

ICANN MEETING, SINGAPORE
REGISTRIES STAKEHOLDER GROUP
TUESDAY, 21 JUNE 2011
AFTERNOON SESSION
2:00 P.M. TO 4:00 P.M. (Local Time)

NOTE: The following is the output of transcribing from an audio recording of the Registries Stakeholder Group meeting on Tuesday, 21 June 2011, held in conjunction with the ICANN meeting in Singapore. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Jonathan Robinson: ...came up so you'll be able to review what was said about that as well in the context of communication with the Board.

Coordinator: And also this call will be recorded today. Thank you.

Chuck Gomes: Jeff's here now; we can get going.

Man: (Unintelligible).

Jeff Neuman: Oh good, so I have a couple more. The next one I remember was on the role of interest groups. And I believe there was a section that talked about - it had listed a couple things that interest groups can do. And the first one was - which I didn't quite understand fully which was to nominate GNSO Council representatives. I don't really remember what that meant.

Chuck Gomes: Yeah, nominations would have to come from a member so is that what you're getting at?

Jeff Neuman: Yes, oh and elections. I mean, some people think nominate means the same thing as elect or appoint. And I think what we were just trying to say is if an interest group wanted to put forward a candidate they could do that.

Chuck Gomes: Yeah, I think so.

Jeff Neuman: But that's why I just had a question on the wording because it's easily...

Chuck Gomes: We may need to fix it, yeah. Have you got it fixed?

Jeff Neuman: Well I'm not sure we actually need that in there because any member can nominate.

Chuck Gomes: So, I mean, that could be said of anything there I guess for an interest group but maybe that's one's not needed so you think the best thing is just delete A, nominate candidates for GNSO Council representatives?

Jeff Neuman: Yeah I think that one because it just seems like it could be misleading to an outsider that reads it.

Chuck Gomes: Anybody disagree with that? That good? So what we'll do is just delete on Page 6, D, interest groups will - the third paragraph we'll delete A under that. And no objections to that? Ray, does that sound okay to you?

Ray Fassett: Yes it does, thanks.

Chuck Gomes: Good. What's next Jeff?

Jeff Neuman: Okay on Section E which is - oh wait I don't have - that's the same Roman numeral. Four, officers, Section E, Assistant Treasurer.

Chuck Gomes: Yeah.

Jeff Neuman: We changed that from the registry stakeholder group may elect - we changed it to shall elect. And I'll note we don't have one now and I didn't know why we were making that mandatory.

Chuck Gomes: I think the main reason - and the people raised on the phone - Keith's here, I don't think Carolyn's able to be on any longer - but the idea was is that we don't want to have a single point of failure with regard to our treasurer. So one way of approaching that is let's make sure we have a backup that's ready to go is what we're thinking.

Now maybe there's another way of covering that but if something was to happen to Ken right now what would we do? We'd have to regroup, right? And that would be somebody that's not up to speed in terms of what's going on and so forth, that's the thinking.

Jeff Neuman: Okay, I mean, I didn't have a strong opinion one way or the other I just note that we're putting in the charter that we shall have one and we don't have one now so I guess one of our first orders of business after this charter is approved will be to elect a Assistant Treasurer.

Chuck Gomes: Yeah, I think so, I mean, we need to do something whether it's an assistant treasurer or something else we should have a backup there because we have a single point of failure and we rely on Ken. If Ken's tied up for a while and can't support us we - there's nothing we can do. He's got the connection to the account, you know, and we'll have to work those kind of details out too.

Jeff Neuman: Okay and then the next one was just a question on Page 10. On the record - C, record of meetings. And it's just a question it says that we're going to host on a Website a list of all active members and then it talks about minutes, action points, decisions, resolutions and final work products within a reasonable time.

And I guess my question is are we sure we want full minutes posted? I mean, is that what we're going to do? Because, I mean, our minutes are, you know, thanks to (Cherie) they're pretty comprehensive. But I don't know if anyone goes through those with the eye toward redacting certain sections when they look at them. I'm sure Chuck does a great job.

Chuck Gomes: I don't redact though.

Jeff Neuman: Right so if we have this in our charter that means that we're going to have to go through it not only with the - not only with the eye of making sure everything is correct but then redacting them if there are things we don't want people outside the stakeholder group knowing.

Chuck Gomes: Well what if we were to not use the term minutes and just - in fact just delete "their minutes" and include only action points, decisions, resolutions and final work products.

Jeff Neuman: Yeah, yeah.

Chuck Gomes: I'm okay with that because I'm with you that we don't need to have that as published as detailed a minutes as we do right now. You know what (Cherie) does she actually sends those out, right, that's one of the first things that comes up. That's kind of...

Jeff Neuman: Okay.

Chuck Gomes: ...I think good.

Jeff Neuman: Yeah, I think that's good. I think we'll have to make sure we - those are something we might have to look at in case there was an action point that...

Chuck Gomes: Yeah, sure.

Jeff Neuman: ...you know, like, Chuck to contact the Chair of the Board to, you know, you may not want that kind of - you may not want something like that out there. You may want it but...

Chuck Gomes: You may because the idea is to make sure we have follow up and it's a way that all of us can kind of keep track of making sure things are done. And I know I look at those and see what my action items are.

Jeff Neuman: Yeah, I think that's right. Sorry, I know this is kind of tedious and I appreciate everyone. I think the next one is Section - Roman Number 9, Section A, responsibilities. And it says if the registry stakeholder group does not provide direction on a substantial issue each registry rep shall abstain from voting in the GNSO Council on that issue until direction is given.

Kind of one thought, you know, something that we do now rather than abstain is we make a motion - or we ask for it to be deferred. So, yeah, so I was thinking maybe saying something of, you know, allowing for a councilor to seek a deferral of the vote for one meeting provided that the deferral option is available.

Like so things can only be deferred for one meeting. So if another group had already gotten the deferral we couldn't then another time.

David Maher: (Unintelligible).

Chuck Gomes: How about if we do this - this is Chuck speaking again. If the RySG has not provided direction on a substantial issue each RySG representative shall - or maybe don't need to say each - RySG representatives shall request deferral if possible or abstain from voting and so on. Does that cover it?

Jeff Neuman: Yeah that does.

Chuck Gomes: Okay.

Jeff Neuman: All right we're flying through, guys, look alive. Come on David. All right the next one - sorry - 9B, councilor absences. So the GNSO Council now has a different procedure, right, where if a councilor is going to be out they can act - sorry, I'd like to put it in here a requirement that if a councilor is going to be out for a meeting that they either appoint a proxy if they can or appoint an alternative, right, the Council has options.

So if I were going to miss a meeting and I knew in advance then I could either give Jonathan my proxy or if let's say Ching was also going to be out Jonathan could only hold one proxy but I can appoint an alternate from our stakeholder group to come in and serve. So this doesn't - the charter doesn't account for that.

Chuck Gomes: Well it does refer to the GNSO operating procedures but maybe we need to capture it better in terms of an action item.

Jeff Neuman: Yeah, I think it should be a strong requirement.

Chuck Gomes: Yeah.

Jeff Neuman: I really want to mandate that of our councilors that they do that.

Chuck Gomes: So how could we reword both of those actually? It may not be possible and unplanned but we still want them to try.

David Maher: It says two or more; doesn't that proxy rule apply even if you miss one?

Chuck Gomes: Yeah, so maybe we need to add a new...

Jeff Neuman: It'd be like a new A which would be, you know, if a council member anticipates being unable to attend a regularly scheduled GNSO Council meeting the councilor shall appoint a proxy and/or alternate - I forgot what they're called. Yeah, and/or - or shall - technically what they do is they need to notify the chair and the chair needs to send the Council - the chair then would decide whether to appoint a proxy or an alternate. Maybe that's it.

Chuck Gomes: How about if we even do it more generally so that in case the procedures change or something to make sure that the vote is not - well I don't like that wording - the vote is not lost according to procedure - GNSO procedures or something; I don't know.

I think that's a good thing. So we'll add a new A and change B to - A to B and B to C; is that the idea?

Jeff Neuman: Yeah. And that's my last comment.

Chuck Gomes: Can you - or somebody - we need somebody to draft that new language there so see.

David Maher: I can do that.

Chuck Gomes: You'll do that? Okay. Yeah it's probably kind of mimics what we have for planned except it's not going to be two or three - two or more, right? And we specifically want them to take steps to make sure that the procedures are applied so that we don't lose the vote. That's a good catch.

Jeff Neuman: So you reviewed the PDP on the airplane here; I reviewed this.

Chuck Gomes: Any others?

Jeff Neuman: No that's it. So it sounds like...

Chuck Gomes: Does anybody else have any others? Now do we need to have a revised version with the latest changes or could we start the approval process here with the changes that we agreed to today and then have (Cherie) finish it on the list? We'll have to get her the changes. Go ahead.

David Maher: I don't think we're anywhere close to a quorum. I'd really rather have it sent around one more time and have a mail vote.

Chuck Gomes: Okay so what's the target in getting that done?

David Maher: Soon. I think before the next meeting. Chuck, can you send me the notes you've made?

Chuck Gomes: Sure.

David Maher: Back to our agenda please. The next item is GNSO Council motions for the 22-June meeting. Jeff, do you?

Jeff Neuman: Yeah, we have two motions at the GNSO Council meeting that we're going to be voting on. One of them is - and I'm just trying to pull it up. One of them is around approving the IRTP recommendations. And I don't know if that's been updated on the Website yet. No?

Jonathan Robinson: There's a very recent amendment, is that what you're referring to by what you mean by updated?

Jeff Neuman: Yeah, with that friendly amendment.

Jonathan Robinson: I've only just seconded so it won't have gone on.

Jeff Neuman: Okay do you want to go - I think to the amendment basically is approving the recommendations in the IRTP, B, final report which I think we all kind of approved, you know, here. The one question I have for everyone is - and we're voting on this separately - it calls for an issue report on thick WHOIS for incumbent registries.

Now the point I made during the Council is this is a purely personal point, not even necessarily a Neustar point because they probably don't care that much about it. But I always have a problem - since there's really one registry operator that doesn't operate a thick WHOIS - who are the two?

David Maher: (Unintelligible).

Jeff Neuman: Oh okay so two - all right so there's two contracting parties so Employ Media and VeriSign that do not have a thick WHOIS. And from my perspective I don't like it when there's PDPs that are aimed at one or a very small number of registries because of the amount of resources it's going to take up, the amount of time, the - just the lack of resources we have available either in terms of ICANN staff or volunteer time.

Something that we spend a lot of time talking about in the new gTLDs and it's just a personal preference of mine not to initiate a PDP on something like that. And so I don't know how the rest of the group feels. It's certainly not a PDP that I'm going to personally participate in. But if we have volunteers from this group that will want to participate in that then, you know, I just think there's a lot more priorities in the Council than this but I welcome your feedback, I mean...

Chuck Gomes: Well we have to recognize that because it's a pretty low threshold for initiating a - well initiating a PDP even, you know, probably you're at least - it's pretty easy to do with, you know, so if this is still in there - now Jeff, you also discouraged changing recommendations from a working group too. And that is one of their recommendations.

Jeff Neuman: Yeah so - are you saying I'm hypocritical? No. Actually...

Chuck Gomes: I didn't say that - that's not the word I used.

Jeff Neuman: ...my point was that every resolution should be voted on. Right so that we shouldn't take anything out of the motion. So I would never - I would never tell the Council to take that part out of the motion. You can vote it down if you don't agree with it but you shouldn't take it out.

Every recommendation should be heard by the Council and acted on in some way. But I take your point, that's what the group recommended. Again it's more personal for me; it's not really a Neustar - you know, Neustar doesn't care if we initiate this. But from a perspective of we have a lot of work at the GNSO level; there's WHOIS that's going - there's all the other WHOIS issues going on, there's another - I think there's one other issue report for transfers as well that might be in there or is that the second motion?

There's more coming up. There's just a lot of work at the Council level and for me just to spend a lot of time on this PDP just...

Chuck Gomes: There's more coming up with PDNR too.

Jeff Neuman: Correct. That's...

Chuck Gomes: Yeah, yeah.

Jeff Neuman: ...it's like two more issue reports...

Chuck Gomes: Yeah that'll probably be the next meeting but, yeah. The - I mean, how would you - if you were going to suggest a solution, I mean, if you could propose it - and I'm not advocating this, okay, it's probably better not I do it - advocate anything on this because it affects VeriSign, right.

But you - one approach would be to make - suggest a friendly amendment to remove that clause. Does that - would that make you happier? Again I'm not advocating one way or the other, okay?

Jeff Neuman: That would make me a hypocrite because I think I said everything should be voted on. You know, I - it's hard because the only way - if for whatever reason

the two registries don't want to voluntarily implement thick WHOIS then the only way to actually have them implement a thick WHOIS is through a PDP.

If the two registries were going to entertain the notion of possibly doing it then you could say well maybe you could have an informal group that - or something else other than a PDP that's not as resource-intensive to kind of go through the issues and see if anything can be worked out outside the PDP process.

And then only if it couldn't be worked out outside the PDP process then push it back into a PDP was kind of the only other alternative. But I realize that that's, you know...

Chuck Gomes: And it's important that we keep in mind that it's first of all with regard to registries there's two registry operators involved here so obviously Ray and Employ Media needs to be brought into the discussion but also there is registrars because VeriSign is probably not going to just go out and say we're going to do this without pretty good input and encouragement from registrars because they've always been so opposed to us having their customer data. And we don't want to step on their toes in that regard.

Jeff Neuman: Yeah so the question is what do we want to do with the - I mean, if the rest of the group thinks it's okay then I'll back off. Like I said it's not that critical for me.

Chuck Gomes: Anybody else going to speak? By the way while you're thinking I did check with Barbara who's been our representative on that PDP and she was okay with the amendments that the - the latest amendments that were made so she got that back to me just a few hours ago.

Jonathan Robinson: I feel obliged to say something to save you guys from being in a completely - I - this is - I find it difficult because it's - I can see that the - putting it through the resources is challenging. I don't know, I'm speaking because I feel obliged to speak but I don't really have an answer. It's a challenge. I'm not sure I can help resolve this so I would love to get some - I'd like these guys to get some other dialogue on it. Or does anyone else, Vladimir, Ching, any views on this?

We have to vote, right, we've got a vote on this. This isn't - I mean, I think Jeff's made his point on principal and it's a fair one. If it comes from the working group it's got to go in there which puts us under a position that we have to go in there and take a stakeholder group position on it and vote yes or no to this...

Chuck Gomes: But this one hasn't been deferred yet either; that's another option.

((Crosstalk))

Chuck Gomes: He never really made it, right, or that - is that a different motion that I'm mixing up?

Jeff Neuman: No I think you're right; I think this motion is - this is the first time it's on the table. But is anything going to change, right? So, I mean, we could defer it but...

Chuck Gomes: The only reason I suggested that is because Jonathan was saying a little more consultation or something and maybe all of us with our own organizations need it. I don't know. I'm not pressing one way or another on it but...

Jeff Neuman: I'm just afraid of a precedent, you know, also about if there's one registry in the future that's doing something that other people don't like or that's not implementing something that others wish they would if they could just initiate a PDP to force that registry to do it.

You know, that goes back - way back - and you know, Chuck, with the weightless service way back when, right, where (Louis) basically said - I think it was (Louis), right way back when that issued an opinion that said, you know, they're not intended - PDPs are not intended to go after the practices of one or very few entities, right? That was the premise of why they recommended no PDP on the weightless service and also came back in the Feb-06 PDP.

Chuck Gomes: And of course what they did on the Feb-06 PDP is they expanded it for - it was literally directed at one registry - registry unnamed, right? And then - so to get around that they broadened it to include all, yeah.

Jonathan Robinson: Is it - can I just ask a procedural question? Would it be possible to delay the vote on this part of the motion only or is it - it's the whole motion or only - does anyone know?

Jeff Neuman: Well I've asked for them to - that's a good question. I've asked for them to separate each resolution that we vote on - to vote on each resolutions separately. I suppose I could throw that out to the list and see what...

David Maher: What is the target of this resolution? Which...

Chuck Gomes: It's actually going to make some consensus policy changes to the registrar transfer policy. But this particular element is not one of those.

David Maher: (Unintelligible).

Jeff Neuman: Parts to this motion or - there are seven or eight resolved clauses that every one of them is really helpful and we certainly want the rest of it to be implemented because they're good changes. This one is asking for a issue report on thick WHOIS.

Which I know, for example, by the way one of the reasons I'm reluctant is that if we want to initiate a PDP on the UDRP I know staff is going to come back and say look you've already initiated issue reports for transfers, two for PDNR and now you want us to do UDRP? We can't; it's going give the IP group the ammunition they need to say we're just too busy; we can't do it.

Jonathan Robinson: But we've got a pretty constructive way forward, haven't we? I mean, we either - it looks to me like we need to think about this a little bit more. Personally I haven't thought about this particular nuance of, you know, of it. And I suspect no one else has or given it quite the level of attention you guys have.

So my suggestion is we empower the councilors to either propose to delay the motion for one - until the next Council meeting or if it's possible to delay it simply that sub-portion of the motion do that and get the rest through because it sounds - the rest is uncontentious. Is that a constructive way forward?

Chuck Gomes: Well and to avoid Jeff's concern about it just being an issue at the next meeting you could actually - because of resource constraints delay that part of the motion to, you know, six months down the road for reconsideration or something. I don't know if that works or not; that's another way. Because I think you're right that if you just - if we just postpone it two weeks it - you know, we're right back to the same thing.

Jeff Neuman: So that would be a friendly amendment or an amendment request to say that there should be an issue report but - no it's saying that they're...

Chuck Gomes: So Chuck speaking again. So the suggested amendment would be to take that resolve clause out and with the intent to put that forward separately - to consider that separately six months down the road when we're - a few more things are completed and there's more resource availability.

Jeff Neuman: If I do that that's what they're going to do with the UDRP. That's exactly what IP - that's what they're going to do.

Chuck Gomes: Well, you know, that's not all that bad is it? I mean, it really is true. In fact in my - were you there when I had the interaction the other day and gave Margie and Liz a bad time? And later, for those that don't know, Margie and I had - over lunch we talked through a lot of things that I think were very constructive.

I think it's okay to delay the UDRP decision for six months or something until we - because it really - I mean, as much as we'd like to see that happen the reality of the matter is resources are stretched. So delaying it six months really isn't all that bad is it?

Jonathan Robinson: Yes, I think I spoke to this when we discussed it in the Council before. There was a point of principal here versus - because the one possibility was even more than that it was delaying it until the new gTLD program had bedded down. Because I think the key...

David Maher: (Unintelligible).

Jonathan Robinson: Yeah, yeah.

Chuck Gomes: I think what we're going to see based on my conversation with Margie is that the issue - the final issues report for the UDRP will be a lot clearer in terms of the rationale. One of the things that really bothered me - and I communicated this to - in the - publicly and then more detail with Margie later - is that their stated reasons were so weak.

You know, and they really had some other reasons that I pulled out of her later. So their recommendation by the way, just alert, I wasn't supporting this necessarily, but their recommendation is probably going to still be don't do a PDP or it might be don't do a PDP right now.

So - but anyway I think the report will be, you know, changed - be a lot more meat in it that makes more sense in that. But again if we're really delaying this other decision because of resource constraints, I mean, we shouldn't - and we would be hypocritical if we opposed delaying the UDRP one if - for the same reason as long as it's not a too long a delay.

David Maher: Have we reached a conclusion?

Jeff Neuman: I think let's try the first option that - I don't remember if it was Jonathan or Chuck basically to say to ask for that one part to be deferred. If they say no and will have to ask for the whole thing to be deferred for a meeting. Gives us a little bit more time to figure it out.

Chuck Gomes: But do you really want to ask - if you just use that principle of deferring it one meeting for that one item don't you want to ask for more than that? In other words you really have to ask for an amendment to the motion to remove that

with the intent to bring it back in about six months when we have more resources or when we have more resources.

Because again if you just move it out two weeks - is that what you want? Does that help? I don't think it does.

Jeff Neuman: I mean, I don't want - yeah I don't want the PDP at all but again I don't feel that strongly. I'd rather just - if we move it out another meeting we can at least get the input from the rest of the stakeholder group who are not here and see whether they think it's an issue.

Chuck Gomes: You could ask that it just be removed. Again please understand VeriSign is not asking for that. But if that is a solution do you think is the best solution you can ask for that. If they don't do it then you could ask for a delay in the decision. I think this is now on your shoulders Jeff which way you are most comfortable with unless one of the other councilors want to handle it.

Jonathan Robinson: Well, I mean, excuse me, it's Jonathan speaking. I mean, for me I haven't - I must say I haven't given this proper consideration in this sub-motion, right. So, I mean, it strikes me that the compromise might be - and I know you resisted this Chuck originally but it might be that just kicking it down the road to the next meeting at least gives us a chance to think about it, chew this over in the same way, a little more - it doesn't cost...

Chuck Gomes: The only reason I resisted that was because it just kicks it out two weeks and are we really going to be better off in two weeks for back to the same thing in two weeks? Is two weeks going to help? If it does, fine, I'm not confident it will.

Vladimir Shadrinov: Am I right in my understanding that well, if Jeff doesn't want the PDP which is I think a reasonable position. We are not talking about starting a PDP right now are we? It's just they request a issue report.

Chuck Gomes: These things are delayed. So sorry about that, it's Chuck again. Yeah, I think, Vladimir, that you're correct that it's just - just for an issues report. Once the issues report is done - now staff obviously has to create the issues report so that's demand on them and that's a fair consideration. But if they - and then it'll come - once the issues report is done then the Council is going to have to make a decision to initiate a PDP.

I don't know - one house can basically initiate a PDP, the thresholds, yeah. So now I don't know where the NCSG is on that. It might be hard to initiate a PDP if registries and registrars oppose it because of the fact - I think the NCSG with their concern for privacy would be - I don't know, I can't speak for them. I'm sure the Commercial Stakeholder Group would support a PDP, yeah.

Vladimir Shadrinov: I don't know if that's reasonable but why don't we indicate to staff that this question is not of the highest priority so they do their job for how long they like and we reconsider the PDP issue in a few months.

Jonathan Robinson: For me there's an issue of - it's a hashed out compromise. There's a - the fact is when asking for an issues report that may well lead to a PDP it should ideally be done as I understand it in good faith that one accepts that there's a reasonable chance that a PDP comes out. But you're right it could be done - one of the other things we could do is direct on priority. And if it's not of the highest priority we can say that I suppose.

David Maher: I suggest that we've spent enough time on this? The next item on the agenda is the travel support.

Jeff Neuman: There is one more motion.

David Maher: Oh.

Jeff Neuman: But my computer froze. I can't really see it. It's on proxy voting. It's pretty - it's like - it's an easy no-brainer. I can't remember what it says now but Jonathan do you have ability to pull it up?

Ray Fassett: Hey, folks, this is Ray on the phone. While there's a break I'm just going to let you know I'm signing off and thanks for all your hard work.

David Maher: Thank you, Ray. We appreciate the...

Chuck Gomes: Ray, you shouldn't stay up so late.

Ray Fassett: Okay I'll keep that in mind for the next Singapore meeting.

Jonathan Robinson: Because like motions - you waiting on me to provide that other motion?

This is the revision of GNSO Council operating procedures relating to proxy voting. And this is really - the motion acknowledges receipt of revisions submitted by the OSC and directs staff to produce a red lined version of GNSO operating procedures so it looks pretty uncontroversial to me.

It's - I mean, that's all we're asking staff to do is produce a red lines version of GNSO Council operating procedures based on the new procedure related to proxy voting. If anyone would like more detail on that - that's it in essence.

Chuck Gomes: Yeah and I can tell you that as a member of the OSC that this, you know, the OSC agrees with these changes. Staff actually wanted us to make a few others and we thought what was proposed was fine.

I think it's good. It - again it's in the spirit of trying to make sure that stakeholder groups or constituencies do not lose their vote when there's a legitimate reason. So it's - I recommend that we support that motion.

David Maher: Any other thoughts on that? I don't hear any dissent to that. But it's now 3 o'clock and our group from the WHOIS review team has arrived. Could you identify yourselves?

Emily Taylor: We've got (unintelligible) who all seem to have vanished actually the minute you said. I'm Emily Taylor and I'm the Chair of the WHOIS Review Team. We have James Bladel here from Go Daddy, Susan Kawaguchi from Facebook, Omar Kaminski who's a privacy lawyer from Brazil, Alice Jansen who's on staff and assisting us. So I think that's...

Jeff Neuman: Sharon just stepped out; I think she'll be returning.

Emily Taylor: Sharon Lemon from the UK Serious Organized Crime Agency is also here.

David Maher: Thank you. This I believe is intended to be an interactive session but would you like to go ahead and...

Emily Taylor: Than you very much, David. And thank you for giving us this time this afternoon. I'm aware that particularly at the moment everybody has got pretty packed programs and lots of other demands on their time.

So we have a presentation. We are hoping it will be an interactive session. And I just want to also highlight that we've got a special session - joint session with you guys and the registrar stakeholder group tomorrow to talk specifically about compliance.

And so we've got a number of questions ranging across policy and compliance so if you don't mind today what I'd like to do is just focus on the policy issues because we're going to have a good two-hours to delve and do a deep dive into compliance tomorrow.

So while I'm waiting for the slides to appear I'll just talk. The first thing to just highlight - I'm sure this is familiar to many of you but just in case. As we've been doing our outreach both here and in San Francisco meeting in March there has been a bit of confusion about what we are - are we another PDP, are we some working group with just people who, you know, like stamp collectors we've got together because we like WHOIS.

The context for our work is the affirmation of commitment that the affirmation is allowing ICANN to transition from the joint partnership agreement to the current status was dependent on it undertaking a number of reviews the first being the accountability and transparency review. This is one and then there's another on security and stability which is running at the same time as ours. So that is our context.

We have been really active for the last six months. And we have - the first thing we have to do is define our own scope. And the scope was consulted on through a public comment period around March time but in various cities what we're doing is looking at the extent to which ICANN's WHOIS policy and its implementation are effective and meet the legitimate needs of law enforcement and promote consumer trust.

So there are a number of different concepts in that. And part of our early work was to try and figure out what we meant by all of those terms. And so we consulted on working definitions back in March.

And the next slide is to highlight why we're here with you today is because we're now at the stage in our information gathering where it's becoming fairly clear what the issues are. And we thought it would be fair to just get out as quickly as we could with a very brief summary of the issues and questions framed around them in order to gather more information about people's views on them.

And so we've published that. It was out on the 9th of June. And there's a comment period until the 23rd of July. The full paper is available at that link. But the rest of the slides I've got today just highlights the questions that we've put together in that issues paper.

And as I said because we've only got half an hour today what I'm proposing to do - we'll see how we go, I mean, if we've got no comments on the policy then we'll have a stab at implementation. Chuck?

Chuck Gomes: Can we comment as you go through the questions? Okay.

Emily Taylor: I would really welcome that. Thank you. So the first two questions on this slide are really about the WHOIS policy itself and whether it could easily be clarified. I should tell you as a background to this that our early work has been to make an inventory not only of compliance activities but to make an inventory of where the policy is and the various consensus policies that have been achieved over the years.

And we've not really been able to find official enunciation of the existing WHOIS policy. We found some statements in the affirmation of commitments which talk about an obligation to provide accurate and make accurate and available WHOIS data. And of course there are various - a handful of consensus policies that have been achieved almost around the edges of the central WHOIS policy.

So that's our - what we think is the situation at the moment. I should just introduce Bill Smith who's just arrived who's a member of our review team as well.

Man: And Michael.

Emily Taylor: Oh and Michael, sorry, Michael...

Michael Yakushev: Sorry to be a little bit late. My name is Michael Yakushev. I am the former Chair of the (unintelligible) ccTLD. And I was nominated for the WHOIS Review Team by Rod Beckstrom. Thank you.

Emily Taylor: Does anybody want to take the floor on this issue?

Chuck Gomes: Well I've gone through the list of questions. And I don't know if it's - so maybe we just take a slide at a time with the questions. I have some questions for you on 1 and 2. The first question what measure should ICANN take to clarify its existing WHOIS policy understanding what you - having just heard what you said I'll comment on that in terms of what is existing WHOIS policy.

But this question assumes that the WHOIS policy isn't clear and I understand that it's not in what you just said. Somebody correct me if you think I'm wrong but I think the WHOIS policy as it stands right now is defined in registry and

registrar agreements as well as there's a couple policies that have been approved.

Some of the few things that came out of the GNSO work on WHOIS. So I guess I would ask what's unclear about the WHOIS policy. I think if you do put it - look at the agreements it's - that's what it is.

Emily Taylor: You're absolutely right and of course we have been looking at the agreement in some detail. I think that on a purist type of approach you would say that the contracts are an implementation of the policy. But I think, you know, what we want to understand is this a - is this actually just a question of documenting what everybody understands and is already out there or is there a more profound issue there?

So, you know, thank you for your input and we have indeed been looking at the - both the consensus policies and those agreements.

Bill Smith: And this is Bill Smith. On sort of - I believe there is a policy. The affirmation of commitment states there is one. And it states some things that are contained within the policy yet it is extremely difficult to find documentation of those facts.

And so that's, you know, these are at least - certainly from my perspective, I won't speak for the community or the committee rather - I can't find the policy. Yes I've read the agreements and there are pieces of policy in there it appears. But if I do a search for WHOIS policy on the ICANN Website I get, you know, almost an infinite number of documents and nothing that says WHOIS policy.

Chuck Gomes: Yeah and you're absolutely right because this is what I might term a de facto policy. It actually was built into the registry and registrar agreements as a legacy issue. So did the GNSO ever develop a WHOIS policy except for those two - the two that you found which are very limited, right? No, so you're not going to find that, okay?

And that's a good thing for you to respond to that maybe that needs to be clarified or something. But we probably don't need to belabor that anymore.

Emily Taylor: Okay thank you sir.

Jeff Neuman: Yeah, Jeff Neuman. And I guess I'll play the kind of - I like playing the blunt role. I just heard you say - Bill is it? You said that the AOC defines the policy?

Bill Smith: It - what I said was the AOC makes reference to the fact that there is a WHOIS policy. And then it further goes on and says these things are included in that existing policy.

Jeff Neuman: Okay, yeah, no I mean, there's a lot of things in the AOC which are interesting but I view the AOC as an agreement between the ICANN staff or Board and the Department of Commerce as opposed to what governs what we have to implement as registries and registrars. And the policy that we all have to adhere to is either in our contracts or can only be amended by consensus policy.

So my question there on Number 1 is - it's kind of a question on a question which says what measures should ICANN take to clarify? I guess my question to you is who is ICANN in that question?

Emily Taylor: May I go to James on that?

James Bladel: Maybe clarify is not the right word, maybe centralize is a good word or, you know, bring it all into one place or state, as Chuck was saying, state some of the things that are implied, state them explicitly.

You know, one - for example one implied aspect of ICANN policy is that registrants are responsible for maintaining the data in there; it's implied by the WHOIS data reminder policy, it's implied by the bit about the WHOIS data problem reporting system, okay.

It's not really stated that way though; it's implied by all of those other policies. So I think one possible interpretation of Item Number 1 here is can we get all these bread crumbs into one place and describe them in some sort of clear and unified statement of policy or must they exist, you know, in your contract, in my contract, in these six - or three consensus policies, this one procedure that you can invoke as a contracted party if you believe you're in conflict with local law and this one other policy that no longer exists because it was folded into the 2009 version of the RAA.

And can we just eliminate the scavenger hunt and get it all in one...

Jeff Neuman: Okay that's a totally different question in my mind than what that says. But I agree with that aspect; everything should be centralized. It just worried me when I saw that. I mean, this is not the first time I've seen but it's up there now that it says what steps should ICANN take to clarify because clarify to me means interpreting as opposed to collecting.

Emily Taylor: I think it's, you know, the analogy in business is many particularly younger companies wouldn't have a written strategy or perhaps wouldn't have their

mission vision and values all sorted out. And everybody thinks that they know what they are. And usually when you do end up trying to document them they end up in quite heated and divisive debates.

So it's - it might well be one of those issues where you just need to throw it down on paper, everyone knows what it is; it may not be. That's all - I think we could talk for hours about it but it's just a - it's a fairly light point I think. Shall we just - we'll move on and, Chuck...

Chuck Gomes: Sure, let's go to 2. And I found this question a little bit hard to deal with because, I mean, if you want to compare - I guess once you - maybe once you answer Number 1 of what the WHOIS policy is, put that all in one place, then isn't it a relatively easy task to compare that to the principals from the AOC and the GAC?

So, I mean, I don't know that we need to comment anything there but I would ask those questions, do - and I have my own answer, right, do principals trump policy development processes? And I think we all know the answer to that. They don't but that doesn't mean it's not helpful to compare the existing policy to those principals. That's all I had on that.

Emily Taylor: Shall we go to Question 3?

Chuck Gomes: It's okay with me.

Emily Taylor: Okay. Question 3 sort of moves onto a cluster of issues around privacy, proxy and privacy services and the, you know, the balancing act at the heart of the WHOIS about how do you make data available, accessible, accurate and at the same time look after individuals' privacy.

So we have observed that proxy privacy services exist; they are popular. I think on one study they account for between 15%-25% of registrations in some way. There are also out of the gTLD space of course the ccTLDs who have been grappling with the same kind of balancing act within national laws as well. So while this is a specific question I would be very interested in your views on the general issues.

Go to the next one or did you want - Chuck.

Chuck Gomes: Let's go to 3 and look at 3 and 4 together, okay?

Emily Taylor: Yeah.

Chuck Gomes: Okay.

Emily Taylor: Four is really asking the more general question about how to balance privacy concerns with this commitment of having accurate and complete and publicly accessible data so I'd be very interested in your view.

Chuck Gomes: I'll start unless somebody wants to go ahead. This is probably true of 4 more than 3. But it seems to me that these questions - or especially Number 4 - is a policy development question rather than a question for a review team that's reviewing how effective WHOIS is.

And it seems to me that it's important that the review team - and please - I'm really open to disagreement with my perception here so feel free. But it seems to me that the review team in a few places - and 4 is one example - 5 is too when we get to that.

But where it seems to me the - instead of doing a review of WHOIS policy that you're actually getting in the realm of developing policy. When we get to Number 5 where it says how should ICANN address the concerns about the use of privacy proxy service that's absolutely a policy question. So...

Emily Taylor: Chuck, thank you very much...

((Crosstalk))

Chuck Gomes: ...I'm curious how that - how these questions aren't more policy oriented and not really the task of the review team.

James Bladel: I'm speaking for myself and my own reading of this and not the entire review team but I think that what you just described is definitely the intent to stay out of policy development and stay back, you know, arms length as far as review.

Perhaps one way to fix that in this sentence would be to say is ICANN balancing or is ICANN addressing the concerns as opposed to how should it balance or how should it address?

I think 1 asks an open ended question of whether or not it's being responsive to the different stakeholders and another says here's how you should answer, here's how you should respond. And I think, you know, but it's a subtle line that you can easily trip over. And I don't - at least for my perspective I don't think we intended to trip over that line with these questions.

Bill Smith: Chuck, if I could. We don't intend to go into policy making but we - as an example we recognize that there are privacy and proxy services, they're part of the WHOIS ecosystem. Also the terminology in the AOC where it says, you know, is it effective for law enforcement subject to applicable laws. We heard

from Larry Strickling that that is - that was a hook for privacy. So we took that and said well then we have to do something about it.

But as James said we do not want to move into that space in terms of policy making.

Emily Taylor: And your comments are very, you know, very - give us the opportunity to make that clear. It's always a difficult discipline but it is our mantra and let's hope we can stick to it. You want to move to the next question?

Yeah, maybe we can just use the last 10 minutes to speak more generally about compliance because that's sort of the next Question 6 and onwards are really talking about how policy translates to practice and how effectively it implements all the compliance activities implement the policy.

So maybe we could just go to these very general questions in our last moments in anticipation of our conversations tomorrow.

Chuck Gomes: Should I just respond?

Emily Taylor: I want you to respond.

Chuck Gomes: To the group I mean, I'm looking at Questions 6-13 right now. And I didn't have any problems with most of those questions in terms of the policy issue except maybe for 9 and 10. I think 9 and 10 start getting into that area where they are - get into policy. There's that but you guys are aware of that; we don't need to talk about that further. And you're trying to do that.

Jeff Neuman: On 9 I wanted to ask the question of what is it you mean by any additional power? I totally understand resources but what do you mean by power?

Emily Taylor: I'm not sure what everybody means by that but I think that given that the mechanisms for the relationships in this world are contractually based I think that it probably means contractual power. But obviously I'm open to other members of the review team contradicting me on that. Does that clarify the question? Does that answer your question?

Bill Smith: That would be my interpretation. And remember we are expected to make recommendations not just an analysis and a review; we are expected to make recommendations.

Chuck Gomes: No that's understood. By the way would authority be a better word than power? Yeah, okay just a suggestion. But coming back to something Jeff said earlier the term ICANN comes in there often. And I really think it would be helpful if you defined what you mean by that because everybody in the community means different things.

The GNSO is part of ICANN and obviously really this review is really targeted towards the GNSO because there's no centralized WHOIS policy for ccTLDs.

James Bladel: Can I throw out the idea that we do have - unfortunately not with us at this meeting but we do have representatives from the ASO that have indicated that they have WHOIS systems...

Chuck Gomes: Oh.

James Bladel: ...as well so...

Chuck Gomes: Yeah.

James Bladel: ...and they have reminded us repeatedly that GNSO is not the entire ICANN.

Chuck Gomes: I stand corrected but it's really not oriented towards the ccNSO because there is no - ICANN has no authority there right, at all. So thanks for correcting me, James, I appreciate that. The - but I would, you know, what - the questions don't - are we talking about ICANN staff in compliance? We might be. Okay. But I would suggest you be clearer in those cases where you mean ICANN staff or where - and in some of the cases it's going to apply to the GNSO because, you know, the policy development questions really relate to the GNSO as far as gTLDs go and then the ASO as far as IP space.

Bill Smith: So, Chuck, I mean, we - as I remember our discussions on some of these we talked about how specific do we want to get, things like that. And we've attempted to pretty much walk - kind of try and walk a line where we throw in some words where - indicate a direction we might like to go but rather than say this specifically answered this specific question we want to make them a little more open ended and try to get people to offer, right, their perspectives, things that we might not have thought about. Okay?

So it's absolutely a good point, right, we would get more directed answer but then we might not get somebody saying here's a good idea.

Chuck Gomes: I would just suggest when you get to your reports on all this and your recommendations that probably at that point it's helpful to be more specific. Because everybody has a different - when they use the term ICANN, you know, and we do it ourselves, you know, we use it in different ways.

((Crosstalk))

Emily Taylor: Okay, thank you very much. I'm not quite sure of the correct time and I think my watch is a bit slow.

Chuck Gomes: Three minutes.

Emily Taylor: Three minutes. We are starting another meeting in three minutes and we've also got a dedicated session on compliance so this is just a little scratch the surface today. I really very much appreciate you giving us this time today and engaging in a dialogue which will be very valuable as we move through the process. And I'm looking forward - I think we're all looking forward to our session tomorrow. Thank you.

Chuck Gomes: Just one more thing, on Question 12 are there barriers of cost or otherwise to compliance with WHOIS policy? The note I jotted down here there are certainly operational costs from a registry perspective with regard to that end I think you are you know that so. Thanks for all the time you're spending on this. And we know it's very time-consuming.

Man: So our compliance folks are running about 15 minutes behind so if you want to pick up where you left off and they just understand that you have a 4 o'clock commitment so their time is going to be cut short.

David Maher: Okay thanks. Yeah we're probably so far behind on the agenda that it's in some ways helpless but did we get through the pending Council minutes or pending Council motions rather? I think we did.

The next item I see is pending votes for issues reports. The only one I'm aware of that spending is travel support. And I think (Cherie) miscounted, it looks to me as there's at least seven votes in support. And, Jeff, I don't think Neustar has voted. Do you want to vote on that? Should I...

Jeff Neuman: (Unintelligible).

David Maher: Pardon?

Jeff Neuman: How did everyone else vote?

Chuck Gomes: In favor. But, Jeff, all it is is it's really taking a portion of our budget comments that related to travel and submitting that is comments to the travel.

Jeff Neuman: I trust you guys. Put us in favor.

David Maher: And, Chuck, thanks very much for posting the comments in my absence. We got it done. One thing I'd like to point out - I may be a broken record - the ending list of support and so on there's a couple of footnotes that drive me crazy because one of the recent things we posted refers to the constituency. And so I try to correct them and sometimes that slips through but anyway...

Chuck Gomes: And I obviously didn't.

David Maher: Yeah, I wasn't naming names. It's not a big deal. Anyway Council updates I - we have a few minutes if there are some important issues, Jonathan, Jeff, Ching?

Jeff Neuman: Well, I mean, we started talking about, one, you know, the UDRP, right, so we've talked about that. Not at this point but I guess there's going to be - my guess is that probably won't come up for a vote until September. I think by the time that they're - do we want to submit any comments to the preliminary issue report? I think comments are due in July at some point so we may want to submit comments to it.

Chuck Gomes: Well I think that's what we decided in a previous meeting, right, that we would. But we were looking for a volunteer to draft those as a possibility. Now I think a lot of the concerns I hope we represented - I think I actually said I was speaking for the Registry Stakeholder Group on this one based on things we'd discussed in our meetings.

But we, you know, I think - what we may want to do is - and you may want to do this as a councilor that's been concerned about this issue is ask Margie if they got pretty good input on that from the session on the weekend and my one on one or do we need to put that in - some of that stuff in writing?

Jeff Neuman: I'm sure she'll say we need to put it in writing. That's generally the answer.

Chuck Gomes: So somebody needs to put it in writing.

Jeff Neuman: Chuck, you did just a great job in representing our viewpoint.

Chuck Gomes: Yeah.

Jeff Neuman: Oh Keith, I mean...

Chuck Gomes: Well why don't you at least ask the question? Actually, you know, she was taking notes and stuff and she may not - she may be pretty comfortable with the concerns we had. And just tell her that, you know, we can only pull off so many things.

I've actually been working on quite a few different comments for us. And I'd rather not have to write it up if it comes down to that I'll help, okay?

Jeff Neuman: Yeah, so we spent a lot of time on the weekend talking about a bunch of the action items for the registration abuse because we've only touched on the first two, right, we touched on the - cyber squatting, UDRP and the - oh there is a discussion paper I guess that's supposed to come out on the abuse - on registry/registrar - best practices, that was it; a discussion paper on best practices.

And now I'm trying - it seems like a long time ago but Jonathan what happened this week? I'm trying to remember what we did. We went over some slides on the RAP stuff and on the discussion paper. There's a session also at this meeting on Thursday on abuse, registry - yeah, best practices from registry/registrar abuse.

I'll forward it to the constituency a document called Overview of the RAP Working Group Recommendations. But it just gives you an indication of where we are and everything.

Jonathan Robinson: We had a significant discussion - I'm not sure we had a significant discussion around this whole but the conversation was dominated if you remember by the fake renewal notices issue and the definition of a fake. And there was a whole big discussion around that.

Jeff Neuman: Right.

Jonathan Robinson: Does that ring a bell now? And...

Jeff Neuman: Yeah that's the only one we - we didn't get really to the...

Jonathan Robinson: Yeah we got kind of stuck on that whole definition and discussion around that.

Jeff Neuman: Right. So the issue there was we had gotten a letter back from ICANN compliance about what they could do with the fake renewal notices and they're not even fake renewal notices they're more to get you to transfer the names out of that registrar. So you'll get a notice that says your domain is up for renewal please click here to renew your domain.

And it ends up when you click there and you try to register the name it ends up transferring the registrar. It does what it says it's going to do, right, it actually renews your name but unbeknownst to you it also transfers your name to another registrar.

And the question was whether that was something that there was jurisdiction for ICANN compliance to take action. It's pretty clear that if it was a registrar doing it then ICANN compliance was pretty clear that they could take action. If it was a known reseller of a registrar there was some question as to whether ICANN compliance could take action.

Some expressed the view like I did that if it's a reseller of a registrar then the registrar is responsible for what the reseller does since they're - if the reseller - if the registrar - sorry. If a reseller does something that a registrar is not able to do then the reseller shouldn't be able to do that; that didn't come out right.

Jonathan Robinson: And then, Chuck, there was the point that...

Jeff Neuman: Yeah.

Jonathan Robinson: ...the 2009 RAA covers and reaches down into the reseller part of the structure but the 2001 didn't cover that effectively.

Jeff Neuman: So there's going to be, I mean, ICANN - so ICANN staff is now writing a discussion paper on best practices for registries and registrars to address the illicit use of domain names. And the Council had approved this along with the UDRP issue paper.

It's going to be funny, right, the UDRP is going to be rejected and then we're going to have to go through this - there was like a compromise we had to reach. In order to get - review of the UDRP the only way - the only reason the IP constituency was willing to let that go forward was because we had voted in favor of a discussion paper and a process to address registry and registrar best practices.

And I can easily foresee the UDRP one not going anywhere and us still being expected to do this work on best practices for those of you that remember that compromise. So there were a bunch of slides that we went over but at this point it was just a bunch of slides on different things that they could address in a discussion paper that hasn't come out yet. So I think that's pretty much not much of an issue.

The - PDNR came out with a final report but that's not on the agenda and it'll be on the agenda for the next meeting in July - the next meeting is July 21 so I don't think we need to go over that. Jonathan...

Jonathan Robinson: Yeah so I'll talk to Point 9...

Chuck Gomes: Yeah.

Jonathan Robinson: ...I mean, this has attracted a lot of attention. I mean, it's something where there's a drafting group working on - sorry, I'll take a step back. There's a workshop being held on this - I think it's tomorrow is it? Let me just check my

diary but this is about - this is all about where - how the affect of new gTLDs might ultimately be measured and their impact on consumer choice, competition and innovation.

And so it's been kicked off by this group that - without much being done prior to this meeting you'll remember there was an initial - this was really kicked off by I think a Board resolution asking us to look at this and then there was a bit of ping pong about whether this was one more thing that the Board was putting on our agenda.

And finally it's sort of got some momentum now. And this is being led by Rosemary and there's going to be a workshop in the next day or two; I need to check exactly when it is. I think it's the - it's tomorrow at 12:30. And there's a workshop to try and scope this out a little more. Are there any questions on that or should I say more? Is there anything anyone else would like to know?

Chuck Gomes: Now you may have just said this and I wasn't listening, I don't know. But did you - you forwarded around the BC's initial cut at this, right? And I personally thought that they had some good things. I didn't agree with everything that they did but it would at least give us a starting point for talking about those.

Jonathan Robinson: That's a good point, Chuck. And I'll finish off with that. I mean, we have - we are - or I'll give a little behind on this in terms of submitting something to the group and the BC has already formulated something. So let's see - and I have said that to groups if anyone gets the opportunity to look over that and give some feedback it would be much appreciated as to how it squares this.

Bearing in mind that as I say this will lead to ultimately further down the road how these - the impact of the new gTLDs are measured.

David Maher: Okay, Craig, we're ready now for the security briefing.

Craig Schwartz: You mean compliance?

David Maher: Compliance.

Man: Thanks David. So we have joining us Mary - my lips and tongue are tired, (Maggie Sorad) as well as Stacy Burnette and sitting behind me I have Pam Little and Khalil Rasheed from our compliance department. So I will turn the mic over to (Maggie) and Stacy.

(Maggie Sorad): Good afternoon everyone. Apologies for being late. We really were next door, not far, with the Business Constituency. First question though, Craig, are we stopping at the hour or do we still have 30 minutes?

David Maher: I'm afraid we have to stop at 4:00...

((Crosstalk))

(Maggie Sorad): Okay.

David Maher: Because we have another meeting scheduled with the registrars and we have to move over to their...

(Maggie Sorad): Sure, sure. So who's running the slideshow? Okay thank you. If you can go a couple more slides. Just a brief agenda item, you know, my name is (Maggie Sorad). I've been with ICANN for two months. And as Craig stated I have my team with me. I'm not a lawyer, I am - come from a business automotive industry. And just looking forward to working with the team.

I've had the pleasure to meet Chuck in Munich and Jeff on the plane so they can tell you my (unintelligible) is very simple; communication, keep it simple, fact-based accountability and manage results. We work on that line we'll be very easy to work together.

And the reason I just say those quickly is the background I have is really in six sigma so in order for us to be efficient and effective we have to always be able to manage the results, measure ourselves, be accountable for it and report on it, okay?

Again I'm kind of running through this so to meet the timeline we have. My short plan - the short plans we've had on the team since I joined of course the first priority is always support around the business. You know, you can't just come in and say okay let's stop all efforts, I need to come up to speed; what can we do? No, we needed to support the current staff efforts

But as a side job also, you know, I was looking at assessing our current state. Who are we? What is our organizational structure? What are the gaps? Looking at processes, what exists, what's missing, are they clear? Looking at the tools. How efficient are the tools? How are they supporting us to be able to deliver the results but also to be able to do our job.

So that's what assessing current status has been for me over the past two months. But the biggest challenge I admit, guys, is understanding the ICANN model. Forget the acronyms, I'm brought up to speed on the acronyms - I think I am until I step into another room and I discover, oops, what's that?

So understanding the ICANN model is very, very critical to the role I have in the organization because it's about the stakeholders, it's about the interest groups that all have a say in what we do and how we're doing it.

So we cannot operate in silo; we need to really understand - and I'm speaking on my behalf here because the team has been longer than me so I've really tried to connect and learn about who we are, who are the communities and everybody and that's going to be an ongoing process. And that's going to also help me in cultivating the relationships with the different community members.

Major initiatives that we've undergone - and it seems like from every room today we have about five or six presentations like a road show. Everybody is very concerned about staffing. We hear you. Our management has heard it. But, guys, we didn't need to hear; we know about it.

Since I joined two months ago it's really when the team reached its headcount of a year ago. So my hats off to the team who have been running the show with very short staffed and yet still delivering and keeping the lights on

So we have eight fully - full time employees on board and I have approval for three additional. Is that enough for the new gTLD? I don't know. If you have a business, you run a business and you have people report to you come in all the time; I need more resources. Do you always approve them?

You have to always look at what am I doing? What are the operational effectiveness are? Are the processes working well? Can this be automated? And that's what we're doing now. So we have a headcount increase but I also have support and budget to improve or enhance existing tools.

So those are good news for the community and for us. And we're looking forward to moving and communicating to everyone what we're doing in those areas.

Enhancing communication again communication is the first thing that goes in a business. I worked in the automotive industry; the first person usually that went, four years ago when the auto industry went down the tubes, you know, we reduced staff in the communication area of course not in the sales region but in the communication area.

And I lost a staff member from contractual compliance to communication area because I needed to stay compliant. Communicating I can call people so a lot of that kind of slips. So we know we need to enhance the communication. Communication has several aspects; it can be tools, newsletters, you know, face-offs, the outreach programs, training, all of that is part of communication. And it's going to - that will help us build on that collaborative effort.

New gTLD readiness, yes we're working towards that. And everything we're doing in the operational effectiveness space that's going to help us towards new gTLD. Even if new gTLD did not get approved we need it to do operational effectiveness. We needed the additional headcount, we needed to establish, you know, our processes and review them and all that.

So everything we're doing here is not just because of new gTLDs but continuous improvement. And I'm going to turn it to (Stacy). I feel like I'm in a marathon here.

Stacy Burnette: Yeah. So we have some initiatives that we're focusing on. And what I'd like to do is out of respect for your time spend the most time on the issues that I know are most relevant to you; one being the registry data escrow audit and the law enforcement initiative.

So what I'll do is just provide a brief description of our registrar self assessment just for informational purposes and we'll focus on those matters that I think are most relevant to you. Are there any objections to that? Great.

So we are developing our registrar self assessment tool. And we're collaborating with the registrar community to determine how to best implement this tool. And what we're trying to do is come up with an efficient way to assess registrar compliance.

We know that we're going to have new business partners and it's just not efficient to try to audit every term of our agreements. And so with the registrar self assessment tool we'll be able to get the registrars to answer questions about different provisions in the RAA as to whether they're compliant and then after they answer those questions they'll have to have some officer at their company attest that all of their answers are true and correct.

And then we will assess those questions. And we might ask for follow up information, we might actually do some audit. But we'll make a determination as to whether the parties are in compliance. And then we'll report on what we find from these registrar self assessments. So that's in the planning stage and we suspect we'll roll this out sometime in 2012. So that's for informational purposes.

What I think is more important to this group is our plan to conduct a registry data escrow audit in the near future - a data escrow audit. And as you know data escrow becomes very important in the event of a registry failure.

And with all of these new gTLDs that everyone is anticipating will be in operation at some point in the new future we need to make sure that our registry partners submit data escrow in a format that's compliant with their

agreements, that all of the information is complete and that all of the content requirements have been met pursuant to your registry agreements.

And so it's my understanding that a meeting - a telephone conference is taking place on July 6. And one of our compliance representatives will join that meeting and walk you through our registry data escrow plan. We want to get your comments. We understand you know the business best and so we don't want to introduce a plan without consulting you and getting some recommendations as to what your thoughts are as to what we're planning to do.

So any questions you have about our registry data escrow audit that we're planning we'd like for you to participate in that call on July 6 and ask questions there.

We are developing - we're calling it the law enforcement initiative but we are developing a process for referring cases to law enforcement entities as well as receiving data from law enforcement entities that might have something to do with RAA noncompliance or registry agreement noncompliance.

And it would be perilous for ICANN to close its eyes and not recognize that there are evil forces in the universe; everybody using the Internet doesn't have a good intention. And so some are saying well are you trying to expand your role ICANN? What are you doing working this closely with law enforcement?

Well it's the exact opposite. What we realize is we have limited authority. And so we're experts in one area but law enforcement they have expertise in another area and there are cases where we may need to refer things to them and they need to refer things to us.

And so we want to have a clear process in place. And we intend to make the whole process transparent. And we would consult with this community as well as the registrar community before we make this process final. So we wanted to update you as to our plan. It's still in the planning phase and we're developing it. And again we'll consult with this community - this group before we finalize it to get your comments.

So the following slides have more to do with registrar compliance but - and so I don't know if you have a particular interest in finding out how many compliance notices we send out and how many consumer complaints we receive.

I do think you might have an interest in our page that shows the escalated compliance actions that were taken since January to mid June. And you know that there's one registry breach notice and I'm sure everyone in the room is aware of that.

Yes sir?

Jonathan Robinson: Can I ask a quick question? Just going back to that previous point just been dwelling on - the law enforcement, I mean, how international is that - is your thinking on that? And, I mean, you know, because, I mean, we all know - it opens up a massive can of worms. I just wanted to know how international your thinking is on...

Stacy Burnette: It's hugely international. We had a meeting in Marina del Rey with law enforcement entities from all over the world; at least 9 or 10 different countries were represented at this meeting. And so what we're thinking is we want to set up a process so that if it concerns a criminal matter in a particular

country then somehow that country representative law enforcement entity would get notice of it and determine the appropriate action to take.

So we're not just thinking United States or just Canada; it is a very international initiative.

Jonathan Robinson: Just to follow up - this is like - you envision a series of sort of bilateral relationships to law enforcement agencies?

Stacy Burnette: Right. Now we have some law enforcement leadership in the ICANN community. I'm sure you're aware of them. And they speak for several different countries. And so, yes, we do envision having some type of process that would allow us to communicate with whatever relevant law enforcement entity needs to address a particular problem.

Jeff Neuman: On the law enforcement I guess one of the concerns I have is that law enforcement is going to go to you instead of going to us if it's our issue. So what are you developing in your plan to make sure that if we're really the appropriate entity they should be going to then it's us as opposed to you?

Right, because they're going to go to the highest level they can go, right? If they're having an issue with a registrar they're not going to get solved they're going to go a registry. If they're going - if they have an issue with the registry they're going to go straight to ICANN is the way they're going to see it.

And then soon they're just going to go forget it, we won't even go to the registry or registrar; let's go to ICANN and have it solved. So, I mean, I'm happy to hear that you have - you're going to have better or more cultivated relationships with law enforcement but part of me is a little concerned that

you're going to step into a role that's really meant for us to deal with as far as - because we're the representatives of our brands.

Stacy Burnette: Right. And so we're still in the infancy stage in terms of developing this process. And as I stated before we want to get your comments. And so that's a very important concern.

And if you see in the process that we develop that it bypasses the registry operators then we want you to provide a comment and say this seems like certain scenarios don't allow law enforcement to go directly to the registry operators and we'd like for you to consider revising the process. So that would be valuable information and I hope you will submit comments if you notice there are gaps in this process that you think need to be addressed.

Jeff Neuman: Okay and then the second question is actually more positive is I notice that every one of these presentations - you know, I've been to a lot of these now - it's always, you know, the registrar stats, the registrar stats. And I think it might be good to have some registry stats even if it's positive like we got no complaints this quarter. That's actually fantastic at least for us, right?

Stacy Burnette: So the beauty of having this registry audit that we intend to commence at some future point we'll be able to have data on our registry audit results.

Jeff Neuman: Yeah, that's part of it. Also like, you know, how many complaints you get about registries as opposed to registrars and the breakdown of the types of complaints you get. If it's none that's fantastic.

Stacy Burnette: Okay so I can't say it's none for the last trimester but very few, very few. We always say that this appears to be a very compliant community. I don't know how it will be if we have hundreds of registries but the community we work

with right now we've had positive experience for the most part, positive experiences for the most part.

Chuck Gomes: Stacy, just a real quick comment.

Stacy Burnette: Very quick.

Chuck Gomes: And you've probably already thought of this but in your process...

Stacy Burnette: The law enforcement?

Chuck Gomes: Yeah. I would hope that one of the first questions that is always asked of law enforcement when they come to you is have you contacted the contracted party involved?

Stacy Burnette: So we are going to have some criteria that we're going to develop for both sides, law enforcement and for ICANN before any referrals are made. And so we are considering basic questions like that.

So again most of the statistics concern registrars but we did have one registry breach notice that was issued this trimester. And again most of the other information is about registrars. So at this time if you have any other questions we're here to respond.

Jeff Neuman: (Unintelligible) compliance.

Stacy Burnette: For the most part you are, yeah. We agree. Let's hope it stays like that.

Jeff Neuman: (Unintelligible).

Stacy Burnette: Well thank you very much.

Jeff Neuman: Thank you.

David Maher: Thank you for joining us we...

Stacy Burnette: Thank you.

END