

ICANN

**Moderator: Gisella Gruber-White
October 14, 2014
9:45 AM/PT**

Rich Friedman: Rich Friedman with Pfizer, part of the BC.

Sanjiv Sarwate: Sanjiv Sarwate from Dell. I'm a member of the IPC.

Man: (Unintelligible) from (Unintelligible). ISPC.

Jennifer Taylor-Hodges: Jennifer Taylor-Hodges from BC, part of the ISPCP.

Man: (Unintelligible), part of ISPCP.

Man: (Unintelligible) from (Unintelligible), ISPCP.

(Olivier): (Olivier) (Unintelligible) from (Unintelligible), ISPCP.

Woman: (Unintelligible), (JPNA) from ISPCP.

Paul Mitchell: Paul Mitchell from Microsoft.

Man: (Unintelligible) National Federation of Intellectual Property Attorneys, IPC.

(Claudia): (Claudia) (Unintelligible), BC.

Cheryl Miller: Cheryl Miller, Verizon, BC.

Man: (Unintelligible).

Anthony Harris: Tony Harris, CABASE, Argentina, with the ISPCP.

Tony Holmes: Tony Holmes representing BC and Chair of the ISPCP.

Kristina Rosette: Kristina Rosette, IPC President.

Marilyn Cade: Marilyn Cade, BC, CSG Officer.

Elisa Cooper: Elisa Cooper, Chair of the BC representing Thompson Reuters.

Susan Kawaguchi: Susan Kawaguchi, Facebook, BC.

Sacha Tarrant: Sacha Tarrant, the National Basketball Association, BC.

(Vincent): (Vincent) (Unintelligible), Africa (unintelligible) Alliance. BC.

Anne Aikman-Scalese: Anne Aikman-Scalese, Lewis Roca for IPC.

J. Scott Evans: I'm J. Scott Evans from Adobe Systems. I'm also President Elect of the National Trademark Association.

Cat McGowan: Cat McGowan, LinkedIn. IPC and BC.

John McElwaine: John McElwaine, Nelson Mullins. Also here representing the International Trademark Association IPC.

Marc Trachtenberg: Marc Trachtenberg with Greenburg Traurig, IPC.

Gregory Shatan: Greg Shatan, IPC.

Camille Stewart: Camille Stewart, Cyviellance, BC.

Man: I'm (unintelligible). I'm an ICANN Fellow.

Steve delBianco: Steve delBianco, NetChoice and Policy Coordinator for the BC.

James Baskin: Jim Baskin, Verizon. BC.

Michael Adams: Michael Adams, IPC Treasurer.

Stacey Foltz: Stacey Foltz, Winston & Strawn. IPC.

Man: (Unintelligible), (unintelligible) and a member of ISPCP.

Man: (Unintelligible), (unintelligible). Member of IPC.

Steve Mace: Steve Mace with the National Cable and Telecommunications Association.

Patrick Jones: Patrick Jones, ICANN Staff and invited participant to SSAC.

Val Sherman: Val Sherman, Silverberg Goldman Bikoff, IPC.

Griffin Barnett: Griffin Barnett, Silverberg Goldman and Bikoff, IPC.

(Carolyn Wynn): (Carolyn Wynn), Microsoft.

Beth Allegetti: Beth Allegetti, Fox Entertainment Group.

Brian Beckham: Brian Beckham, World Intellectual Property Organization.

(Mary Joe Cueclar): (Mary Joe Cueclar), Name Administration. BC.

David Einhorn: David Einhorn, representative of the IPO to the IPC.

(Dalton Sagrim): (Dalton Sagrim), The Bankers Association.

David McGuire: David McGuire, 463 Communications.

Woman: (Unintelligible). I don't know if you want to come up to the table.

Woman: (Unintelligible).

(Mike): (Mike) (Unintelligible), 21st Century Fox.

Man: (Unintelligible).

Man: Is there anybody else we missed?

Man: Fellowsh - (Omar) and (Terry), Fellowship BC.

Man: Good morning, this is (unintelligible), ICANN Fellow from (Paris).

Bret Pangborn: Bret Pangborn from Marksman.

Kristina Rosette: Excellent. Thanks everyone.

Before we get started, I have asked Elisa Cooper of the BC to provide an update of a rather short, but I think very productive meeting that was held last night - convened last night by Fadi, and David Olive, and Sally Costerton, to which the leaders of the GNSO, SGs, and constituencies were invited.

Elisa?

Elisa Cooper: Thanks, Kristina.

So the purpose of this session that we had last night with the leaders from the community and with the leaders of staff was really for staff to hear from us how they might be able to help us work more efficiently. And so there were a number of suggestions, and some of the big takeaways from the meeting were as follows.

One, there were a number of requests to limit the number of concurrent comment periods that are open at any one time. I had suggested no more than four to five. There was a suggestion for six. At any rate, the idea was that having all of these open comment periods is overwhelming and we're not able to respond.

There was also a request that Fadi provide to the leaders an agenda prior to his monthly meetings. You know, we have these monthly meetings for the leaders to meet with Fadi, and we often go into that meeting not knowing sort of what he would like to discuss.

What we ultimately decided was that we would work together to come up with a joint agenda so ICANN and the other constituency leaders can get feedback from our respective groups, tell him what we'd like to talk about, also learn what he wants to discuss with us so that we don't go into those meetings just listening to Fadi talk and not being able to bring our different perspectives.

There was also a request that staff develop a better way for us to all understand the progress of the different working groups that are currently open at any one time. I think that anyone coming into the ICANN community would have a very difficult time understanding what the open working groups are, what the status is, where they are in the process. And so, there was a request for staff to assist in putting those materials together.

Then finally, we brought to Fadi and staff's attention the fact that the CSG in particular has an issue when there are requests made of the CSG as opposed to the different constituencies, and we explained to them that we often spend a lot of time going back and forth amongst us to determine things like, "Well, who should sit on a particular panel? Or, who should be our representative?" And then we have to go back and then work with that representative to make sure that our concerns are all represented.

When in fact while we do often times agree with one another, there are many cases where we have very different perspectives. And we brought that to him in sort of a very educational fashion, and it was not combative. And he - I think he really understood it and he took it in. And, there didn't really seem to be a lot of push back from any of the other community leaders as well.

So he's already heard that message, and I know we want to kind of describe to the Board before we meet with them just a little bit about who we are. So I

think again if we take just a very sort of educational approach and not be combative or hostile in any way, I think that'll go a long way to helping them understand why we need to be treated separately, which is why it's difficult for us to be treated as just one particular group together.

So that was I think you know the highlight for that meeting. I don't know if there was anything Tony or Kristina, you would add?

Kristina Rosette: The only thing I would add is that it's my understanding that we will be receiving kind of a meeting summary that we'll be able to distribute to you and that we should at some point in the not too distant future get a response back in terms of the request regarding limitation of the number of concurrent public comment periods, how staff intends to address the unanimous request for these kind of working group snapshots. And obviously, we'll be sure to feed those back to our respective constituencies once we get those.

We do have five - probably five to seven minutes before the SSAC folks are here and ready to go, so I don't know if there's any issues that folks want to raise or we want to get started on trying to get a little Board prep in? What do folks want to do?

Marilyn Cade: It's Marilyn. If we could start with the Board prep?

Kristina Rosette: As an outcome of our meeting on Sunday afternoon, we identified the two topics that we would be discussing with the Board. The one relating to the ICANN structures and their impact on non-contracted business interests.

We had agreed that there would be three leaders on those topics, and I believe it was going to be Steve Metalitz for IPC, Tony Holmes for ISP, and Elisa Cooper for BC.

The other topic that we had identified to the Board is ICANN accountability, and obviously the conversation that we're going to have with them is I think somewhat different than it would've been if we'd had it a week ago.

And if anyone - what I was planning to do is introduce the topic and then you know as with the other topic, take comments and interventions from members of the CSG constituencies.

The one thing that I wanted to note is that when we did meet with Bruce and (Bill) on Sunday morning, Bruce had indicated that the Board would be taking up and acting on this week kind of the open action items from the revised accountability proposal, namely what the Board would do with the input that it - or the output rather of the cross-community working group.

To my knowledge, that decision has not yet been reached. Or if it has, it hasn't been communicated. I don't know whether anyone has any other information on that at this point.

But if it's still an open item, then I think we definitely need to ensure that we emphasize the importance of that.

I see Steve delBianco. Anyone else want to speak on this?

Steve, go ahead.

Steve delBianco: Thanks, Kristina. Steve delBianco with NetChoice.

I did ask Bruce Tonkin, since he was anxious to have us withdraw the reconsideration request, and that was sort of prompting this discussion. And,

we were waiting to see the Board's plan and what it would do with the recommendations coming out of the working group.

And Bruce said that they're very close, but they're putting up some fine tuned language. We won't be surprised about it. It will look a lot like the bylaw's treatment of consensus advice when it reaches the Board.

In other words, a high threshold to reject a company with a lot of descriptions and rationale, active consultation. So we shouldn't be surprised. It's not likely to be much different than the way they deal with community advice today. None of that's confirmed. We don't have text yet. It was promised that we would get it this week, and I still expect that we will.

Kristina Rosette: Anyone else want to speak on this?

No one?

Okay, well let's talk very briefly then about the issues that we want to make sure are covered in the intro to the accountability topic. You know, we had a fairly wide-ranging discussion on Sunday morning, and I think it would be helpful for me if we could kind of recap those a little bit more crisply.

Anyone want to get in the queue on that? I see Steve delBianco.

All right, Steve, go ahead.

Steve delBianco: Okay, Kristina, any intro on the accountability - this is a Board session that we're at, but it's really the staff about which we are speaking, so we would want to suggest that the staff, well, sort of save the Board from having to answer our reconsideration request.

As you recall, the key to the reconsideration request was that staff had - well, it largely ignored community input all summer long with the plan they came up with, with the dual structure and the outside experts.

What we got on Friday was a plan that said - staff said, "Okay, we get it. We're going to allow the community to have a cross-community working group. You get to develop your own charter with Board input, but the Board doesn't have to approve it."

The outside experts don't get to effect consensus in the process. And it was a suggestion, and merely that; a suggestion to use two streams. One for things that have to be done before the transition of the IANA contract, and everything else after.

For all of those things, we express to management, not the Board - we express to management that we're grateful, while perhaps implying that management came around on this partly from pressure exerted by the Board, particularly at Istanbul.

So we then turned to the Board, who didn't have to approve that management plan - that was a management proposal to us, and the Board did not approve it - they didn't need to. So at this point, we turned to the Board and discussed how will they react to the recommendations that come back if they're tough recommendations?

And this discussion began yesterday. I think it was Jonathan Zuck brought it up at the microphone with Larry Strickling, and Larry's statement was, "There won't be any rejection of the plan because obviously you're going to work

together with the Board to achieve a true consensus that includes the community and the Board.”

And that might be wishful thinking because if the accountability mechanisms are particularly tough, there may be elements to the Board that won't want to accept it, particularly on advice to the General Counsel.

So I think we'll try to tease out from the Board what their thinking is on how they might react to what comes back. And sometimes, it's much more constructive to deal with specifics than it is to deal with abstracts. And I realize this whole CSG has not commented on this, but the BC back in May put in six quick elements that would constitute accountability, but the BC suggested it.

I think you guys have all seen those before.

The most extreme of the six was the notion of spilling the Board. Dumping the entire Board. And what do you know? Larry Strickling brought that up yesterday as an example of an accountability mechanism he thought might be appropriate before the transition's over. And that's the hardest one we asked for. The others are quite easy.

So with only - that kind of an introduction - I guess I've exceeded the part that would be the introduction. The introduction is thanking the Board for whatever influence they had in getting the staff to turn around on this completely and opening the door for a process that's community led.

And then, there's this one little thing about how do we move forward on the recommendations? If you wish, I'd be happy to recap those BC recommendations to see if they want to react to them then.

Kristina Rosette: Thank you, Steve. I see Steve, Jonathan, Marilyn. I'm just going to intervene very quickly to say that because the request for reconsideration was not a CSG request, I would prefer that any reference to that or specific points about that be made by the members of the constituencies who did support it. And also, with regard to the BC points.

So certainly, we could - we can go that route, but...

Steve delBianco: I don't believe it's necessary to mention the reconsideration at all.

Kristina Rosette: Okay. All right. All right.

The other point that I was hoping we could do is also take a slightly broader view of accountability so that we can sweep in some of the compliance issues that are always of a concern to this stakeholder group.

And with that, I'll hand over to Steve.

Steve Metalitz: This is Steve Metalitz.

I was actually going to preview the other topics. So if the other folks in the queue were addressing the accountability topic, I'm glad to defer.

Jonathan Zuck: Jonathan Zuck from ACT.

I guess if we're entering this topic on accountability, I think it might be worth mentioning to the Board that the hardest thing on the list, as Steve mentioned, which is you know potentially the ability to overrule the Board, is the one thing that really needs to be in the initial phase.

If there are two streams, if we kind of concede to that structure of two streams, it's that hardest conversation, but potentially maybe simplest structure, but that needs to be part of that initial stream because that's what will empower the community to carry this reform effort beyond the IANA transition.

And to me, I think that's probably the most significant point is that, you know, we - something just really simple, which is the ultimate ability to carry this reform forward past the IANA transition. And, that means that the hardest reform will probably come first.

Kristina Rosette: Thank you, Jonathan.

I had Marilyn and then Tony Holmes, and I see that the folks from the SSAC are here. So actually maybe if we could - Marilyn, if you could speak very briefly because I know the SSAC folks have a really tight schedule, so I'd like to keep it on time.

Marilyn Cade: Marilyn Cade.

I agree that we would not be discussing the reconsideration request, but I think it's important for us in this room to understand that what had the impact on influencing the Board was the joint letters that were cross-community letters, the reconsideration requests which reinforce the fact that this is a joint concern, and the town hall at the IGF where there were very strong - even though there was indications of change, there were strong statements from a wide number of the community, including the ASO reps and the root servers expressing very strong concern.

I'm not suggesting we take it up, but I think we need to analyze how much it took to convince the Board to convince the senior staff and the CEO, and factor that into our own discussions later.

Kristina Rosette: Thanks, Marilyn.

I think I've got - I've captured a note of who was still in the queue so we will revert to this topic.

But at this point, I'd like to turn the floor over to Patrick Falstrom, Chair of the SSAC, who is going to be talking with us about some of the SSAC's most recent activities. I believe we've gotten a current presentation that has hopefully been uploaded in Adobe.

And in the meantime, I guess is there anyone who's dialed in?

Okay, I guess not.

Patrick, why don't I kick it off - hand it off to you. Thank you very much.

Patrick Falstrom: Thank you very much. Do we have the slides?

Sorry.

Okay, so let's start talking while the slides are loading.

So thank you very much for inviting us. We are the Security and Stability Advisory Committee of ICANN, SSAC. In this room it's myself, Patrick Falstrom, Chair; Jim Galvin, vice-Chair; and then I have a number of other SSAC people in the room.

And I'm going to give a little bit of an update of where we are and what we have done lately. The timing you see here is the timing for a one-hour meeting, so you understand approximately what we are thinking of spending time on. We're not going to - we have 30 minutes here, so...

But anyway, so first a brief update of who we are. We're going to talk about the IANA function stewardship transition, what we have done so far, and also future work items.

And one thing that we specific at this meeting are interested in knowing at the meeting or afterwards is input from you that we can use when we are prioritizing our work.

Next slide.

So we initiated our work in 2001. Began operation in 2002. We provided guidance to the Board to the supporting organization, AC (unintelligible), and the general community, and the charter is to advise ICANN community and Board on matters relating to - related to the security and integrity of the Internet naming and address allocation systems.

So it's not related in DNS, although of course like a lot of the discussion has been related to the DNS lately.

I am the Chair. Jim Galvin, vice-Chair. Both of us were re-elected to three-year terms beginning in 2015. (Unintelligible) onto the Board, his term ends on last of December 2015. We have 40, 4-0, members at the moment, and they're appointed by ICANN Board for three year terms, and we review approximately one-third of the membership every year.

So what we have done lately is that we have published two reports since London. (Sec) 67 on August 14 and (Sec) 68 October 13, and both of them are descriptions related to the IANA functions.

(Sec) 67 is an overview and history of the IANA functions, while (Sec) 68, which we as you see released yesterday, is a report on the IANA functions contract across - some of you that have been looking at the contract understand not many in the people in the world actually have read the contract, which are multiple hundreds of pages. We have. So, please have a look at that.

None of these two documents do include any recommendations from SSAC, but I will get back to that.

Then we have commented on the risk for names (page coalitions), and also (unintelligible) attacks using the DNS infrastructure, and structurally its processing.

Next slide please.

Is there any questions on SSAC?

Okay, in that case let's move into the IANA functions stewardship transition. Most people are aware of the US Commerce Department's announcement on the 14th of March that they are going to transition out of its current role, and the NTIA called on ICANN to convene a global - convene global stakeholders to develop a proposal on - that takes care of the transition.

Next slide please.

So one of the issues here of course is the term IANA that has been used for many different things. And this technical team inside ICANN, if we now use that definition, is performing a (set of talks) that (involves) administration and coordination of many of the identifiers.

Next slide please.

So the IANA functions are described in a couple of places, and for example in the current contract, the functions include the root zone management, the IP address registry management, the protocol parameters registry management, including the .oracle TLD, and management of the .int.

Next slide please.

So (Sec) 67 establishes a baseline for understanding all of those systems and how these identifiers, how that is actually - how that is working. It's describing the activities that are included in the IANA functions contract and the functions performed under the ITF MoU, and all other instructions to IANA that we have been able to find.

The report focuses though on the functions that are related to the contract, and describes all the other activities that we have been able to find that also are counter-performed, including those that lies outside of the IANA functions contract.

So (Sec) 67 talks about what IANA - what the IANA team at ICANN really is doing.

Next slide please.

And then we have a (Sec) 68 that we released yesterday. Compared to (Sec) 67, (Sec) 68 is looking at the contract itself, and documents - and provides an overview over those functions of IANA. So (Sec) 67 starts with the IANA and look at what functions are performed, and (Sec) 68 is starting with the contract to look at the various things that are covered by the contract.

So by reading 67 and 68, it should be possible for the reader to sort of see the differences and base of course those - and based on those differences, also come up with a more informed suggestions on how to perform the transition.

What we also are doing - go back one slide please.

Can we go back one slide? Thank you.

The other thing that we are doing in (Sec) 68 is that we are documenting explicitly the role that NTIA currently is playing with respect to the IANA functions that are based on the current public contractual information. So there are like multiple subsets of functions here.

So we also are trying to specifically drill down into the functions where NTIA is currently playing.

Next slide please.

So there are a couple of matrixes like this one in the report, and they are looking at the specific IANA functions. They are looking at who are the involved parties, and then they are talking - then they are specifically - we are specifically looking at what the NTIA role is to capture the other party's roles.

So, we are looking at the - for example, the DNS root zone management, the infinite numbers registry management, protocol parameter registry management, .oracle and .int management, et cetera.

Next slide please.

So we then specifically look at the NTIA and root zone management because this is the only function where we see that NTIA do have an active role in the management itself. We see that the administrator, which is NTIA, is part of the (chain of organization) of changes in the triangle between the IANA functions operator, the root zone maintainer, and the administrator.

Next slide please.

So neither of these two include under recommendations from SSAC, they are (redefined to be descriptions) of the current situation.

The third document that we are currently working on includes SSAC recommendations, and these are recommendations based on very much principles that we in SSAC think that a system where you do have a policy development process, a policy process that is developing a policy that is then handed over to a policy implementer, how that is to set up in a way so that - so that the process itself is secure, stable, and robust.

Is there any questions on that?

Tony?

Tony Holmes: Thanks, Patrick.

In the future document that you're going to publish, the one you refer to, you mention that you're going to address the principles, and within the other document you've already looked at those as separate functions, which clearly you can do.

Is it the intent that the set of principles that you will be putting forward will embrace all of those, or will you look at each function, and is there likely to be any difference between the principles adopted for each of those?

Patrick Falstrom: Only the future can tell.

I think the SSAC view at the moment is that it is really important that the process that NTIA requested ICANN to perform is run according to what is - what the intention that the actual - the various groups for names, numbers - the various operational communities for names, numbers, and protocol parameters that are able to come up with, that they are respective proposals and submit that to the coordination group for delivery to NTIA.

So I think from SSAC perspective, what we are trying to do is to -- excuse me -- to come up with more general principles, more like a checklist that we think that the involved parties should think about.

We do not feel - just like with, for example the PDPs in GNSO and ccNSO; yes, we can come with some really specific recommendation in some very specific cases, but otherwise it's really important that the various PDPs all run and improve it by themselves because we in general - of course, we are trusting the various processes we have here.

Please?

Steve delBianco: Thanks, Patrick. Steve delBianco with the BC.

I'm anxious to read 68 as well as the new advisory, and in particular the table that you'll put together that maps the detailed elements of that IANA functions contract. All the different places and roles that NTIA has.

And, that will be so essential I think for the IANA stewardship transition streams. (And I wanted to give) - give you some appreciation of the fact that while we'll read it eagerly with respect to the IANA transition, on the general accountability question, we probably won't constrain ourselves to looking for accountability mechanisms that map to each of those roles that NTIA plays.

We will tend to look at the IANA contract as really just a big sheet of paper that the Secretary of Commerce signs. And as such, it represents leverage to get the accountability mechanisms over ICANN at large that we need.

And I think we're very close to having a - sort of a universal acceptance that that's the role the IANA contract plays on the general ICANN accountability; whereas, we need the specifics that you're developing for the IANA stewardship elements and functions.

So, it's going to play a great role. I just wouldn't want you to be surprised that we wouldn't necessarily map our accountability to something that exists in the contract.

Patrick Falstrom: I think first of all, I hope that our document (Sec) 68 is helping you finding - drawing conclusions from the current contractual situation. Let me phrase it that way.

The contractual situation is quite complex, as we discovered when we went through all the paperwork that exists, because the contract itself includes the call for (tender) from NTIA. You have the response from ICANN that is sort of tacked onto the - ends up being the contract all together, both of those.

And then it has been amended a few times, so we have an amended - a couple of amendments.

And then, as we describe in (Sec) 67, you have IANA performing things in a certain way, but of course, have evolved over time for good or maybe for bad reasons. And this means that if you read (Sec) 67 on what IANA is doing, if you read the various parts of the contract that together creates the contract, if you look at the details, of course you will find ambiguity of some things that are conflicting in the text itself, and this is sort of part of the problem.

Because of this, when you read (Sec) 68, I encourage you even though you read the text that we have in our paper, it might not be something that you agree with. We have tried to have very explicit references into the contract itself on what text we are talking about, which means that if nothing else, we hope that it actually states can be way for you to - in a more quick - can more quickly dive into the portions of this I think 380-page document that you otherwise would not read.

So, you can concentrate on reading the details that you're actually interested in.

Now the second thing you're talking about is accountability. As people in this room probably know, there is now launching a cross-constituency working group/cross-community working group, whatever, we always discuss what the acronym stands for. I'm sorry for being sloppy words here.

But anyway, it's more important that the process is now started.

The - what we in SSAC have been looking at is only things related to the IANA stewardship transition, not accountability. These more general accountability situations. We do know just like everyone else that we do have the (affirmation) of commitment and a lot of other kind of things that we have, and - so this is not to be extrapolated to be anything that has to do with the general accountability situation. I just want to make that clear. Thank you.

Okay, let's move on.

So work in progress. Next slide.

So the work in progress we have is that we are working on this third document on the stewardship transition. We have a work party on public (unintelligible) list. We are working on an advisory that is the result of a workshop that we had - that we convened at the Internet governance forum which - where the topic was specifically private sector services.

For example, blocking access to services like blacklist for spam and others. Like what kind of responsibility do these entities have? We talk quite a lot of blocking that space and law enforcement and others are doing. But what about private sector action?

So we had a very good workshop, very good input, so we are looking at summarizing that.

Then we have a membership committee that is doing a review of their SSAC members. They are in the final days and weeks of doing - finalizing the review of 2014.

And then we have the DN SSAC sessions that we are doing in ICANN 51; newcomers yesterday and a large portion of tomorrow as DN SSAC as normal. Next slide please.

The milestones include the SSAC 68 that we now published, so met that milestone. And then we hope that the third and last document is coming out in Q4 together with an advisor on the public's (SSOC's) list and advisor on the IDF workshop topic. Next slide please.

This means that at this meeting compared to in London and earlier, we are now looking at starting up new work parties. Next slide please.

And what we have - the priorities we have is that we, at the moment or specifically, looking at two different topic areas based on listening to people, listening in the corridors, listening to you, and otherwise.

The first one has to do with the new gTLDs. If it is the case that we're going to do a next round, is some mid-course correction needed? What about, for example, the coalition its use?

What has happened with the advice that we had given from SSAC? Was it correct for us to give the advice? Did the advice result in some action and did the action actually in turn result some kind of result that was the goal of the whole exercise?

And the overall issue, what kind of correction might be needed if any?

So the second one has to do with registrant protection and credential management because as you might be aware of, the number of issues related to parties losing their domain name because of credential various weaknesses in credential management in reality is increasing enormously.

We have already given a few advices where we talk about to factors indication, how people should store credentials, and basically talk about what kind of issues there are.

Unfortunately, we don't see any such changes in the market. We see instead the number of issues increase. So this of course involves registry and specific registrars, the various issues that exist there.

And we will try to, not this time, talk a little bit more about how to resolve the issues, not only what the issues are. Because everything we have presentations, we say, "Okay, you need to keep track of passwords and don't lose your password database, store everything encrypted." Everyone nods and then they just go home and they don't fix it.

So we are looking at whether we should say something more how you do it to make it a little bit easier to digest. So input is welcome for both of those. Next slide please.

So a few things that we are asked is of course how SSAC prioritized new work; we do it to ourselves. But we are basing it - we are listening a lot. We have been listening a lot the last couple of months, and that's also what we are trying to do at these meetings.

We are - in the prioritization we are doing, we are of course having to respond to explicit requests specifically from the Board. But if it is for example that

you would send us a question, in that case of course that's an easy way of prioritizing. The more explicit the question is, the easier it is for us to respond to it.

How we communicate the work? That is by having meetings like this. And otherwise, it's by issuing the reports.

So this is one of the things that, for example, for us and to some degree, I hear the similar thing is from GAC, is that yes, it is absolutely possible to talk to individual SSAC members. I encourage all of you to do so.

But SSAC only says things via the documents and reports, or if it is the case that we also of course do have various statements that we have agreed on in SSAC. But in general, it's the reports that we are using for communicating the work. Next slide please. Next.

So things that we are listening to all the time are things like, okay, given that we are doing presentations and writing these documents, are these publications good enough? Do you like them? Are they long enough, are they just right? What about the Executive Summaries?

Do we choose the right documents to translate? And by the way, both SAC 67 and SAC 68, we have requested translation to five other languages, so they will ultimately be there in the (unintelligible) languages.

We have together with the ICANN Board, there is an expedited translation requested due to (Cannonpoten Busan), so the document should be available translated really as soon as possible as that meeting is starting next week. Right Marilyn? Yes, Marilyn knows all these schedule things.

So the idea is that you should receive these documents, they should (unintelligible) soon in other languages than English as soon as possible.

So these are examples of questions that we are happy to listen to you, not only now but in the corridors.

And I would like to end by asking all the SSAC people in the room, can you just stand up please? Oh yes, and (Mark) out there in the room as well.

So anyways, with that I open it up for - we have maybe - let's see. What time is it? We have seven minutes right?

Kristina Rosette: Let me go ahead and take a queue. I see Tony, I see Steve, I'm going to put myself in the queue. Anyone else? Marilyn. Anybody behind me? Although you have to say your name because I can't see you because you're behind me.

All right, and with that Tony, go ahead.

Tony Holmes: Thanks Kristina.

Let's start with Patrick. I have no hesitation in offering feedback from the ISPs. We really appreciate the work that you've done and we certainly have found it incredibly helpful.

The only complaint I have is that there isn't the ability to do twice as much. But otherwise, it's excellent.

But the question I have for you is that the work that you've gone through here, the work on the IANA functions, I think that's really helpful. And I'm not

sure that I should be asking you this question and whether it should go to the IANA Coordinating Group.

But certainly within this group, it's had a wide exposure. And I think probably so for most of ICANN.

Are you aware that this information is being circulated to all groups involved in that discussion and is that an issue for you if it isn't?

Patrick Falstrom: I personally have the ability to respond. First of all for SSAC, we do try to measure how widespread our reports are. On the other hand, we do think that sometimes our own mechanisms, all the spreading things, is a little bit weak. So we actually rely on others helping us by spreading the word.

Regarding specifically the Coordination Group, I do know, as I am a member of that myself and even one of the co-chairs, I do know that both of these documents have been distributed in the Coordination Group. And then of course if the members of the Coordination Group find that those documents being interesting, then I presume that they might be carried further on.

As the Chair of SSAC, I also did myself as we normally do distribute the reports all there. So when I say chairs to them choose how they are distributed within their constituencies if at all. But the actually choice would be (unintelligible) distribution is up to those sort of key people.

Kristina Rosette: Thank you. Steve?

Steve Metalitz: Patrick, thank you very much for what is always a very useful and informative presentation.

I wanted to ask about the proposed work party on new gTLDs. And I don't know whether you are in a position to give any more detail on the topics that might be address, perhaps that's premature.

But also in particular, I wondered whether consideration might be given as you evaluate the security and stability environment in the new gTLDs, whether you might also look at the feasibility of applying any of the safeguards or techniques that were used in the new gTLDs to the legacy gTLDs.

Is that a potentially an issue that you might address in that report? Thank you.

Jim Galvin: So this is Jim Galvin, and Patrick just asked me to respond to the question.

For the moment, I'm the one who's trying to organize the SSAC members and what we're doing there. So in fairness it would be a little premature to say exactly what we're going to do because that, you know, the charter is under development and we don't know.

It is fair to say that one of the things that we want to do is review the recommendations and actions that have been taken over the past few years. You know, in a sense, we had kind of a starting point for the process but clearly it has been modified over time here. We want to go back and look at that and consider what a holistic, you know, new program might look like if you were to put all those things together and consider if there are issues to be examined.

We also want to look at recommendations that have been made along the way. Some of it is from us and some from others. And consider what actions have been taken and give a review of those actions.

So past that, it's a little hard to say exactly what we might do. But then this is now an opportunity to remind folks that, you know, SSAC is always willing to take questions from other groups.

So if you have a particularly area of concern, especially from within your constituency, you know, please do let us know what those are and send those in. And as Patrick often says, the best kind of questions are the more specific questions, so the more direct and specific, you know, your concern is that you're going to ask us about, then we'll take those on board and make that part of our process.

I also - you may know hopefully, right, the GNSO in general is also undertaking a similar kind of task in review. So we're hoping that, you know, we'll be watching that activity and what goes on there and have some discussion with that too.

Kristina Rosette: I'm now in queue. Kristina Rosette.

This is an extraordinarily helpful and I will say that I personally find the SSAC reports extremely user friendly, particularly for someone like me who has very little technical background. And there are documents that I often forward to others in my firm, clients, (unintelligible) issue, and the unanimous feedback has been that they're really (unintelligible) very, very well done.

Jim, just to clean up on a statement that you made in terms of to the extent that we have questions.

Is it the preference that we would send those to Julie and then she'll disseminate those or is there a primary - okay, thank you. Okay, thanks.

Marilyn?

Jim Galvin: It's an ordinary administrative process.

Kristina Rosette: No, no, that's fine. I just want to make sure they go to the right place.

Marilyn?

Marilyn Cade: Thanks. Marilyn Cade.

So two questions; one of them may sort of be a comment. But you know, the work, I echo everything my colleagues have said about how much I appreciate the work of the SSAC.

I also note however that we're not perhaps within this three, the cross-constituency, identifying potential members of the SSAC and encouraging them to put their names forward. And my personal view is that's probably something we should really be talking more about and understanding better.

I know you have a process for receiving names and then making a decision. So that's one comment I would just make.

The second comment I would make though is there is a tremendous amount of work that is done in the SSAC that doesn't make it into the reports because it is not agreed to as final consensus positions. And a lot of that work is probably highly informational.

But as Patrick, as you said, you communicate through your actual agreed reports.

Is the work that you do, which is more at the informational stages, is that publicly available?

Patrick Falstrom: No, it's not publicly available, but what we are trying to do is find a way for us to describe (unintelligible).

Kristina Rosette: Can I put myself in the queue?

Wolf-Ulrich Knoben: Thank you Cheryl and Stephane.

I'm sure you will have similar meetings with the GNSO Council and others as well, but I would like to revert to the GNSO as well as I had a chance to cooperate with you in the past.

I think the NomCom did over, let's say two to three years, a very good job with regards to selecting people for the GNSO Council. And especially also this group here could be very much satisfied with that because (unintelligible).

And I would like to also point that you taken (unintelligible) doesn't continue in starting diligently. It's those kinds of persons who have been selected over the last years and for the future as well. Thank you.

Kristina Rosette: Before I speak, does anyone else want to be in the queue? We have about five minutes left. All right.

Kristina Rosette for the transcript.

I'm curious to know whether the NomCom anticipates submitting comments on the Board Working Group Report.

Stephane van Gelder: Cheryl, I can see you reaching for your mic and I'm happy to defer.

The NomCom is a body, no, I don't think so. The NomCom is individuals. Obviously that's up to the individuals.

But to be honest, it's a very good question. And perhaps one that should be put to the incoming committee, and I will probably add that to the agenda.

Up until now, to answer your question directly Kristina, there's been no plan to do so.

Kristina Rosette: Thank you Stephane and I just wanted to let you know that some of the CSG representatives met with some of the BWG members on Sunday afternoon, and it's our understanding that they do intend to extend the public comment period by two weeks. And I would certainly anticipate that if the decision of the NomCom was that they also wanted to put in comments, I would very much like to think that they would further extend that as needed.

I see - go ahead Cheryl.

Cheryl Langdon-Orr: I've just got to jump in on this one.

This rings to a conversation I had with the review group, the Board Review Group and with other members of the ICANN Board including members of the BGC. And as Chair, I was specifically told that seeking and would expect - yes that language - the comments to be coming from the community, not from us as an aggregation.

So that was the very clear message from them. It doesn't mean the 2015 NomCom and 2014 - well it won't exist by then - may not put something in, but I would just suggest how it will be received and what ranking it will get might be very different from coming from the communities that stems people that NomCom.

Stephane van Gelder: Can I just add one thing to that Kristina please. Thank you.

Just to give you an insight on my approach coming in as Chair. To me, my job is to make sure the 2015 does it job. My job isn't to get into the politics of this recommendation.

I think what's happening is very important. We've had discussions within our own groups about it. So it's not shying away from it.

But just to pick up and follow-on from what Cheryl said, I think as a committee, the 2015 has a duty to fill those positions that we showed earlier. That's our focus. Our focus isn't necessarily to engage within this process.

However, in 2014, we had taken it upon ourselves to look at bylaw revisions. We had a sub-committee that was doing that. So we started the process and then the board working group came in and basically picked it up.

So there is also the possibility that because many of the members serving 2014 are also serving 2015 and did some of that work, and basically that work was not, you know, given any - there was no result to it, that the members may just wish to concentrate on the task of the committee.

Kristina Rosette: Thanks Stephane. I have Marilyn and J. Scott. We actually only have about a minute left. So if the two of you could be very brief I would very much appreciate it.

Marilyn Cade: My comment is just to go back to the seats that will be filled. There are actually five seats that terminate in 2015, two of which come from the ASO. And I think I have that right - or at least they come from other organizations.

And so one thing that would be interesting to know is the timing on those other elections, which I in the past, I believe those decisions have been taken mid-year which have been allowed the incorporation of background, etcetera, to be taken into account. That's just kind of a fact.

The next question I would ask and we may have to postpone it, is has the Nominating Committee internally discussed whether they think it is most effective to continue to use the Nominating Committee to make appointments to the councils such as the GNSO Policy Council and the ccNSO Policy Council versus some other mechanism.

Cheryl Langdon-Orr: If I may Marilyn, we will take that second question on notice because it is a longer answer than we have time for. But that's an action item we'll take but on notice.

And just to be clear, the NomCom appointees that are limited whose seat is up for renewal this year, our current serving board members are Olga, (Gonzales) and George. So just so you know which ones they are which was a question earlier on. Thank you.

Kristina Rosette: Thank you Cheryl. J. Scott?

J. Scott Evans: J. Scott Evans from Adobe for the record.

I know the NomCom may not put in - and I think I may agree - that they're not the appropriate. But I would implore the Chairs and former Chairs to put in comments. And frankly, I don't care what the Board says they're going to listen to.

I think the optics are that there are a lot of people who don't understand how the NomCom works, and so when someone throws something against the wall they're willing to believe it because they don't understand it.

So I think it's very important for those who have led and had a leadership role, and if you believe it works or you believe the solution is wrong that you speak up so that the community is informed from people who have experience and knowledge about how it works.

Cheryl Langdon-Orr: Well J. Scott - Cheryl for the record. I can assure you we will all be front and center at the public meeting going over these review documents this week. We might have a few things to say.

Stephane van Gelder: Yes just to be fully transparent. And you know, I've discussed this so you know this.

I prepared a set of comments, and it was suggested to me that it may not be appropriate for me to submit those. So, you know, you're calling me out saying we should submit comments.

I think it's a difficult choice but the way to do it perhaps it so work hard with the people directly and we have and we will be doing that to make sure they understand our perception. And I'm part of a constituency so that constituency

can also make comments. And I'm working with that constituency to make sure that, you know, my experience is fed into the comments.

Kristina Rosette: Thank you very, very much. We very much appreciate the time that you've taken to come meet with us, and certainly, obviously, the very important work that you all do. Thank you.

Tony Holmes: Okay, Kristine has asked me to take over briefly for this. And we were at the stage where we were running over arrangements for the preparation with the Board. We were at the stage where we were discussing accountability. That was one item on our agenda.

So at this time I want to make a call to see if there are other comments on that particular issue. Yes.

David: Thanks Tony. Steve had mentioned that there was this discussion about the two streams of work on Accountability; one that's related to the IANA function that needs to be addressed prior to any IANA transfer and then one that would be a broader set of issues that go beyond IANA.

And I think we would recommend that we call for a single stream to deal with Accountability, that all of it needs to be concluded prior to any sort of IANA transition.

Tony Holmes: Thanks David. I don't know whether we'll be able to do that because we would have to go back to constituencies I think to have that discussion. There is certainly no agreement from the ISPs on that at this point in time so I don't feel that we can really do that.

Steve DelBianco: Steve DelBianco. And David and I haven't had a chance to discuss this yet; I did get a sense of your eagerness to do that.

And I might suggest that one way we can do it is we get to write the charter for the cross-constituency working group. In fact, we get to define the criteria for accountability mechanisms that have to be in before transition because we'll claim that out of the list of 15 accountability mechanisms, we may claim that they all have to be done before transition.

So I do think the community has a great deal of control over the things that make it into Stream 1 versus 2. Of course there might be disagreements from the Board about that, and politically it may make sense to have lots of accountability mechanisms so that the ones we believe are core, and the BC has the six that you know about, that all six of those make it into the before transition stream, and then find other things that can be talked about afterwards.

That doesn't imply that they're not needed David, but there are elements of leverage we will obtain as a community if we get those six things before transition.

And those elements of leverage can be used to increase the likelihood that we get the post-transition things done as well.

But I take your point. It's risky to concede that some things may never be gotten too, but we do control the criteria of what's pre-transition and what's post-transition. And if we're politically clever about it, we ought to be able to get the central things we need without coming to a confrontation over what is really just a suggestion on two streams.

It's not a mandate, it's just a suggestion, and we can take it and run with it any way we want.

Tony Holmes: Thanks Steve. Jim.

Jim Galvin: Just to maybe change the wording a little bit on what Steve said. I don't think it needs to be thought of as discussed and resolved before transition and another stream that's not even discussed before transition.

I don't think Steve meant that but I wanted to make sure that - I believe that this allows, even if there are two streams...

Steve DelBianco: (Unintelligible).

Jim Galvin: ...yes - they can both be discussed before transition, but it's the ones that may not need to be implemented that would be the Stream 2.

Talk about it now, make sure we understand them. But maybe there are some that don't need to be implemented until after transition.

Tony Holmes: Thanks. I'm going to put somebody on the spot here a little bit to try and - after (Chris). Sorry, go ahead.

(Chris): I guess I'll add to that too that having a fewer number of things that we're really fighting for before the transition makes it less of a negotiation; makes it less messy.

I think if there's a smaller list then we simply are inflexible on whether those three things, whatever they are, or maybe it's the BC's six things, but having a

smaller number of things instead of the entire universe of Accountability means that we can just simply say that those are imperative.

And I think the more things there are and the more complicated it is, the more discussion that needs to happen, the weaker our position as a group becomes.

Tony Holmes: Thank you. Wolf-Ulrich, you were the person I was going to ask to be put on the spot. And what's the - I'm not sure what you're going to add.

If I could ask you just to comment. We had a discussion earlier about how this is going to end up with the Board; get in to have some input into this.

My understanding is that there are opportunities for the Board to engage before we end up with two proposals from the community that go to the Board at the end of that process. Maybe you could just comment on that as well or you say what you intended to say to start with. Thank you.

Wolf-Ulrich Knoben: Thank you Tony.

Well as a member of the ICG, so the ICG will have a meeting on Friday, an ICG internal meeting here. And there's one topic on the agenda is regards to how to deal with Accountability. So with regards to the development right now regarding is just a suggestion of two streams (unintelligible).

I would say it would be helpful for us, for the members of the ICG and for me personally, if I could go there with some, let me say, at least some guidelines to tell us what is - let me say the kind of borders. If you go, there's (unintelligible), it's two streams, which is the borderline which we have to take into consideration, where we do (unintelligible) which is obviously really hard conditions. CSG is putting in is pushing for with regard to the

accountability aspects of the IANA transition stewardship - stewardship transition.

So if you could elaborate on that and then for the next day for example, so within - I could do that with Greg, for example, and then there's others. That could be very helpful.

So on the other hand, I wouldn't - I also as Tony mentioned here, I don't think that we can have an agreement here in this just to put all these things together in one stream. So I don't think that's the way we could do so.

But if you should help conditions under which we would say, "Okay, the IANA Stewardship Transition should take into consideration (unintelligible) and these aspects.

But the other aspect, if I got you right Tony, was a question with regard to the how the Board should fit in in this process. Since you have heard yesterday from Larry Strickling that he has - he was expecting a full consensus, a proposal, by the community including the Board, so that's what he mentioned.

So this phase is in question as well to me how we can handle this and then how the Board should fit in in that and whether or not (unintelligible) should fit it in.

So this is open, it's open for discussion. (Unintelligible)...(unintelligible) I'm sure about that. There's (unintelligible) for the time being.

Tony Holmes: Thank you. Greg.

Kristina Rosette: Actually this is Kristina. Can I make - I apologize for interrupting. I would actually suggest that the three CSG constituencies plan to take this issue back

to their respective meetings today, and then provide input back to Wolf-Ulrich and Greg. And that instead we use the remaining five or six minutes that we have to make sure that we're fully prepared for the Board if that's all right.

Greg Shatan: I just have one sentence which is that according to Twitter, Theresa Swinehart has said that the ICANN Board will not modify the proposal it gets from the ICG.

Tony Holmes: Thank you. Kristina, I'll come back to you now.

Kristina Rosette: So getting back the topic of Accountability, I guess the one question - I apologize for having to step out - that I had raised is whether, you know, are we focusing on kind of the ICANN organizational accountability in the context of the stewardship transition, or do we also want to take a broader view of it so that we can in fact sweep in some of the compliance issues and concerns that folks have. I don't have a clear sense of direction here, so I would appreciate folks input on that.

I see Elisa, anyone else? Steve. Okay, go ahead Elisa.

Elisa Cooper: Yes, I think if we can just broaden it to say, you know, we see accountability in the broader sense and we're - well, I don't know that we can say this. But I mean I'm hopeful that the changes that are being made by staff in terms of compliance, we're hopeful, and we look forward to addressing some of the issues that we're currently seeing.

Kristina Rosette: Thanks. Steve and then Marilyn and then Jonathan and then I think we need to pack up and move next door.

Steve Metalitz: Plus one to what Elisa just said.

Kristina Rosette: Jonathan?

Jonathan: Again, I preach focus. There are a lot of initiatives going on right now. There's the new performance metrics that Fadi announced, there's the reviews that are going to happen for the new gTLD program, etcetera, that are mechanisms that are in place to address a lot of those issues.

And I think ultimately this idea of accountability is about power and re-empowering the community to have the last word. And if we can deliver that message to the Board as succinctly as possible, I think it will have the most resonance.

Kristina Rosette: Thank you. Marilyn.

Marilyn Cade: What I'm going to say - it's Marilyn Cade speaking. What I'm going to say it's going to sound a little bit different from what you all just said.

SSR, Security, Stability and Resiliency of the Internet and of the performance of the unique indicators is the key to one of the BC and I think the ISPCP, but also the IPC's great concerns.

We keep talking about accountability, but - and certainly compliance with the contracts, etcetera is all very important. But it is very possible in a bottom-up consensus-based environment to find that there's a lot of noisy voices and key concerns about FSR get ignored. And I'm just going to give a bizarre and old example.

When the NTIA first did their call for public comments on the green paper, there were over 400 public comments received, and 121 of them came from

(Jay Scenelo). If you only counted, you would have thought that a third of the comments, blah, blah, blah.

So just - I just want to say when we talk about accountability and bottom-up consensus-based, I think we also, as business-oriented non-commercial users, need to keep this focus on - you could take a vote of the world and break the Internet. So we do have to have this form of integrity thing that we are making sure underlies the process that we're calling for.

Tony Holmes: Thank you Marilyn. And with that, I think we need to adjourn. It's my understanding that we are next door in Los Angeles.

Oh, can folks, whoever has the sign-in sheets, if you could bring those to me or get those to me at some point. Thank you.

END