04) For example, Mathieu announced that spinning the board was faster than litigation. This is debatable in its own terms, but the fact of the matter is that the right to litigate often deters the need to litigate

matthew shears: (12:04) that would be a reasonable approach Jonathan

Brett Schaefer: (12:04) @Jonathan, sure, but I can't do that based on a general discussion without specific details on how those patches would work.

Bruce Tonkin: (12:05) Robin the details for removing the Board I thought were being discussed on Saturday morning - ie SOs/ACs call a pre-meeting, then a community forum, and then a decision to remove the Board. It was the ladder diagram that has been used on Saturday and Sunday.

Bruce Tonkin: (12:05) I agree thought that we all want to see the details in writing - so far it is more conceptual.

Jonathan Zuck (IPC): (12:06) @Brett, I guess my point is that we won't really understand the SD until it's the reference model. We can always change back but we need focus on whether the SD can meet our needs, not in the differences from the SM

matthew shears: (12:06) + 1 Bruce

Alice Jansen: (12:07) Recirculating google doc link - https://docs.google.com/document/d/1Bu6ze45ONESJyO_f3RCpEafQsb1VAPgCFHtmWsNlloM/edit

Bruce Tonkin: (12:07) Agreed @Jonathan - the hard work now is on the details - there are a lot of details to work through.

Robin Gross [GNSO - NCSG]: (12:08) Jonathan, why do we need to declare it as THE reference model in order to fill out the details? We said we were going to build it out and see the details of what we can do and THEN make the decision.

Brett Schaefer: (12:08) @Jonathan, I get that, I just want to make clear that this is not an irreversible step.

Cheryl Langdon-Orr - CLO: (12:09) help us don't have that now. Thereby?

Cheryl Langdon-Orr - CLO: (12:09) oh dear. try again help us do that build out now then?

Robin Gross [GNSO - NCSG]: (12:09) This is just too rushed of a decision.

Izumi Okutani (ASO): (12:10) Thank you Jordan for describing the reason behind your support for the Designator model. That was very clear and I agree with your observations

Greg Shatan: (12:10) "Designator" is a statutory concept in California law.

Jordan Carter (.nz, WP1 rapporteur): (12:10) It's a Community Mechanism.

Greg Shatan: (12:10) Any other term would be more obscure....

Guru Acharya: (12:10) The good doctor would be very angry if any decision was taken in this meeting.

Greg Shatan: (12:10) @Jordan, that makes me feel so much better. :-)

Greg Shatan: (12:11) Guru, this is only a "sense of the room."

Jordan Carter (.nz, WP1 rapporteur): (12:11) all I think that we need is to make a principled call

Robin Gross [GNSO - NCSG]: (12:13) WE said we would build out both models more completely, discuss that based on details, and then decide.

Jordan Carter (.nz, WP1 rapporteur): (12:14) when did we say that, Robin? I don't remember us agreeing that, to be honest

Milton: (12:14) Thomas: sure, for all practical purposes we have already moved to SD as temporary reference model

Robin Gross [GNSO - NCSG]: (12:14) Jordan, when it proposed a couple days ago that we switch.

Guru Acharya: (12:14) +1 Robin +1 Milton

Bruce Tonkin: (12:15) Under the proosal as I unerstand it - creating new ACs would require a bylaws change and would require approval of the community as well as the Board.

Chris Disspain: (12:15) correct

Milton: (12:16) but we do not know the mechanism about how bylaws will be approved

Bruce Tonkin: (12:16) I think we shoudl consider the possibility of adding new ACs - that might be a good thing - so any thresholds for the single legal entity should be set in numbers of entities as well as percentages of SOs and ACs

Holly J. Gregory (Sidley): (12:16) Agree, @Bruce and @Chris

Robin Gross [GNSO - NCSG]: (12:17) GNSO resolved this week to continue to work through issues before reaching conclusions

Greg Shatan: (12:17) Made perfect sense to me....

Bruce Tonkin: (12:17) @Milton - there is a proposal for how that mechanism works - I think that was covered on Saturday morning.

Milton: (12:17) The issue is not just whether new ACs can be created - it is that the discussions of the units of voting/consensus are incredibly naive

Chris Disspain: (12:17) agree Bruce...was discussed the other day

Chris Disspain: (12:17) need to use numbers and % to describe thresholds

Holly J. Gregory (Sidley): (12:17) As to bylaw amendment and community role re such bylaws

Bruce Tonkin: (12:17) In simple terms the Baord and sigle legal entity need to approve bylaws changes.

Keith Drazek: (12:18) I fully supported and preferred the SM, but it's become clear to me that SM is on life support, at best, and it's time to focus on fleshing out the details around SD so we can determine whether the patches are sufficient to deliver on our goals.. It's the only way we'll know whether to pull the plug on SM or try desperately to resuscitate.

Milton: (12:18) Anyone who proposes to give RSSAC the same power as a designator as the entire GNSO is completely out of touch with the representational and political realities of ICANN

Milton: (12:18) either that, or they are playgin games

Avri Doria: (12:18) alwasY telling us to hurry up.

Robin Gross [GNSO - NCSG]: (12:18) The most important issue for NCSG is getting accountability at ICANN - not making the transition happen on others timeframe

Jonathan Zuck (IPC): (12:19) @Robin. Agree with that priority. The question might be one of lost leverage though so even you and I need to be somewhat aware of timing.

Milton: (12:19) So I see Bruce is already talking about creating new ACs.

Bruce Tonkin: (12:20) The Board is the same @James - we also need to see the detail. I think we are all in much the same position. It seems we are mostly OK with explorig the single designator model in detail.

Bruce Tonkin: (12:20) Yes @Milton from time to time I have heard ideas for new ACs. However it would only do that with the approval of the communiyt.

McTim: (12:20) @Bruce, despite what SC said a week ago about the single designator?

Bruce Tonkin: (12:20) The last one created was ALAC.

James Gannon: (12:21) Bruce; I think we are about thecreate a singularity here, the NCSG, the IPC and the Board are on the same page.

Bruce Tonkin: (12:21) Yes @McTime - see our statement we made on Sunday afternoon around 2pm - it is on the CCWG mailing list.

Milton: (12:21) Bruce, ACs are advisory. They are not structural elements of representation and policy development, Therefore they have no place in the basic accountability governance structure.

Milton: (12:21) with the exception of ALAC, of course, which is actially a designator

Bruce Tonkin: (12:22) Yes @Milton - one approach would be to set up the single legal entity with ASO, ccNSO, GNSO, and ALAC - and then just ask advice from the advisory committee if they choose to give it.

Robin Gross [GNSO - NCSG]: (12:22) As folks here know, I've been saying for months we need to look closely at designator and work through details.

Brett Schaefer: (12:22) +1 Milton

Guru Acharya: (12:23) Can we at least have a poll before you declare the change?

Robin Gross [GNSO - NCSG]: (12:23) But that doesn't mean we SWITCH before we see those details

Brett Schaefer: (12:23) I very much prefer that option Bruce

Guru Acharya: (12:24) During the deliberations of the CWG and CCWG, there are three constant arguments used by status quoists that have dangled as sharp swords over the participants: 1) We suspect that the NTIA will not accept this change causing the transition to fail. 2) We suspect that the Board will not accept this change causing the transition to fail. 3) The proposed change will take so much time that we will not meet the deadline and the transition will fail. Ultimately, participants are so fearful of crossing these imaginary boundaries of what NTIA may accept, that we have started faithfully reproducing what NTIA desires. We are so fearful of a failed transition that we err on the side of status quo.

Brenden Kuerbis: (12:24) @Bruce, I believe that arrangement would most closely mimic ICANN's structure today and be most appropriate.

Robin Gross [GNSO - NCSG]: (12:25) There is not consensus to switch. There is consensus to explore fully. Please don't mistake those two things.

Brett Schaefer: (12:25) +1 Brenden

James Gannon: (12:25) I agree with Bruce that would mirror the current structure closely and would be the lowest risk option

Milton: (12:25) I like that option too, but again let's be clear: a 15-person expert advisory committee is not a governance unit on the order of the GNSO or ccNSO or ASO. ONE constituency in the GNSO (NCUC) has about 300 individual and 160 organizational members, and some of the member organizations have tens of thousands of members. And there are 6 constituencies in GNSO. Giving a 15 person technical expert group the same voting status as GNSO is just ridiculous

Cheryl Langdon-Orr - CLO: (12:25) yes Robin I hope that is clear

Cheryl Langdon-Orr - CLO: (12:28) Milton just for the record as I suspect that you might be referring to the ALAC... today in one of the Regional Sub parts of At-LargePRALOO a single At Large structure confirm sa

Jordan Carter (.nz, WP1 rapporteur): (12:28) kicking around lots of decision models now is a bit disconcerting

Milton: (12:28) why don't these voting structures decompose the SOs into their parts, e.g., the GNSO into its 4 Stakeholder Groups - which all have very different positions on policy issues - and the ASO into the 5 RIRs?

Cheryl Langdon-Orr - CLO: (12:29) ... hitreturn. too soon.... confirmed an Active Member listing of over 100 thousand. not sure these comparisons help in this discussion though

Alice Jansen: (12:29) Doc can be found at <https://community.icann.org/download/attachments/56143884/Dublin%20breakout%20on%20Indiv%20removal%20vbb.pdf?version=1&modificationDate=1445444886946&api=v2>

matthew shears: (12:29) agree Jordan

Keith Drazek: (12:29) Switching reference model for further work. Not a consensus call to finalize the recommendation. Not irreversible if SD + patches turns out to be insufficient, but I think it's the most constructive path forward at this time.

Jonathan Zuck (IPC): (12:30) +1 Keith. We gotta just get on the SD horse for a while to see where it takes us

Bruce Tonkin: (12:30) @Milton - my understanding is that at least SSAC and RSSAC don't want to participate in a voting model within the single legal entity.

mike chartier: (12:30) good job Steve

Guru Acharya: (12:30) People from CWG know that changing reference model is code for killing the model. Even Contract Co was just kept in the background it was never removed from the table.

Alice Jansen: (12:33) Link to aoc doc <https://community.icann.org/download/attachments/56143884/AoC%20-%20analysis%20of%20PC2%20v5%20Wed.pdf?version=1&modificationDate=1445439504416&api=v2>

Alice Jansen: (12:35) options for consideration are on p5

Phil Buckingham: (12:39) Steve - I think we should bake in a set date when Round 2 starts

Steve DelBianco [GNSO - CSG]: (12:40) this exercise is to respond to public comments on 2nd draft, Phil.

Keith Drazek: (12:42) Agree that B is better than A. The Registries Stakeholder Group opposed Option A.

Jonathan Zuck (IPC): (12:45) @Phil, I think a baked in date is totally unrealistic. If the justification of a new round is increasing choice and competition, we need to make sure we're doing that.

Milton: (12:48) The whole review team model should be a footnote - if that - in this process. Why are we spending time on it?

Jonathan Zuck (IPC): (12:51) Especially the GNSO

Steve DelBianco [GNSO - CSG]: (12:51) @Milton -- please be patient, just another few minutes here. We need to respond to Public Comments that were filed on our draft.

Hillary Jett: (12:54) @all if you are having trouble converting to a UK plug and need to charge your laptops please let me know, I have 2 adaptors on-hand. Thanks!

Jonathan Zuck (IPC): (12:55) I think 7 reviews in one year will solve that concern

Mathieu Weill, ccNSO, co-chair: (12:56) +1 Jonathan

Cheryl Langdon-Orr - CLO: (12:56) true it would Jonathan ;-)

Jonathan Zuck (IPC): (12:56) we're going to be going around begging people to be on review teams

Milton: (12:56) We've spent more time on this AoC trivia than on the critical issues around the model. Does not make the CCWG look good

Mathieu Weill, ccNSO, co-chair: (12:57) @Milton; in total we have spent, this week, more than 4 hours on the model.

Mathieu Weill, ccNSO, co-chair: (12:57) Plus the constituency discussions

Jonathan Zuck (IPC): (12:58) and frankly, the "model" is the aspect of accountability least likely to be relevant in the future. The processes are actually going to happen on a regular basis

Milton: (12:58) Mathieu; but we are still not of one mind

Alan Greenberg: (12:58) Please, the table ALSO showing the number of AC/SO participants.

Milton: (12:58) Jonathan: thanks for convincing me that you are not qualified to be on that stage

Jonathan Zuck (IPC): (12:59) Yikes @Milton. My point is simply that we need in WS1 to empower the community for future reforms.

Milton: (12:59) I am going to tweet your comment, Jonathan

Alan Greenberg: (13:00) Strongly support Sam's comment.

Jonathan Zuck (IPC): (13:00) @Milton, I'm @jvzuck on twitter

Samantha Eisner: (13:00) @Steve - YES, happy to

Samantha Eisner: (13:01) There's already been work going on to develop review standards.

Nurani Nimpuno: (13:02) The transcript seems to be mangled

Jonathan Zuck (IPC): (13:02) We really need option B. The current structure has not allowed everyone a voice in the reviews

Mathieu Weill, ccNSO, co-chair: (13:04) Option B with standards to be discussed with Sam

James Gannon: (13:04) Transcript gave us a brief look into the GAC =)

Sabine Meyer: (13:06) ah, thats where that text went

Bruce Tonkin: (13:07) This is the text from the Articles of Incorporation:

Bruce Tonkin: (13:07) These Articles may be amended by the affirmative vote of at least two-thirds of the directors of the Corporation. When the Corporation has members, any such amendment must be ratified by a two-thirds (2/3) majority of the members voting on any proposed amendment.

Rosemary Fei (Adler & Colvin): (13:07) SD is a single entity. It can, if desired, be given the right to consent to any change to the Articles of Incorporation of ICANN

Bruce Tonkin: (13:08) Thanks @Rosemary

Holly J. Gregory (Sidley): (13:08) And the 2/3 vote (consensus) threshold could apply

Rosemary Fei (Adler & Colvin): (13:09) If desired, that right could be given to the SD in the Articles.

Brett Schaefer: (13:09) Yes, superglue, please

James Gannon: (13:10) Yup some of us need superglue

Milton: (13:10) who does it make uncomfortable?

Brett Schaefer: (13:10) good question Milton

Bruce Tonkin: (13:11) Exactly Milton - it would help to understand the concerns.

Robin Gross [GNSO - NCSG]: (13:11) I agree with Brett. Option B.

James Gannon: (13:11) Option B

Robin Gross [GNSO - NCSG]: (13:12) wait! we should not vote to oppose. we vote to choose.

Steve DelBianco [GNSO - CSG]: (13:12) I indicated the governments who want option A in my report

Julia Wolman, GAC Denmark: (13:12) Yes please keep that in mind

Sabine Meyer: (13:13) Thank you for recognizing the ongoing drafting section.

Sabine Meyer: (13:13) *session

Becky Burr: (13:13) guys, Alan is right - the only reason to go with super glue is to get in the GACs face

Milton: (13:13) what is the GAC's concern please?

Pedro Ivo Silva [GAC Brasil]: (13:13) I reiterate the position of Brazil for preference for option A

Robin Gross [GNSO - NCSG]: (13:13) You simply cannot decide this when so many in this room are against this.

matthew shears: (13:14) then make a call tomorrow

Bruce Tonkin: (13:14) This is Article XV111

Bruce Tonkin: (13:14) ARTICLE XVIII: OFFICES AND SEAL
Section 1. OFFICE
The principal office for the transaction of the business of ICANN shall be in the County of Los Angeles, State of California, United States of America. ICANN may also have an additional office or offices within or outside the United States of America as it may from time to time establish.
Section 2. SEAL
The Board may adopt a corporate seal and use the same by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise.

Steve DelBianco [GNSO - CSG]: (13:14) Robin -- is NCSG for A or B?

Robin Gross [GNSO - NCSG]: (13:14) We should not jump the gun on so many of these issues.

Milton: (13:14) NCSG has not discussed this

Robin Gross [GNSO - NCSG]: (13:15) No one in the room expressed support for option A.

Milton: (13:15) I think I may be for A

Pedro Ivo Silva [GAC Brasil]: (13:15) I did not speak, Robin, but I express preference for A

Mary Uduma: (13:15) I am for option A

James Gannon: (13:16) On process we cannot claim that we have a quorum for one option but not the other, I object to the conclusion that will be going to the second read.

Diego Canabarro: (13:16) I counted only one B in the chat. The rest was A all the way.

Steve DelBianco [GNSO - CSG]: (13:17) This has been in both our drafts and we are trying to account for public comments -- which were split.

Milton: (13:17) Diego there were three b's

James Gannon: (13:17) Agreed Steve

Diego Canabarro: (13:17) Thank you, Milton.

Milton: (13:17) in the hat

Milton: (13:17) in the Chat!

James Gannon: (13:17) Hence we should gauge the room with all interested parties available

Diego Canabarro: (13:18) I could not stop the scroll down, so had to take a glance

Robin Gross [GNSO - NCSG]: (13:19) The impact of the changes needs to be explored in public comment from the change. Irrespective of other criteria.

Brett Schaefer: (13:20) We should have a public comment we have not even seen the details yet. Also, the broader community not in this room or the chat need a chance to comment.

Keith Drazek: (13:20) If language survived 2 previous drafts, and the public comments aren't conclusive, we probably need fairly compelling opposition to change it. We should rely on and defer to our previous work if possible.

Jonathan Zuck (IPC): (13:20) +1 Keith

Julia Wolman, GAC Denmark: (13:21) While not speaking on behalf of the GAC, if we move to the Sole Designator model, I would think we need to have a public comment.

Cheryl Langdon-Orr - CLO: (13:21) I tend to agree (again!) with you @Keith

matthew shears: (13:21) the public comment should focus on areas of change

Brett Schaefer: (13:21) @Keith, I can agree to focus on altered aspects of the proposal.

Cheryl Langdon-Orr - CLO: (13:22) yes Julia. personally I believe that too

Milton: (13:22) Right, Matthew it needs to be a "full" comment in the sense of 6 weeks, but it needs to focus on the things that have changed

Sabine Meyer: (13:22) seconding Julia

Pedro Ivo Silva [GAC Brasil]: (13:22) I agree with Julia

Brenden Kuerbis: (13:22) Sure those areas changed need to be highlighted. But the public will need to see the whole proposal.

McTim: (13:23) absolutely agree with Brendan

Robin Gross [GNSO - NCSG]: (13:23) We need to know if spill the board is sufficient for some of these powers. We need to know if transparency is adequately covered in the proposed change. Changing the model has impacts to consider.

Jonathan Zuck (IPC): (13:23) @Brenden and James. That's right. A delta alone doesn't a good document make but showing the changes is critical

matthew shears: (13:23) agree

James Gannon: (13:23) Agreed Johnathan

Robin Gross [GNSO - NCSG]: (13:23) So we MUST have another public comment period.

Izumi Okutani (ASO): (13:24) I think suggestion from James is helpful and pragmatic I support it

Robin Gross [GNSO - NCSG]: (13:24) There are OTHER things that change with the shift, so we must have a comment period.

matthew shears: (13:25) yes a very clear summary up front on what the changes are and importantly why

Megan Richards European Commission: (13:25) to facilitate a public comment IT World Be important To clearly identify the differences from proposal 2 and proposal 3 to ensure that comments concentrate on the new and not revisit the previous

James Gannon: (13:25) Agreed Megan

Sabine Meyer: (13:25) there are also items that were developed this week which might lend themselves to comment as well.

Alan Greenberg: (13:25) I think 30 days is sufficient, despite the changes

Robin Gross [GNSO - NCSG]: (13:25) precisely, Matthew. There are other issues beside "getting similar powers"

Jonathan Zuck (IPC): (13:26) @Alan, I agree but the key will be to produce a document which makes it clear that on which we're looking for comment

James Gannon: (13:26) Our timelines are going to be restructured by the lack of intersessional ability of some of the chartering organisations also so lets not rush this

Megan Richards European Commission: (13:26) sorry I see I had French keyboard when I wrote good thing it wasn't Greek :-)

Steve DelBianco [GNSO - CSG]: (13:26) To evaluate the length of public comments, let's consider in context of our Charter requirement for Chartering Organization review

Alan Greenberg: (13:26) Support Jordan. We do NOT need to wait for full report to go out.

Roelof Meijer (SIDN, ccNSO): (13:26) @Jordan: I fully agree

Brenden Kuerbis: (13:26) @Jordan, I would add that there needs to be some rationale for diverging from previous public comment(s).

Keith Drazek: (13:26) Agree with Jordan

Jordan Carter (.nz, WP1 rapporteur): (13:27) a solid and outstanding and fair summary could go out next week and that would help

Robin Gross [GNSO - NCSG]: (13:27) Me too. It would be making a mockery of the multi-stakeholder model if we do not consult on these significant changes.

matthew shears: (13:27) I think clarity is more important than speed

Jordan Carter (.nz, WP1 rapporteur): (13:28) a high level narrative piece that was very clear, well diagrammed, and set out precisely and completely the entire proposal could follow that

Jonathan Zuck (IPC): (13:28) +1 Matthew. Clarity is key

Jordan Carter (.nz, WP1 rapporteur): (13:28) (the first one would be a summary of key changes and reasons for these)

Andrew Sullivan: (13:28) For whatever it's worth, I think that a short public comment with focussed questions and explicit restrictions against changes to text that has survived 2 rounds of public comment is entirely consistent with a multi-stakeholder process

Jordan Carter (.nz, WP1 rapporteur): (13:28) The third one could be the comprehensive "options considered, chosen, why"

Keith Drazek: (13:28) We have only one more chance to tell the story and make it accessible. We have to get it right. Fortunately, our work is far more advanced now than it was during our last effort.

Jordan Carter (.nz, WP1 rapporteur): (13:28) the fourth thing could be draft set of bylaws

James Gannon: (13:29) One chance to get this done well, we need to take our time and craft that narrative slowly. Lets not rush

Jordan Carter (.nz, WP1 rapporteur): (13:29) Andrew: the challenge we face is that much of the "text" in the second draft report isn't really fit for purpose for a final proposal

matthew shears: (13:29) in some ways how we describe the changes is as important as the changes themselves

Sabine Meyer: (13:29) @Jordan: your third thing is to my understanding also something Larry asked for in his blog post before BA

Brenden Kuerbis: (13:29) What Malcolm said - we need a rationale for changes made, and in particular where CCWG changes differ/conflict from previous public comment.

Jordan Carter (.nz, WP1 rapporteur): (13:30) And that has to be accurate, clear, honest, and complete

Cheryl Langdon-Orr - CLO: (13:30) professional writing is also required IMO to ensure clarity and consistency of messages

c.a.: (13:30) Malcolm Nutty stressing the importance of a careful public consultation process.

James Gannon: (13:31) +100000 CLO

matthew shears: (13:31) lots of visuals is key

Cheryl Langdon-Orr - CLO: (13:31) yep

Cheryl Langdon-Orr - CLO: (13:31) and concise simple language...

Alissa Cooper: (13:31) this discussion makes one wonder how many of the changes arose from commenters who were brand new to the process upon the 2nd draft

Jonathan Zuck (IPC): (13:31) Perhaps a graphic novel?

Cheryl Langdon-Orr - CLO: (13:31) might have a real long appendix but that is ok

Jonathan Zuck (IPC): (13:31) +1 Cheryl

Cheryl Langdon-Orr - CLO: (13:31) yes please JZ

Sabine Meyer: (13:32) or those 1 pagers proposed by James some time ago that conform to one of the standards proposed by GAO

Sabine Meyer: (13:32) (IIRC)

Cheryl Langdon-Orr - CLO: (13:32) can we get Neil Gaimon

James Gannon: (13:32) Yes

c.a.: (13:32) I am afraid there is no time for a graphic novel, unless we hire Marvel... :-)

James Gannon: (13:32) Who is c.a?

c.a.: (13:32) CARlos Afonso, CGI.br

Jordan Carter (.nz, WP1 rapporteur): (13:32) Note: any professional writers will be working for the group - and no text will be finalised without our say so

James Gannon: (13:33) Tanks carlos

Malcolm Hutty: (13:33) @Jordan: thanks for that reassurance

Malcolm Hutty: (13:35) I can't see how we're going to have a Third Draft Report of the requisite quality within a month. It's plain the Second Draft Report was too difficult to understand even for the Board

Greg Shatan: (13:35) I will rewrite the report, at my usual hourly rate.... :-)

Jonathan Zuck (IPC): (13:35) No lawyers!

Robin Gross [GNSO - NCSG]: (13:36) I'll re-write it for free ;-)

Mathieu Weill, ccNSO, co-chair: (13:36) Thanks for the offer Robin, much appreciated ;-)

Greg Shatan: (13:37) This chat statement (hereinafter, the "Statement") declares and submits that it is reasonably possible that I am likely capable to write in a style that can reasonably be describes as not that of an individual trained in the law.

Keith Drazek: (13:37) lol

Jonathan Zuck (IPC): (13:37) Exactly

Greg Shatan: (13:37) Word.

Sabine Meyer: (13:37) If I were a member, Greg, I might feel inclined to object to the above Statement.

Cheryl Langdon-Orr - CLO: (13:38) thanks @Greg can you advise an expert to help me understand ;-)

Izumi Okutani (ASO): (13:38) I agree Steve

David McAuley (RySG): (13:38) If we use professional writers outside this group they need to start now to come up a very steep learning curve and then we have very important review duty as to what they produce

Cheryl Langdon-Orr - CLO: (13:38) agree

Jonathan Zuck (IPC): (13:38) +1 David

matthew shears: (13:38) good point David

Thomas Rickert, CCWG Co-Chair: (13:39) We will need to make sure we have a subject matter expert that will bring the professional writers up to speed.

Jordan Carter (.nz, WP1 rapporteur): (13:39) Parallel would only work if we said "IF anything is identified in the public comments, we WILL do a supplementary report."

Cheryl Langdon-Orr - CLO: (13:39) indeed

Malcolm Hutty: (13:39) How do people feel about engaging Kieron as the professional writer? he's already up to speed :-)

Greg Shatan: (13:39) Honestly, I am happy to edit, or help in another way. I can write like a normal person.

Keith Drazek: (13:40) David McAuley IS a professional writer. Perhaps we should form a sub-group to work closely with any professional writers.

Greg Shatan: (13:40) Keith +1

matthew shears: (13:40) + 1

Jonathan Zuck (IPC): (13:41) @Robin, how much of the community is not represented by the chartering orgs?

Alissa Cooper: (13:41) note that the numbers community people killed their christmas holidays last year to make the original ICG deadline and they are still waiting

Steve DelBianco [GNSO - CSG]: (13:41) Community is very well represented by the 6 chartering orgs. Only one AC/SO (RSSAC) declined to be a chartering org for CCWG

Sabine Meyer: (13:42) I would believe the question of a F2F is different from the possible need of chartering organisations for an intersessional meeting

Jordan Carter (.nz, WP1 rapporteur): (13:42) indeed.

Jordan Carter (.nz, WP1 rapporteur): (13:42) Indeed, Sabine, in-DEED>

Milton: (13:42) What is the point of sending the report to the chartering orgs before public comment is received ? Most chartering orgs and their members will read the report when it is released for public comment anyway

Greg Shatan: (13:42) Very true Sabine.

Eberhard Lisse [.NA ccTLD Manager]: (13:42) I agree we will not get anything done between 2015-12-18 and 2015-01-03, given the way the holidays are this year.

Robin Gross [GNSO - NCSG]: (13:42) folks, we rushing this so much, it will backfire on us. We need to be respectful of this process, the participants time, and try to be realistic.

Robin Gross [GNSO - NCSG]: (13:44) Most public comments don't come in UNTIL the end of the period - which will be after some orgs vote. That is a sham process. If we want this process to be taken seriously, we can't rush this so much.

Jordan Carter (.nz, WP1 rapporteur): (13:44) why don't we do an even shorter comment period of two weeks then.

Eberhard Lisse [.NA ccTLD Manager]: (13:44) Who cares what ALAC supports this week, or next or thereafter, their opinions are like windmills

Jordan Carter (.nz, WP1 rapporteur): (13:44) with a prompt summary of key changes ASAP, and then draft report (the high level one) on 20 Nov

James Gannon: (13:44) What is the goal of compressing a timeline that we will not be able to meet as the GAC will not approve intersessionally, its a false time restriction

Eberhard Lisse [.NA ccTLD Manager]: (13:46) I know for a fact that they are currently sweating over Stress Test 18 at the GAC, they are not going to follow any time line we set

Milton: (13:46) numbers has to wait for CCWG, it has no choice,

Robin Gross [GNSO - NCSG]: (13:46) We have a habit of fantasy timelines in this group, James.

Avri Doria: (13:46) we have a habit of wasting time and turning those fantasy timeline predictions into self fulfilling predictions.

Athina Fragkouli (ASO): (13:46) very well said, Izumi

Steve DelBianco [GNSO - CSG]: (13:47) My fantasy, Robin, is to have a few days off between Christmas and New Years.

Eberhard Lisse [.NA ccTLD Manager]: (13:47) Hurry up and wait, excellent!

Pedro Ivo Silva [GAC Brasil]: (13:47) @James: The GAC has already reached decisions intersessionally

Jonathan Zuck (IPC): (13:47) +1 Avri

Sabine Meyer: (13:47) +1 Pedro

Julia Wolman, GAC Denmark: (13:47) Agree Pedro

Eberhard Lisse [NA ccTLD Manager]: (13:48) Pedro, that may be so, but not over the holidays. You are civil servants after all :-)-O

Robin Gross [GNSO - NCSG]: (13:48) No kidding, Steve. I'll be with family and not at home. I don't think I'm the only one planning to spend the holidays with our families, who have already done without us this year because of obligations in this process.

Jordan Carter (.nz, WP1 rapporteur): (13:48) I reiterate my point before - we are speaking of a reading process rather than a core writing task

James Gannon: (13:48) Pedro: I understand that however without a statement from the GAC saying that they will meet intersessionally on this issue we have to go on the assumption it will not, if you can get your GAC colleagues to assist us in that kind of statement please help!

Eberhard Lisse [NA ccTLD Manager]: (13:49) Jordan, please be realistic, not hopeful

Pedro Ivo Silva [GAC Brasil]: (13:49) @Eberhard: remember that holidays are not the same around the world

Jordan Carter (.nz, WP1 rapporteur): (13:49) and to be clear about what Thomas is saying - he is not saying we don't have control over the text. He is saying we get much more help with writing it

Robin Gross [GNSO - NCSG]: (13:49) January 1st is holiday everywhere I've ever been in this world.

Avri Doria: (13:50) and Xmass is not evrybody's holiday. we work through people's holidays all the time.

Alan Greenberg: (13:50) DELAYING IS ALSO A HIGH RISK STRATEGY.

Alan Greenberg: (13:50) @Avri, YUP

Jari Arkko: (13:50) +1

Alissa Cooper: (13:51) +1 alan, why not try this. or with a 3-week comment period.

James Gannon: (13:51) How many times have we created unrealistic timelines now? 6/7/8? We need to stop it.

Eberhard Lisse [NA ccTLD Manager]: (13:51) I know, I know that not very country shuts down like SOuth Africa and Namibia from 2015-12-15 until 2016-01-15 where we all trek to the coast, but in many countries, these are holidays in the sense of vacation...

Seun: (13:51) the numbers community worked during Dec last year, it's not new

matthew shears: (13:51) agree with Malcolm

Robin Gross [GNSO - NCSG]: (13:51) This proposed timeline will appear like an attempt to cut many people OUT of the process.

Eberhard Lisse [NA ccTLD Manager]: (13:52) Robin, like the surprise meetings, what's new?

matthew shears: (13:52) there will be comments from those outside this community

Izumi Okutani (ASO): (13:52) We didn't have any holidays XMASS or Newyears last year - while I ofcourse want the holidays and my life back too. Could we at least not try to seek on how we could move forward in the most efficient way?

Jari Arkko: (13:52) FWIW, I worry about the timeline as well. However, I do think it is doable. Putting the questions to the community and chartering organisations is just the right thing. But, you have to keep the *focus*. Focus on the essential and sufficient powers that you need (ref our blog with Andrew). Focus on *changes*. Focus on figuring out what your process is, allowing online meetings etc.

Nurani Nimpuno: (13:53) +1 Izumi

Cheryl Langdon-Orr - CLO: (13:53) well said Jonathan

Robin Gross [GNSO - NCSG]: (13:53) Right, Matthew, we are supposed to hear and consult with outsiders of this inner community. This is soooo dangerous. And it won't happen. GAC won't have an intercessional. We discredit the process by this rush job on a changed proposal.

jorge cancio (GAC Switzerland): (13:54) dear Robin, please do not speak for the GAC

Malcolm Hutty: (13:54) Interesting point Roeloff

Eberhard Lisse [NA ccTLD Manager]: (13:54) Dear Jorge, she can say whatever she wants!

Sabine Meyer: (13:55) exactly Jorge

jorge cancio (GAC Switzerland): (13:55) dear Eberhard: she was speaking on something she does not know

Malcolm Hutty: (13:55) re: pushback on process as a signal for pushback on substance, I mean

Robin Gross [GNSO - NCSG]: (13:55) Pedro, I'd be happy for you prove me wrong. ;-)

Eberhard Lisse [NA ccTLD Manager]: (13:55) Dear Jorge, so what!

Steve DelBianco [GNSO - CSG]: (13:55) @Robin -- we HAVE consulted with outside community if first 2 public comment periods. And we are proposing one more chance for "outsiders" to comment.

Izumi Okutani (ASO): (13:55) I like Jordan's suggestion to consider a shorter comment period

Jorge Cancio (GAC Switzerland): (13:56) it's better to keep people well-informed

Jari Arkko: (13:56) +1 for shorter comment period

Roelof Meijer (SIDN, ccNSO): (13:56) @Malcolm: correction: signal on substance AND signal on process

Eberhard Lisse [.NA ccTLD Manager]: (13:57) We can tell the Community already now that we may consider a shorter period (like the 30 days we used previously) so we don't surprise anyone.

Jordan Carter (.nz, WP1 rapporteur): (13:57) Andrew's point is why I think I would prefer two more weeks to write the report and two fewer weeks on the consultation, to be honest

Robin Gross [GNSO - NCSG]: (13:57) Steve, but NO ONE has commented on a designator proposal and considered what other concerns there could be. SOACs should not be voting on a model that no one from the outside community have had a chance to comment on.

Izumi Okutani (ASO): (13:58) + 1 Andrew

Dave: (13:58) One idea that would be useful: identify a list of external organizations and groups that are likely to be interested in process and specifically approach them

Robin Gross [GNSO - NCSG]: (13:58) typo - I meant no voting on a proposal that outsiders have NOT commented on ever.

Athina Fragkouli (ASO): (13:58) Andrew's suggestion makes sense to me

Matthew Shears: (13:58) but for those outside this community we do need a structured approach - they won't understand pieces floating around the lists

Robin Gross [GNSO - NCSG]: (13:59) The FUD is a bit thick to push for the rush job.

Eberhard Lisse [.NA ccTLD Manager]: (13:59) This time line does not work on so many levels

Alissa Cooper: (13:59) no harm in aiming high

Robin Gross [GNSO - NCSG]: (13:59) except making mistakes

Jordan Carter (.nz, WP1 rapporteur): (13:59) let's come back to it

Jonathan Zuck (IPC): (13:59) +1 James

Sabine Meyer: (14:00) + 1 James. adding that the other chartering orgs might be asked as well.

Jordan Carter (.nz, WP1 rapporteur): (14:00) to me the critical thing is briskly getting our plan right, having input, and the chance to correct based on that input

Pedro Ivo Silva [GAC Brasil]: (14:00) +1 Sabine

Jordan Carter (.nz, WP1 rapporteur): (14:00) then to decision and if that happens in mid jan, late jan or early feb, we just have to live with it. in my humble opinion. :-)

Eberhard Lisse [.NA ccTLD Manager]: (14:01) get it right. then get it out, not the other way around

Robin Gross [GNSO - NCSG]: (14:03) hopefully we can discuss the issue of the public comments on the role of ACs tomorrow. Right? We are going to go through this at some point right?

Jordan Carter (.nz, WP1 rapporteur): (14:03) yes we have to

Jordan Carter (.nz, WP1 rapporteur): (14:03) the decision stuff

Seun: (14: