JEAN-BAPTISTE DEROULEZ: Hello and welcome everybody to the NomCom Review Implementation Working Group meeting on Thursday, the 8th of October 2020 at 13:00 UTC. As part of today's agenda, we'll do a really quick roll call and invite you to raise your hands, whether you have any objects to your Statement of Interest.

So today in the room, we have Tom Barrett and Cheryl Langdon-Orr from the NomCom Review Implementation Working Group and from ICANN Org, we have Yvette Guigneaux, Pamela Smith, Chantelle Doerksen, Jennifer Bryce, Jia Kimoto, and myself, Jean-Baptiste Deroulez. Are there any objects to your Statement of Interest? If none, I will move to the agenda and hand it back over to Tom. Thank you.

TOM BARRETT: Thanks, Jean-Baptiste. Let's go right to the GNSO letter. If we can do the clean version, I'm not sure people need to see the redlines. Cheryl, I don't know if you had a chance to look at this most recent version. We're addressing it to all the SO/SA—all the Chairs of the SO/SGs, whatever they're called, so not just, not specific to IPC or BC, etc.

So the first paragraph obviously thanks them for responding. The second paragraph, I actually, this is my edit basically noting that there is some agreement by those responding with the IE's assessment that the NomCom's allocation of seats has not evolved with changes to the overall ICANN community. I think there was certainly universal agreement about that. And also acknowledging the sensitivities and

inherent difficulties expressed in potentially rebalancing not only the GNSO allocated seats but the entire NomCom so that the NomCom truly represents the entire ICANN community. So there's that paragraph which is fairly generic. I don't think it's controversial.

The next paragraph, I did want to address the suggestion by several of the responses that we should do a holistic review, a comprehensive assessment and to acknowledge that suggestion. We did consider it, but of course, the drawback is that that simply delays the rebalancing exercise by perhaps several years and could well be obsolete before completion and this is especially true of the GNSO which continues to evolve. And so it's because of these particular challenges that we're taking an incremental approach towards addressing the recommendation, and of course, as we said before, the bylaw revision itself will not actually result in any immediate changes to the current composition of the NomCom GNSO appointees but will facilitate future community discussions about how to best proceed with the rebalancing of the NomCom, etc. So any thoughts and comments on this?

And Jean-Baptiste, just some quick editorial edits that there are some extra spaces in here if you could just go through and take out some of the extra spaces that probably happened during the editing process. Other than that, I think it looks good.

I notice we've been joined by Nadira as well. Hi, Nadira. We've got a short, small group today.

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NADIRA AL-ARAJ: Hi. Sorry. I have, last week, my dad passed away so I wasn't up on things.

TOM BARRETT: My condolences. Very sorry to hear that.

NADIRA AL-ARAJ: Thank you. He went peacefully. That's important for his age.

TOM BARRETT: How old was he?

NADIRA AL-ARAJ: He was 95, bedridden, but he was in good health, yeah.

TOM BARRETT: Yeah. That's a long life. So just to catch you up…

CHERYL LANGDON-ORR: And a good life.

TOM BARRETT: Yes. So we were taking a different approach, Nadira, with this letter. Rather than respond specifically to the IPC, BC, and others, we decided to send a letter out to all the chairs within the GNSO and this is our proposal for that.

Cheryl, any thoughts or comments?

CHERYL LANGDON-ORR: I don't have any objection to it at all so far. Let's just get it out there.

TOM BARRETT: Yeah. And Jean-Baptiste, remind me. When did the Commercial Stakeholder Group want to meet with us? Was that in two weeks?

CHERYL LANGDON-ORR: I don't think they specified. Did they? Was it just during their meeting?

JEAN-BAPTISTE DEROULEZ: I have not received information on that. I know that you mentioned it last time. Let me check. On Wednesday, the 21st of October at 14:30 UTC. So I will put that in the chat.

TOM BARRETT: Got it. Okay, great. All right, so I mentioned some spaces. If you could look at the last sentence in paragraph two where it says, "So that the NomCom truly represents," it's just an extra space in front of the word "truly". It's in the second paragraph.

JEAN-BAPTISTE DEROULEZ: Sorry, Tom. I was placing in the chat.

TOM BARRETT:	Second paragraph, last sentence. There's just an extra space in front of the word "truly".
JEAN-BAPTISTE DEROULEZ:	Oh. Yes, thank you.
TOM BARRETT:	Yeah, perfect. All right. I think this is good to go. So why don't we go on to the charter? Hi, Arinola. Welcome. And Vanda. We just reviewed the revised letter to the GNSO and that is good to go so, now we'll move on to the charter.

So our discussion last week was to the suggestion, several suggestions, but primarily to make this more process-oriented as opposed to the nuts and bolts of doing various things. So there's a lot of edits here. I wonder if we can just go to the clean version unless anyone has any edits. I'll stop here and see if anyone has any comments or suggestions. Okay.

So we have a clean version here in front of you. Again, there's no changes here, I believe, in the background. It's been cleaned up a bit as has the purpose. There is a… Under the purpose, there is a new sentence in there saying the NCSC is not a decision-making body and does not participate in the NomCom's annual candidate evaluation and selection processes. So that was Cheryl's suggestion. That's right up in the purpose.

There's an extra white line there if you could edit this, Jean-Baptiste, in front of that sentence. Perfect.

The scope of responsibilities, again, focusing on the processes and so there's … The scope of the standing committee is to focus on the processes that is used by the NomCom both internal to itself as well as interacting with these various bodies that you see here. So throughout this document, you'll see an emphasis on facilitating the process and doing continuous improvement of the process themselves as opposed to doing the work.

So if you can scroll down to NomCom leadership section, so again, oversee the processes of continuous improvement and one-time exceptions to the NomCom operating procedures and ensure transparency and accountability to the overall ICANN community for these processes. I believe that should be probably a new bullet, Jean-Baptiste, where it says "oversee the process". The first bullet, you have two "oversees". The second one should be its own bullet. Can you see that? Yeah. Right there. Perfect.

So again, oversee the process of assessing the recommendations published to the NomCom annual report, oversee continuous improvement of the evaluation toolkit, etc., oversee any extraordinary budget requests. So again, all focused on process-related things. The last one is obviously, perhaps, getting a little bit more involved than the other ones, but again, focus more of a process.

Number two, ICANN Board and PTI Board, again, oversee the process— there's extra space in here after the word "process"—with the ICANN Board on the job descriptions and annual appointments for NomCom leadership team to oversee the feedback process used by ICANN and PTI Boards in assessing the NomCom's performance. Three, oversee the

process used by ICANN Board for communicating to the NomCom the performance assessment of reapplying NomCom appointees.

So I think you get the sense it's focused more on defining and overseeing the processes and it's not specific, here anyway, in terms of what it does during that process, if it has any involvement or if it's simply being performed by ICANN staff or NomCom leadership. So I'd like to get your feedback on this approach. I'd continue but I'll stop here. Nadira?

NADIRA AL-ARAJ: Yeah. I'm kind of trying to remember why we put to oversee the reappointed, the process for reappointment of the NomCom, the Board members for ICANN Board and PTI Board. So are they going to be involved in that, or what?

TOM BARRETT: So you're talking about the third bullet here about oversee the process used by the ICANN Board for communicating to the NomCom?

NADIRA AL-ARAJ: Yeah. Sorry, for communicating. Yeah, that's okay. I thought something else.

TOM BARRETT: Okay.

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NADIRA AL-ARAJ: Sorry for that.

TOM BARRETT: Yeah.

CHERYL LANGDON-ORR: I understand what you're concerned about, Nadira, but we're keeping at arm's length and very clearly not involved in any NomCom's actual work.

TOM BARRETT: Right, Cheryl. So are you responding to me or Nadira, Cheryl?

CHERYL LANGDON-ORR: I was responding to Nadira so she knew that we saw what she thought was a concern. That's all.

TOM BARRETT: Got you. Yeah, and I'll remind you there is another recommendation we haven't addressed yet that's very specific about what this process will be. So that's something we'll tackle later.

All right. Let's keep scrolling to the next section, ICANN Org. Again, there's oversee the process for securing of NomCom budget and staffing resources as part of the annual budgeting cycle, oversee the annual assessment process of the NomCom's outreach and marketing efforts, oversee the assessment of any consultants used by the

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NomCom to identify improvements for the following year as required, oversee the assessment and effectiveness of NomCom training, oversee the continuous improvement of NomCom online knowledge base and tools, etc.

So again, just interaction with, in this case, ICANN Org staff in terms of what they're doing and making sure that's getting done.

Four, pretty much reduced to a single bullet. Oversee the process for appointment of NomCom members including revisions to the NomCom member job descriptions if and when appropriate. So again, the Standing Committee is not doing this. This is being done—it doesn't say here—but it's obviously being done by ICANN staff and just overseeing what that process would be.

Five, bodies that receive NomCom appointees. Oversee the process used by the NomCom to receive feedback on desired skills and diversity requirements for upcoming appointees, oversee the process for providing feedback to the NomCom regarding contributions and participation of members up for reappointment by the NomCom. That is redundant to the one you saw in the ICANN Board because it applies to the other receiving bodies. And third, oversee the process to improve NomCom selections by assessing the performance and needs of all bodies receiving NomCom appointees.

Number six, we can scroll down some more. These are candidates so it's one bullet. Oversee the process of conducting and assessing applicant surveys subject to privacy and confidentiality limitations. I guess this should be two bullets, Jean-Baptiste. Oversee the process of referring

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non-selected candidates to suitable opportunities elsewhere within the ICANN community.

Seven, external consultants to the NomCom. Ensure the NomCom's goal for unaffiliated board directors is consistently communicated to all external consultants. Oversee the process and standardized tools used by consultants to evaluate and prioritize. Oversee the process to assess the effectiveness of the external consultants. Based on the results, work with ICANN Org and the NomCom to propose adjustments to the consultants' remit for the following year.

I know that first bullet is a little out of character from the others. Nadira?

NADIRA AL-ARAJ: Yeah. Regarding, I think, seven, number, bullet two, can we did "if needed" here? Because we are not asking to have a consultant evaluating—or maybe not, because it could be understand, [we oversee.] Because we don't want… Yeah.

CHERYL LANGDON-ORR: Yeah. I also balked a little bit at that, Nadira, and I wondered if we just said, "Oversee the process [and] standardization tools used by any consultants to evaluate," because then it makes it clear.

NADIRA AL-ARAJ: Yeah. Any consultant could be also the NomCom members as well. They are consultants in this case.

TOM BARRETT: So that's a good point. If we could scroll up to ICANN Org just for a second.

CHERYL LANGDON-ORR: These are specifically external to the NomCom.

TOM BARRETT: Yeah. So just a reminder on number three, number three we do talk— Well, the last one talks about the knowledge base and tools such as evaluation tools. So we have that covered for, in the sense that the NomCom or ICANN staff have utilizing their own tools. So for example, as you know, they decided to forgo the evaluation consultant last year but they still had tools that they utilized. So that's covered here where if they choose not to utilize a consultant, we still want to know what tools they're going to use. And if we scroll back down…

CHERYL LANGDON-ORR: I think that…

TOM BARRETT: Yeah. Go ahead, Cheryl.

CHERYL LANGDON-ORR: The point really, Tom, is that your language up in three when we're talking about consultants does use "any consultants" and I think Nadira,

and indeed I, think that the rectification of that language of "any consultants" here would be in keeping.

TOM BARRETT: Okay. That's a good add. Yep.

CHERYL LANGDON-ORR: Also, just the adding… Yeah.

TOM BARRETT: Yeah. Any other thoughts on seven?

VANDA SCARTEZINI: No.

TOM BARRETT: Okay. Hey, Vanda. All right, number eight. And this is to the overall ICANN community. Oversee the website and systems used for the continuous improvement and institutional memory of the NomCom, oversee the process for community outreach in advance of the Standing Committee or NomCom leadership enacting material changes to the NomCom operating procedures or Standing Committee charter, and three, oversee the processes of identifying, collecting, and timely publication of publicly available data on the candidate pool.

All right, so Nadira?

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NADIRA AL-ARAJ:	Yeah. Because I didn't… Excuse me because I couldn't review the charter. Did we have some relation between the Standing Committee and staff, how they are going to deal, or ICANN staff?
TOM BARRETT:	Yeah. If you scroll back up, we have a section on ICANN Org so that covers NomCom.
CHERYL LANGDON-ORR:	There's a whole section.
NADIRA AL-ARAJ:	No, but also here, ICANN Org, yeah as staffing, yeah. Okay, thank you.
CHERYL LANGDON-ORR:	Yeah, that means staff.
NADIRA AL-ARAJ:	Yeah, that's more general.
CHERYL LANGDON-ORR:	Whether it's with… Yeah. I can't help myself, Tom, and I'm awake at this time so I feel like I should be amusing at least to me. I am so tempted to say, of course, we could just oversee, and just say "all activities involved in the following, blah, blah, blah," and cut the number of words by about a third. But because we're dealing with ICANN NomCom people and because we know if there's any way of misinterpreting something

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or ignoring something that is meant to be in any written document, ICANNers will find a way to do it. I see the reason for all of these words, but I reckon I could drop the word count by about two-thirds and still have the same message. It's okay. I'm going to go with this.

TOM BARRETT: All right, thanks Cheryl. I still have a hope that there's a use for my, the timelines concept that I introduced back in January. We can do this graphically somehow. Nadira?

NADIRA AL-ARAJ: Yeah. This is perfect. Can we stay on the staff because we need… There was an issue working with staff on the first term when I was the first term. So I think we need to not just oversee, that we need to put something the way we work with the staff, not we, the NomCom work with the staff also, not just oversee. There was a communication channel problem that Cheryl faced with the staff allocated to the NomCom. I remember. We need to avoid this circumstances if we can include it here.

CHERYL LANGDON-ORR: Nadira. If I may, Tom.

TOM BARRETT: Yeah, sure.

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CHERYL LANGDON-ORR: To some extent, the very presence of an endurance in the nature of the Standing Committee should avoid that. We can't write in such a way that predisposes particular foibles in every possible NomCom because humans are erratic and often ratty individuals and stuff happens. But having the NomCom Standing Committee exist should be able to smooth that out very promptly because they can see, suggest, and indeed, oversee that a more effective mechanism has existed in the past or should exist in the future and either this is what was done or perhaps if we do this, this will occur.

So I think that's almost a consequence of having the Standing Committee rather than needing to articulate because if we get into specificity at that level, then you get to make a list where you're looking for an exception, not a rule, and that's always problematic.

NADIRA AL-ARAJ: Yeah. I got your point. Thank you, Cheryl. If I… I'm not going into the specifics, but if I found the sentence with general, like general oversee, a broad sentence, I will recommend it. I will send it by e-mail if I found. If I [did respond.] Yeah.

TOM BARRETT: So I have a suggestion. I notice in number two, for example, on the second bullet, we have "oversee the feedback process used by the ICANN and PTI Boards on assessing the NomCom's performance," which is a way for them to say, "Hey, we think the NomCom is falling short in these areas basically." It's an interesting point that perhaps as we've learned this year, there's a breakdown in communications not only

between NomCom leadership. It's really, I think, between NomCom leadership and the Board. There seemed to be a breakdown in communication. So certainly part of the Standing Committee's remit could be to improve the effectiveness of how the NomCom interacts with the ICANN Org and we just leave it at that.

CHERYL LANGDON-ORR: So Tom, perhaps in some very generic sentence that talks about a dynamic with oversee the, oversee and facilitate a successful communication dynamic between NomCom and ICANN Org.

TOM BARRETT: Right. And it's always [inaudible].

CHERYL LANGDON-ORR: That covers it.

TOM BARRETT: Yeah. It's always focused on continuous improvement. So it's looking at how to improve the interactions between the NomCom and ICANN Org. Just simply say that, right? Go ahead, Vanda.

CHERYL LANGDON-ORR: Vanda.

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VANDA SCARTEZINI: Yeah. I'm not a fan of very specific issues because normally, when you focus on the specifics, you miss a lot of points when the process is running. So I believe the general facilitation is the only thing that we could add in some point. But not, I don't know, oversees the facilitation is too much.

TOM BARRETT: Yeah. So let me propose a draft, another bullet here if I could. We can do this in real-time.

VANDA SCARTEZINI: Yeah.

TOM BARRETT: And we'll just say facilitate. You can just start a new bullet at the bottom. Facilitate the continuous improvement of the interaction between ICANN Org and the NomCom.

VANDA SCARTEZINI: Yeah, that's good enough for me.

TOM BARRETT: Does that cover it, guys?

NADIRA AL-ARAJ: It's good. Yeah, thank you.

VANDA SCARTEZINI: Yeah, good enough.

TOM BARRETT: All right. All righty, so let's scroll down. I think we've covered. Let's go down to composition. Again, it's composed of five seats, four members as selected from a public EOI process and a current outgoing chair. And the existence of any vacancies shall not affect the obligation of the Standing Committee to carry out the responsibilities assigned to it in this charter. That was elsewhere previously so I just moved it up to this section.

So for membership requirements, we want previous members of the NomCom. They can't currently be serving in the NomCom and no SO/ACs shall hold more than one Standing Committee seat at any given time. So there's no changes there.

If we scroll down to the terms, I am proposing some changes here. So again, the first bullet's the same. Associate Chair always serves on the Standing Committee. I don't know if commensurate is the right word here. I think we want to say…

CHERYL LANGDON-ORR: Let's do a quick… Highlight it and do a quick thesaurus.

TOM BARRETT:	Yeah, I think we want another word that begins with a C here, coincident or whatever instead of commensurate.

The term of all of the members shall be three years with terms staggered as described below. All regular terms shall start upon the conclusion of the ICANN annual general meeting. Each year, one member shall roll off the Standing Committee and be replaced by another member. Every third year, two members shall roll off and be replaced by two new members. So there's no changes there. Any vacancy that arises during a term shall be filled via a public EOI process. And then the members of the Standing Committee shall select the new members using the rules for eligibility. So if there's…

CHERYL LANGDON-ORR:	Tom?

TOM BARRETT:	Yeah, go ahead, Cheryl.

CHERYL LANGDON-ORR:	I don't disagree. It's just that I want to make sure. I don't believe we've used EOI anywhere else in the document so that needs to say Expression of Interest. Best to be, fit in the standardized style and expectations of an ICANN document.

TOM BARRETT:	Yeah. I think that's in the previous section. It was spelled out.

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CHERYL LANGDON-ORR: It was. Okay, fine. I don't remember that being the case. Sorry.

TOM BARRETT: Yeah. Okay. So let's talk about eligibility because I did, I'm proposing another criteria here. So here are the rules of eligibility. Any one person shall not be eligible to be appointed for more than two full terms totaling six years. Preferences are preferences so we don't want to be too hard and fast here since we don't know who will raise their hand and volunteer to do this. But preference will be given to prior experience on the NomCom leadership team. Preference will be given for applicants endorsed by an SO/AC, and this is the third one I've added, preference will be given to incoming members who are not from the same SO/ACs as the outgoing members. So it's an attempt to ensure some diversity and that we don't see the same SO/ACs serving on the Standing Committee, but it's a preference and not a hard and fast rule. Any thoughts or comments, especially on that last suggestion?

CHERYL LANGDON-ORR: So Tom.

TOM BARRETT: Yeah. Cheryl.

CHERYL LANGDON-ORR: Not with the content at all, but just to ensure that there is some clear subordinacy to these preferences so that they're not seen as equal to or superordinate to the other points and terms, could we not say that the very… So if we go to the third preference, I would write that so it reads, "Preference will be given to," and then have colon and then as indented sub-bullet points, prior experience on the NomCom, applicants endorsed by an SO/AC, and two incoming members not from the same SO/AC as outgoing members. So it becomes one bullet point of three subordinate preferences.

TOM BARRETT: Sure. Okay.

VANDA SCARTEZINI: I agree. I agree. That's more open for people to understand.

TOM BARRETT: So just for helping edit… Yeah.

CHERYL LANGDON-ORR: Jean-Baptiste, that's not quite what… Yeah.

TOM BARRETT: Yeah. So just, you want me to do it, Cheryl? So I think what Cheryl is saying is right where your cursor is…

CHERYL LANGDON-ORR: Well, anyone who's got control.

TOM BARRETT: So we'll just say, type in the word "preference will be given:". No, not a new bullet, just as another sentence in that—

CHERYL LANGDON-ORR: If he writes it as a new bullet, that's fine. He just has to remove it from every one of the subordinates. I don't care how it happens as long as you get it done.

TOM BARRETT: Yeah, okay. Fair enough.

CHERYL LANGDON-ORR: And after two.

TOM BARRETT: Yeah. Perfect. Yeah. Start with applicants, incoming members. And if you could make that last bullet the same font size as the previous ones.

CHERYL LANGDON-ORR: I reckon we've got it. Thank you.

TOM BARRETT: Excellent.

VANDA SCARTEZINI: Yeah. Perfect.

TOM BARRETT: Thanks, Jean-Baptiste. All right. So everyone good with the terms? Nadira.

NADIRA AL-ARAJ: Yeah. I put in the messaging, but this is [inaudible] never happened in the chat. What about, because this is kind of not a prestigious working group or something, maybe some people, they will not volunteer for this. So what happens if no volunteers?

CHERYL LANGDON-ORR: I guess you call into question the whole process. As unlikely as that will be, Nadira, ICANN has volunteered to go to the open [inaudible] envelope. I have no idea why they think that [inaudible] on that. In that very unlikely situation, you'd have one or two things.

VANDA SCARTEZINI: Yeah. You could volunteer [inaudible].

CHERYL LANGDON-ORR: You can volun-tell people. You can… very unlikely that we'll… If we have that problem, then we would have a problem with the validity of the Standing Committee and then that would need to be reviewed and

discussed in a very public way, probably with a future either holistic review about the ongoing purpose of the NomCom or an organizational review where the NomCom would be looking at itself and its own continuous improvement. So it may indeed be able to prove that it no longer needs a Standing Committee because it's got a decade of perfection under its belt or something.

NADIRA AL-ARAJ: [These are good points by] both of you. Thank you.

TOM BARRETT: All right. So we're all good with the terms. We obviously still need to define the transition for who the initial group and then how long their terms are, etc. But I don't think that's part of the charter. It's more the implementation of this.

Scroll down to the meetings. I don't think there's any changes here. We do introduce the idea of a Convenor here as opposed to a Chair.

CHERYL LANGDON-ORR: That is always my preference.

TOM BARRETT: Yeah. So here's an interesting one, Cheryl. We say upfront this is not a decision-making body. Then we have a whole section called decisions. So I don't know if…

CHERYL LANGDON-ORR: Well, that's simple. We hadn't got to that section before we put in a very important override at the top.

TOM BARRETT: Yep.

CHERYL LANGDON-ORR: So the title decisions could be something as simple as transparency. So it could be section 7, transparency and it then could say "Outcomes and actions of the Standing Committee shall be taken by consensus. Such consensus shall be documented and may be determined via blah, blah, blah mechanisms." It should also say, "Such action," whether they be actions or otherwise, we should say something about them being public where possible. Obviously, we'd go on then with records and reporting of proceedings. If you want, you can even roll those two things into a single sub-clause.

TOM BARRETT: Yeah, I like that idea.

CHERYL LANGDON-ORR: So you just talk about transparency and then have all of that in under the one lump.

TOM BARRETT: Yeah, I think that's a good idea. Let's merge these two.

VANDA SCARTEZINI: [inaudible]

TOM BARRETT: Yeah, I'm not even sure we need to call it transparency. Why not call it…
                          Well, it doesn't matter to me.

CHERYL LANGDON-ORR: Transparency fits with the overall mantra of accountability and
                          transparency that all of ICANN should be looking at, so that works.

TOM BARRETT: All right. Should we call this… Then why don't we add in accountability?
                          Yeah.

NADIRA AL-ARAJ: Yeah. I prefer the accountability than the transparency here.

TOM BARRETT: I love both. Okay.

CHERYL LANGDON-ORR: Many people do but they go hand in hand, Nadira.

NADIRA AL-ARAJ: Yeah. It's better.

TOM BARRETT: All right. This is a good change. Then there's the last sentence here that used to be in the intro, we just moved down here, talking about developing goals and publishing reports of its continuous improvement program consistent with the approach recommended by ATRT.

CHERYL LANGDON-ORR: Can we not roll conflicts of interest in as a sub-part of accountability and transparency now?

TOM BARRETT: Sure.

CHERYL LANGDON-ORR: In other words, we could merge it to just…

TOM BARRETT: Yep, that's fine with me.

CHERYL LANGDON-ORR: Yeah, just delete that sub-heading.

TOM BARRETT: So this last one, non-performing members.

CHERYL LANGDON-ORR: Then we've got part eight as review.

TOM BARRETT: Yeah. I wonder if this last bullet, non-performing members, should belong, belongs earlier.

NADIRA AL-ARAJ: Yeah, it does. It goes to the terms, I think.

CHERYL LANGDON-ORR: Yes, that's probably a better place for it. Yeah.

TOM BARRETT: Perfect. All right.

NADIRA AL-ARAJ: The last sentence, the accountability, this paragraph, it's the one you added about the ATRT3 report, I think it's to be at the end. Just the Standing Committee members to be before the sentence, I think.

TOM BARRETT: Okay.

CHERYL LANGDON-ORR: That's neater. And then that would be eight.

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TOM BARRETT: Seven, eight. Excellent. So I think we have a good draft charter here.

VANDA SCARTEZINI: Yeah. Looks good.

TOM BARRETT: So one of the things we'll have to think about is so where do we go from here, or do we just form a Standing Committee and let them start sorting out how to fulfill its charter?

CHERYL LANGDON-ORR: That would be my suggestion. Our job is to do the drafting and then enact the mechanism that gets the first one populated. Now, you did speak briefly, Tom, on that and say it needs to be dealt with. So let's take a moment because we have the time and then think about that.

                             If we put out an Expression of Interest and we get five people that, we wrap around, hypothetically, let's assume next year's associate chair, the other four people based on incoming Expressions of Interest, then is there any reason why all of those term aspects cannot just then come to pass? I don't think there's a problem, but I would like you to double-check on that, that we could simply populate a Standing Committee and then those terms on the rollover should be okay just to come [inaudible].

TOM BARRETT: Right. So you're suggesting we populate it, we have four seats, we say "Seat one is populated by this person. It's a one-year term. Seat two is populated by this person. It's a two-year term, etc." whatever the appropriate terms are.

CHERYL LANGDON-ORR: I would just populate the seats and for the first time, one of them is going to only get one term. I don't think we need to specify that. I think the terms then come into play and so at the end of that first year, one of those four seats in addition to the associate chair will move on and then everything goes rotating from then on.

TOM BARRETT: That sounds good.

NADIRA AL-ARAJ: Yeah. If I understood well, are you, Cheryl, meaning that we kind of kickoff the Standing Committee from now because we are the Implementing Committee?

CHERYL LANGDON-ORR: No. We don't become it. We cause the Expression of Interest for those appropriate people to be created into the first one.

TOM BARRETT: Yeah, it could certainly be populated by a member of this working group but it's not exclusive to the working group.

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NADIRA AL-ARAJ: No, no. I'm not mentioning. I'm thinking that by next year, so this committee will be enacting so let it roll in so we don't have to be the [the ones—]

CHERYL LANGDON-ORR: Correct.

NADIRA AL-ARAJ: Yes. Yeah.

CHERYL LANGDON-ORR: And it doesn't matter whether we do it with the 2021 NomCom or the 2022 NomCom. But one or other of those would fit into our expected term of activity.

NADIRA AL-ARAJ: So I think the sooner the possible because in a way that we are kind of real implementation of our discussions and our recommendations because we don't need to have an approval for this.

TOM BARRETT: Well, let's… I do think…

CHERYL LANGDON-ORR: Well…

TOM BARRETT: I do think… Yeah.

CHERYL LANGDON-ORR: Well, I'm not sure that we could do that without having the feedback from… Any charter would, under normal circumstances, go through some form of community review. NomCom is not a community so we can't take this to what would effectively be our AC or SO.

                               If this was a GNSO charter, it would be approved by a GNSO Council, right? So because we don't have that, because this is a NomCom, it should have some form of gaiting process, yea or nay. And our next report, which is, I believe, due… Is it calendar year, Jean-Baptiste, or January?

TOM BARRETT: Yes.

CHERYL LANGDON-ORR: December? Whenever our next report is, which I can't remember if it's December or January, one of those times, it needs to have this as a fully-blown charter that we're basically saying this is our suggested charter and as soon as we hear back from you, we can put a call out from Expression of Interest.

                               So the Improvements Committee can then look at this charter and go, "Yes, that's fantastic. You are blessed," or "Oh, maybe this should go

out for public comment," and that's fine too, or "Oh, maybe this should have the following changes," and then come back to us. And that's fine too. We have that double checking process involved.

NADIRA AL-ARAJ: Yeah. So this is an action item for the coming report. Great. Thank you.

TOM BARRETT: Well, yeah, and actually, I wonder if we include this with the proposed bylaw changes and let ICANN Legal give feedback on it and then we include it as part of the…

CHERYL LANGDON-ORR: No downside.

TOM BARRETT: I'm sorry?

CHERYL LANGDON-ORR: Absolutely. Yeah, no downside to that. I think, bundle it.

TOM BARRETT: Yeah. So then it goes to the Board OAC. And so, because again, we want the Board to… Basically, we want Board approval of this charter, right? That makes it official.

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CHERYL LANGDON-ORR: It's more sanctioned than anything else. Yeah, it's to ensure that because we do not have a community that is smaller than the total ICANN community to interact with. It's because the NomCom is this unique.

TOM BARRETT: And so there may well be a public comment period. Perhaps that could happen. So the question is when. If the Board [inaudible].

CHERYL LANGDON-ORR: We have to find that out first.

TOM BARRETT: Yeah. All right.

CHERYL LANGDON-ORR: If that all happens, then this may not come to pass until the 2022 NomCom and that's okay. But it might come to pass for 2021 NomCom and that's okay too.

TOM BARRETT: All right. So I think one item we do have, we did highlight this one word here which I don't think is the right word. I'm looking for a word that— coinciding, really the word "coinciding" is more appropriate here than commensurate.

CHERYL LANGDON-ORR: Just use… Yeah, it's not quite the right word. So just highlight it but not with a color and just, what is it, right-click and use the thesaurus tool, explore. Explore. And then you should have a thesaurus option.

TOM BARRETT: I like coinciding better than the other word but maybe it's still not the right word. Are you still looking for the thesaurus, Jean-Baptiste?

JEAN-BAPTISTE DEROULEZ: [inaudible]

TOM BARRETT: Yeah. All right, any other thoughts or comments regarding the charter?

CHERYL LANGDON-ORR: No. I'm just not sure why we're not being able to select a word from the tools he's got pulled up.

TOM BARRETT: There it is. It's taking a while to come up. Okay.

CHERYL LANGDON-ORR: Coincide certainly means the same place or space.

TOM BARRETT: Yeah. I agree there's probably a better word we could use here.

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VANDA SCARTEZINI: For the translation, it's good, has the same words.

CHERYL LANGDON-ORR: Oh, if it translates well, then that helps as well. All right, let's stick with coinciding. Yep, okay. That's good.

TOM BARRETT: All right. Great.

CHERYL LANGDON-ORR: Thank you.

TOM BARRETT: All right. So the other open item, we still… So we have this that we can present along with the proposed bylaw changes. We still need to work on the narrative, basically, for the bylaw changes so that can be presented for review by ICANN Legal, then the Board OEC. So I think that's kind of our next step so we can get these bylaw changes put to rest and getting put under review.

We… Any other… That's still an open item. I know we need to finalize that. We're not going to meet for another two weeks, so to the extent we have drafts of that, we can certainly circulate it on the list if anyone wants to take a look at those and provide comments.

CHERYL LANGDON-ORR: Sounds like a plan.

VANDA SCARTEZINI: Yeah.

TOM BARRETT: I have… I guess just… I think it was just Cheryl and I attended the NomCom public meeting this week. I don't know if anyone else had a chance to see it. I wanted to see if there's any other takeaways from that meeting that might be useful for us. It's a little concerning that it took them until the first week of October to do their selections. They still don't have recommendations written yet for the upcoming NomCom that's getting seated in about a week or two. So I don't know if there's any lessons learned about… We're all dealing with COVID, certainly, but it's a virtual meeting so I'm kind of surprised it took … there was such a [lengthy] time delay. Cheryl?

CHERYL LANGDON-ORR: Yeah. Tom, I think the only thing that we can learn from the whole of this current NomCom and that report is how important it is to have our work implemented as soon as possible. I don't think there's any new learnings.

TOM BARRETT: Yeah. They certainly struggled in a few areas that maybe we can facilitate. Did ICANN staff have any insights? I know, Jia, you were part

of this. What do you think should be done differently next year to try to get it done in a more timely basis? Any ideas?

JIA KIMOTO: I think with COVID, it really changed the timeline so I think it really depends on the situation. But I think now that… I think the Standing Committee will help.

CHERYL LANGDON-ORR: The new normal.

JIA KIMOTO: Yeah. So…

CHERYL LANGDON-ORR: There's a new normal and there will be a new normal post-pandemic, Jia. I'm not trying to cut you off but I'm also trying to save you from getting into specifics because those specifics are, of course, absolutely none of our business. I can hypothesize a million things that may or may not have helped the dynamics, but the dynamics are what the dynamics are and all we can see is that perhaps with some of the future issues to be implemented from our work, some of those things may not have been so influential in changing the timeline.

We're working with volunteers and we're working with volunteers who, regardless of what they're volunteering for or from or to, volunteers, like most humans, resist change and most people prefer to have things

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run the way it was done either before or when they did it last or in time immemorial. Change agency is always a challenge and change agency in a time where you've got global pandemics and additional psychological aspects of all of that is even more challenging than normal. So I think the takeaway is things like the Standing Committee and some of our fundamental changes proposed anyway are important and we should get on with our job.

TOM BARRETT: All right. So any other business before we go to the next meeting schedule?

CHERYL LANGDON-ORR: So Tom, we should perhaps hear back from Legal in a perfect world by the time we next meet? Perhaps in a cover note, Jean-Baptiste, if we're bundling things up to send to Legal for their reaction, that we let them know when our next meeting is and how much it would be appreciated if at least initial feedback from them coincided with that occasion.

TOM BARRETT: Yeah. No, that would be a great goal. So I feel like I'm certainly prepared to review and help draft the narratives for these bylaw changes. I know there's the traditional review style of previewing the history of how we got to where we are, but maybe we can make it more casual than that and simplify that process.

But again, our goal here is we don't want to simply give them the redline changes. We want to explain the rationale behind some of them.

So that piece, that rationale, hasn't quite been finalized yet. But that's something we can do in the next week.

CHERYL LANGDON-ORR: That could be done on list too, I think.

TOM BARRETT: I agree. I agree.

CHERYL LANGDON-ORR: Looking at the huge turn-up we have today.

TOM BARRETT: I agree. All right, so let's finish that on list in the next week or so and then we can try to fire that off, hopefully in a week, to ICANN Legal. I'm all for that. Shoot for a week from today. We get that to ICANN Legal and maybe that, they can turn it around within a week or so.

NADIRA AL-ARAJ: Good.

TOM BARRETT: All right, so in terms of the next meetings, I do have a suggestion. The next meeting will be at 19:00 UTC which is, again, no change there. And then we're getting into November. Normally, these meetings are at 13:00 UTC. I'd like to suggest we make those 14:00 UTC. So that would be starting in November, just to adjust for some time changes.

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CHERYL LANGDON-ORR: Can I ask why?

TOM BARRETT: Yeah. Well, we have a time change happening. It's called the Daylight Savings Time in the U.S.

CHERYL LANGDON-ORR: I understand Daylight Savings. I also understand that that's why we use UTC time in a global organization. I haven't asked to have… I've just gone into Daylight Savings. I haven't asked to have the times changed to suit when I want to have my wakeup time or the difference between having to get up at 1:00 A.M. or 2:00. I don't think we should change times to any form of local or regional time shifting. I think we stick to UTC times. If there is a clash with a work commitment, then we discuss it and if someone cannot ever make that time because they're bumper to bumper with other things, then the whole cycle gets changed. But we don't do it in-between. It either runs for a whole year in UTC at a time that suits, or if it no longer suits, there's suddenly a clash—and it could happen with any committee member. But if you, for example, happen to have a standing work meeting that now clashes, then we shift it to another time totally, but not because of the mere foibles of local Daylight Savings Time.

VANDA SCARTEZINI: Yeah, because it's different for each region.

TOM BARRETT: Yeah. No, it's…

VANDA SCARTEZINI: So we're going to change all the time.

TOM BARRETT: Yeah. No, I wasn't thinking so much of the volunteers on the call, but the ICANN staff on a call. So most of them are…

CHERYL LANGDON-ORR: Tough shit. And you may quote me.

VANDA SCARTEZINI: That's not our problem.

CHERYL LANGDON-ORR: Exactly. They're paid. Tough shit.

VANDA SCARTEZINI: They're paid. They should work. We are not paid and we work, so that's not a reason to give them more opportunities to have good hours [than ours.]

CHERYL LANGDON-ORR: And Vanda, that was the very same reason that the U.S. staff will still be available at our meetings that we're holding for ICANN globally on a U.S. holiday this coming Monday, because they work for a global organization and that's what they signed up for. So gee, Tom, you're not getting a lot of support here.

TOM BARRETT: I hear it. I hear it. That's the sense I'm getting. All right, so next meeting. So our goal is to try to get the narrative for the bylaw changes wrapped up in about a week. We'll see if we then can't do that on the list. We'll send it off to ICANN Legal. Assuming they can give us some feedback fairly quickly in a few weeks, we can then send it off to the OEC and see if they have any feedback as well. And then that's it. Any other thoughts? I think we're done.

CHERYL LANGDON-ORR: We done did do good.

TOM BARRETT: Have a good day, everybody.

VANDA SCARTEZINI: You too.

CHERYL LANGDON-ORR: Thanks, everyone.

TOM BARRETT: Bye.

VANDA SCARTEZINI: Bye.

CHERYL LANGDON-ORR: Bye for now.

JEAN-BAPTISTE DEROULEZ: Bye everyone. Yvette, you can stop the recording. Thank you.

[END OF TRANSCRIPTION]