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BUENOS AIRES – Commercial Stakeholder Group (CSG)
Tuesday, November 19, 2013 – 09:45 to 11:15
ICANN – Buenos Aires, Argentina

KRISTINA ROSETTE:

Good morning everyone. If you could please take your seats we're getting ready to get started. This is the Commercial Stakeholder Group meeting, so if that's not the meeting you want to be in, now would be a good time to find the one you want. I am very pleased that we have here this morning with us the folks from the SSAC to provide us with an update on their recent activities.

Based on our discussions in our Sunday afternoon meeting, I have communicated to them that the two topics that we're interested in – the topics that are of greatest interest to CSG members at this moment are the recent name collision advisory, as well as an update on the online abuse report that's expected in the next several months. Without further ado I will turn things over to Patrick to get us started. Thank you.

PATRICK FÄLTSTRÖM:

Thank you very much. Thank you very much for already prioritizing what we're going to talk about, because of course it will make the discussion much more fruitful. We're here to talk about things that you would like to talk to, and not so much issues that we would like to talk to at this time. The proposed Agenda that we have were those five issues. We heard that you would like to get an update on the DNS abuse issues.

We do have a presentation on that as well, and while I'm talking about name collision we will, on the fly, try to figure out how to handle the other discussion. The person, Merike Kaeo, that normally runs the other presentation is not here in the room, I think. Anyways, either we find her or I will manage to convince another person to run the presentation or I'll do it myself. Yes, we have Jaap Akkerhuis that can help if we need to.

For people that don't know who we are, let me just quickly give a context, because that is needed. We began operation in 2002 and we are the Security and Stability Advisory Committee of ICANN – one of the ACs. Our charter is to advise the ICANN community and Board on matters relating to the security and integrity of the Internet's naming and address allocation systems.

Our scope is security and stability within anything that is within ICANN's realm. Of course, all of us are reminding us that because we are working so much with gTLDs at the moment, and specifically new gTLDs, but we are actually looking at much wider areas than that. We are at the moment 41 members, which are appointed by the ICANN Board for three-year terms. Can the SSAC members that are in the room stand up please?

I think there are more people from SSAC that are not standing up. Thank you. Thank you very much. In this room you see some of them. We have quite a lot of people here so if you want to hear more about these details talk with these great people. The current activities we have in SSAC are a Standing Committee or Membership Committee that

evaluates people that apply for membership. We have one Standing Committee that works on the DNSSEC workshop that we are running on Wednesdays of ICANN week.

We are looking at identifier abuse metrics. We are doing outreach to law enforcement. We had a workshop at the Internet Governance Forum in Bali. That of course has already happened, but we are wrapping that up to see what we can bring back to us from that. Then we are looking at, as you mentioned that you were interested in, looking at large-scale abuse using the DNS infrastructure, and that's what you wanted to have an update on.

At the moment, because we finished two reports that we released on November 7th, as you can see in this slide, the advice on DNSSEC key-rollover, and advisory concerning mitigation of name collision risk. I will present the second one of these two. Because of that, at the moment we are looking for and we are to decide what we are going to work on.

We do have a list of issues that we do think are important, but please don't hesitate in reaching out to us because at the moment we are prioritizing our work and we're happy to listen to what is interesting for you. This year we have published eight reports on advisories of various kinds, and we will publish another one this year, as it looks. That is much better than what we've ever done before.

We have lately published 2012 and 2013 reports on DNS security, which you see on this slide. IDNs, where specifically SSAC 60, it was released just after the previous ICANN meeting. I want to point that out specifically to you, because that includes specific comments on issues

that we've identified; non-synchronization between the Trademark Clearinghouse and the variant calculation process in ICANN. Those of you working with TMCH, I recommend looking at SSAC 60.

We have also been looking at WHOIS, and we're looking very closely at the work done by EWG, which of course is based on some of the older recommendations that we've done. With that, we'll check if there are any generic questions on us and SSAC? Yes please?

CHRIS CHAPLOW: As a generic question, you mentioned that the SSAC members were appointed by the Board. Do you have a wider group of people that are interested in SSAC but aren't actually members and the…? How does that work?

PATRICK FÄLTSTRÖM: No. We in SSAC have either members or non-members. There's no difference between the two. The only gray area is our staff support, and specific individuals within ICANN that work for example with the Security Team that we are working with. Otherwise we are members and non-members. One example is that we have a liaison from ALAC to SSAC, but that individual from our perspective is evaluated and is an SSAC member.

That ALAC treat the person as a liaison is nothing that we have anything to do with. In SSAC we do have a policy of not having a second-class citizen. You are a member of SSAC and then you are a member of SSAC. Thank you.

SPEAKER:	I had a question in terms of when you issue an advisory, is there anything in the bylaws that go to how the Board considers your advice, and could you talk about that a little bit?
PATRICK FÄLTSTRÖM:	The creation of our reports or advice or anything SSAC is saying, as compared to individuals of SSAC saying, because we're encouraging the community to talk with individuals of SSAC. But things that SSAC are saying, we're using a consensus-based mechanism, where often we have reached consensus in SSAC and I, as the Chair, am ultimately the one who decides when we have consensus. We have the ability for members of SSAC to either withdraw from that consensus or to object.

If people are objecting then the individual themselves needs to provide a text that verbatim is put in the document itself. The potential objection ends up being a communication directly from whoever objects to whoever reads the report. That said, the way we're running SSAC and our consensus-based process, the ultimate goal is that we should get consensus for the text in the document, but we have those other tools available.

After the document is published and made available, then the recommendations are to be… We try to work as hard as we can to make sure the recommendations do reach whomever we recommend to do something. So for example, with the ICANN Board we do have a formalized way of handing over the recommendation to the Board, and as part of what the various Review Teams of ICANN has done, including input from us and SSAC, the Board has…

ICANN has just released a tracking tool that they've now been using for SSAC and ALAC to track all recommendations to the Board, to see how they are implemented. Now we do also have a way of tracking that. Our first impression of that tracking tool is that it is a very good first step. We used the tracking tool in preparation for this meeting. That tool is also helping us make sure that we do the wording in our recommendation in such a way that the recommendations are implementable.

We have had a couple of cases earlier when we wrote a recommendation and ICANN Board had to come back to us and say, "What do you really mean?" We'd like to minimize that because when we have a recommendation it should be implementable because the whole idea is that it should be easy, fast and effective to do whatever we want to be done. There was a question over there as well?

RON ANDRUFF: Thank you Patrick. Ron Andruff for Business Constituency. For others like myself who are non-technical and clearly focused on business, I'm just wondering since the name collision issue arose and you became aware of it, and now work has been done on it, what level of comfort do you have that we've got our hands on this thing and wrestled this beast to the ground? Are we in more safe territory or are we still in the yellow territory?

PATRICK FÄLTSTRÖM: I think I will go through the presentation and then you will understand in what context we have written it. That might actually even answer your question, but I'm happy to go into that. I think we should go to the presentation. We have 45 minutes, right? Yes. Okay. Some of our meetings are only 30 minutes and then we have to run really, really fast, so it's good that we have a little bit more. Always never enough.

In the context of this report, what we mean by name collision, we mean that you have two strings, or two names that are the same or equal, where one of them is defined in the global DNS space and the other is not. At another presentation I did I got a question of, "What other kinds of name collision situations might there be?" and of course there might be a situation where neither usages of the string are hooked into the DNS and you also have a name collision.

What we're talking about is when two strings that collide, at least one of them are properly defined in the public DNS. That's what we mean by name collision here. What we're looking at in this report are specifically four different areas that we provide advice on. It has to do with the definition of high-risk strings. We give advice in the area of trial delegations, root zone monitor and capability, and emergency rollback capability.

I would like to go through them one at a time. High risk strings, to start with. What we've identified in this report is that not only are there certain strings that there are lots of queries for, that everyone has seen in all these reports, we draw the conclusion by looking at all the data and listening to various discussions, that there is an obvious need for

permanent reservation of strings for internal use, to reduce security and stability issues.

That is very similar to private IP address allocation, according to ROC 1918, that enterprises and others do have the need to have private address space they're using internally in their network, and then they have network other translation for various reasons. In a similar way, we think that there's also need to have private name spaces. ROC 627621 and 627622 do document some of the strings for private use. They also provide a process for allocation of such strings, but we do give some advice on how that can be made a little bit clearer.

There are also some strings in 627622 which is in Appendix (g), which implies formally that it's a non-normative part of the standard, which then means that the strings listed in the Appendix have an undefined status. That's not good, of course, because some people might interpret those strings as strings that can be private use even though they're not allocated for it.

Regarding trial delegations, we are pointing out that there are two different main categories of trial delegations – DNS infrastructure testing, where you just test the DNS; and you can do that with or without actually due delegations for the names. The second category has to do with actually setting up a mail server, a web server and whatnot, a SIPp server, and you see what kind of connections you get from various applications on the net itself.

We also talk a little about what the benefits and risks there are with each one of these options. Regarding root zone monitoring capability,

SSAC support the decision for ICANN to work with the community to develop a long-term plan to retain and mesh a root server data. This is something that is very easy for us to say, because this, like some of the name collision recommendations, are things that we in SSAC were talking about in 2010, or earlier than that.

So we're explicitly saying that we think this is a good idea; that ICANN have listened to our earlier recommendations. What's important though is that this kind of capability must be defined and deployed quite promptly, because now it is when we are deploying the gTLDs, and a lot of people that like looking at log files would really like to have these logs both before, during and after the implementation of the new gTLDs.

The next issue we talk about has to do with the emergency rollback capability, where we identify that it might be the case that if something catastrophic happens, that the only mitigation method that exists is to remove a TLD from the root zone.

We do have the ability to remove strings from the root zone – it has been executed with the IDN test domains. IANA do have a process for ccTLDs, so we know it's possible to do mechanically, but the actual decision-making process that this is the only mitigation method is not well defined. That is something we recommend to look at.

We also point out the fact that even though the process exists, it is needed to also look at this from a technical point of view, because removing things from the DNS, as those of us that are engineers, due to caching and those kinds of things, it's not the case that things are

actually removed immediately but you have a delay of caching and other kinds of things.

This means that using the emergency rollback as a mitigation method might not have the impact one at first might think, but still it's a method that might have some effect. When you make these kinds of decisions of any kind of mitigation method, when this is one of them it's really important to know what effect it has, because of course the goal is to make sure that the effect is the intended one. Yes please?

CHRIS CHAPLOW: Haven't you just removed the .test in the IDNs? Is that something that could be observed to see how that behaves?

PATRICK FÄLTSTRÖM: If I understand the question directly, yes, those test domains for IDN were removed from the root. Personally, I don't know what kind of log data was stored at the time when that was removed, but we should also remember that those domains had very, very small traffic, so it's also a question on how to interpret the data.

But to answer your question I don't know. I'd recommend you talk to ICANN about that. Regarding the recommendations, there are four recommendations that we give. To see the complete text, this is reduced a bit to fit on the slides so please look at the recommendations themselves.

The first thing we say is that ICANN should work with the wider Internet community, including at least the Internet Architecture Board, the Internet Task Force, to identify what strings are appropriate to reserve for private name space use, and what type of private name space use is appropriate.

Is it at the TLD level only, or at an additional lower level, for example? Is this a string that should be reserved on the second-level domain? Recommendation two – ICANN should explicitly consider the following questions regarding trial delegation and clearly articulate what choices have been made and why, as part of its decision, as to whether or not to delegate a TLD on a trial basis.

The purpose of the trial, the operation of the trial, emergency rollback of the trial itself, and termination. We separate emergency rollback, which means you need to terminate the trial prematurely for some reason, and then with the termination of the trial we mean that when the trial is over, of course, because it's a trial, you have lots of data that you've hopefully collected.

The question is then what are you going to do with it, what kind of decisions are you going to make on it, etc. For a trial to be successful it's important to know these kinds of things. There's much, much more in the report on this. Recommendation three – ICANN should explicitly consider under what circumstances un-delegation of a TLD.

Is there proper mitigation for security and stability issues, which I described earlier a little more, and then finally, ICANN should work in consultation with the community, and particularly the root zone

management partners to create additional processes or update existing processes to accommodate the potential need for rapid reversal of the delegation of a TLD.

That is all. Maybe I can go back to your question then. Where do we think we are regarding name space collisions? One thing that might not have been so clear, but if I point it out now I hope it ends up being a little clearer – from the SSAC perspective, name space collision issues consist of two different things. One has to do with looking at what kind of issues there are; what kind of mitigation methods there might be – call it creating…

One could talk about how the scale is designed, that is used, to calculate the balance between risks and benefits, for delegations or risk for name collision, or whatever. What we are doing in SSAC – and we're trying to be really careful and precise on this – is only talking about defining an algorithm or scale that can be used to do these calculations. We are not doing the calculations on whether the risk is manageable or not. That is something that we let the community do.

Questions on this? Then we can try and move to the next presentation. Jaap, you can prepare coming over here and we'll try and find the slides for that one. We'll take questions in the meantime.

JEFF BRUEGGEMAN: Thanks. Jeff Brueggeman. At the session yesterday there was a lot of discussion about collision at the second-level, whereas back in Durban it was more focused on the top-level. Has the SSAC looked into whether

there are differences in the potential impact at the top-level versus the second-level? We're obviously now talking a seemingly much larger magnitude of issues. What do you think should be the next step in terms of studying this, and just framing the issue for those of us who are not technical?

PATRICK FÄLTSTRÖM: From our perspective it's not really the top-level or the second-level. We talk about issues that you might have when starting to use domain names. We are considering starting some new work on what we call "search path issues", which is one of the mechanisms where a name collision can happen.

The search path list issue in short means that you, on your local client, is typing in something that you thought was the second- or third-level domain name, and you don't really have to type all of it, but just because that ends up being delegated as a top-level domain, now suddenly your application is confused and doesn't really know whether it's a second- or top-level domain. I will not use the word "random" but anything can happen.

It depends on implementation, operating system and many other parameters. So from our perspective, just because name space collision includes, to a large degree, those kinds of issues, that is a collision between the second-level and the root, so we don't really see the difference between the two.

So I think to some degree what you're talking about is not so much whether the collision happens at the second-level of the root, what I think you ask is whether the mitigation method of not allocating the TLD, if you view that as a very strong tool, is that really needed or is it enough to reserve it on the second-level? So what I think you're asking is, should one mitigation method be used instead of the other? That's something that we in SSAC have not been looking at.

TONY HOLMES: Thanks Patrick. It appears clear that some of the issues around this will be covered by the study that's been given to JAS, but not all of it. I also accept that with this particular issue, it may be a situation where it doesn't matter how much investigation you do and how much data you gather, you're not going to have the full answer. We're never going to know the totality of the risk until we're further downstream.

There are some parts of your recommendations that clearly aren't covered by the JAS study. You mention that as far as your group is concerned, there is an intent to do further work. But I think for all of us there are elements of this that we'd really like to stimulate, in terms of covering off some of the risks that you identify. There's also a large outreach program that needs to be started here. We've heard some discussion that there's an intent to do that.

But in terms of SSAC, does it require something from the community, from the Board, to actually focus you in a direction to cover some of that work, or do you make your own decisions so that you can cover some of those issues alone? If that's the case, how do we interface with you so

that we can express to you some of our concerns and make sure that maybe you consider some elements of that? How much freedom do you have to dictate your direction?

PATRICK FÄLTSTRÖM: It is SSAC, and only SSAC, that decide what we're going to work on, first of all. We are the ones that decide that. That said, just because we're an advisory body to the ICANN Board, we need to prioritize responding to questions from the Board, because that is what we are chartered. But apart from that, we're using the input and input from other groups, including you, when we are deciding what we're going to do.

So the easy way to interface is, for example, to bring up issues at a meeting like this and have discussions like we now have. Everything from that, or talking to SSAC individuals in the corridor, including me, to actually sending letters to us, which is a more formal of a conversation, that's then a question that we then respond to.

We really make an effort to respond to all questions, and some of them might be that unfortunately we don't have resources to do the study or do something to. For example, one of the reports, I think it was SSAC 50, on using DNS mitigation method to block access to services, that was literally a question from GAC that we decided to respond to, which ended up being a two-page report.

So just send over something to us. We're not formal at all. The goal for us is to write reports that are seen well by the community, and for us to

reach that goal, the easiest way for us is to interact with the community and do what they want us to do, instead of the other way around.

TONY HOLMES: If I can just come back on that? That's really helpful, and I think from this group, where there's a high level of concern, we'd very much like to do that. I'd certainly be proposing that after this meeting we have some discussion and have a direct linkage with you to try and express our concerns. I think that would be very helpful.

PATRICK FÄLTSTRÖM: If you can get something to us before 3:00 pm this afternoon that would make our life easier.

TONY HOLMES: Okay, we'll do our best to do that. One other question – I don't know if this is a fair question; whether you'll want to comment on it, but when I look at your recommendations and I lay that over what I read in the expression of work that's been given to JAS now, how much of your concerns do you feel will be embraced by that study, and how much of it is still left hanging?

PATRICK FÄLTSTRÖM: We are not… We are interested in that question ourselves but we've not looked into it so I cannot answer it. Marilyn?

MARILYN CADE: I have a follow up question now to Tony's question, and then I'll ask my question. When you said that you hadn't looked into it, will you have looked into it by four o'clock today so we can check in with you?

PATRICK FÄLTSTRÖM: I don't know.

MARILYN CADE: Perhaps then I'll rephrase my question. Could you look into it and come back to us? Should we put that request in writing?

PATRICK FÄLTSTRÖM: Well, I think the work that we would like to see between the Security Team, the JAS Team, and what they expressed yesterday, is something that we like interaction with, and we hope that there can be some interaction here that they adopt as well as us. On the other hand, we could very well look into that. I ask myself though whether that is something that would be a high priority for us.

Because there are certain things, really serious things, for example this search path issue that was just pointed out, from our perspective might actually – for the Internet as a whole – be a greater security and stability implication. For example, another like this, the large-scale abuse using the DNS and also report SSAC #4 regarding spoofing or source IP addresses.

For the Internet as a whole it might be the case that even though you send the question formally to us, we might make the decision that these

other issues are more important for us. That said, we do have resources now to start new work, so we'll just do the prioritization ourselves.

MARILYN CADE: I guess my response would be, it would be helpful to us, I think, even if you didn't continue to do work in this, it would be helpful for us as a community to know to what extent the JAS work is thorough.

PATRICK FÄLTSTRÖM: What we have done earlier… I'm ducking a little bit, regarding the JAS work, but let me explain what we have done in some other cases. In other cases we've found that SSAC… Our expertize has been needed when the output of those kinds of reports have been written more than early. We hope that… From my personal perspective, as the Chair of SSAC, I hope that the community, by interaction with JAS and the Security Team, can drive that work in a direction that is useful when they have written the report.

Or, presume that we will have a look at it in SSAC and at least make a conscious decision not to comment on it because we think it's good enough – I think that is where a group like SSAC should spend our effort. Then the wrong conclusions aren't drawn from whatever they're doing.

MARILYN CADE: Now let me ask my original question – and I may have missed it. We're now have a new term – at least I do – that we will put into our acronym list, called un-delegate. Could you just explain that if we un-delegate a

used TLD, that is, there are a significant number of registered registrants in it and they're active websites, what would un-delegate mean?

PATRICK FÄLTSTRÖM: Un-delegate, regardless of whether there's anything registered and the service is active or not, would be that the domain name is removed from the DNS, which means that anything using that domain name will work anymore. That, as you alluded, is something that of course would have catastrophic impact on the services that use those.

But if you work with security and robustness issues, you have to take that into account, when you do the calculation, on whether that mitigation method and the benefit versus cost of using that mitigation method is worth it. What we are pointing out in this report is exactly what you're talking about – what is needed is to know before you decide to use a certain mitigation method, that you know what kind of impact it has, both in a positive and negative, before you make the decision.

This is what I would call, but that's because this is what I'm working with, like normal risk management – nothing more, nothing less. We are running out of time, so maybe this will be the only thing that we are talking about, but as people have questions maybe… It's up to you. Should we…?

KRISTINA ROSETTE: The large-scale abuse report is expected later this year, so perhaps given the attention and interest in name collision, let's just put this off for perhaps Singapore.

PATRICK FÄLTSTRÖM: I think it's better if you run the queue, because there are people behind and in front of us, all over the place, that would like to have… So we don't mix things up here.

KRISTINA ROSETTE: I saw in order Ron, Steve, Sarah and Tony.

RON ANDRUFF: Thank you Patrick. I think I speak for all of us to say that we're very grateful to hear that a lot of work is being done here, and it's good to see that the effort is being put forward, because it's such a critical issue. But unfortunately, in layman's terms, can you tell me the answer to my question again?

Do you feel that you really are getting a handle on this and that ICANN is hearing it? Or are we still trying to send reports and not getting the resonance that we're looking for? I'm concerned that… What I'm hearing is the work is being done but I'm not sure if it's being picked up on the other side. That's where I'm at. Thank you.

PATRICK FÄLTSTRÖM: I think SSAC wrote the first time… The first report we wrote about name space collision was in September 2010. We have been a little bit frustrated that not much was done until we wrote our second, larger report on name space collision, which was Internal Name Certificates, in spring of 2013. That's literally two and half years later.

So from our perspective all this work that's now done in name space collision could have started two and half years earlier. Of course, we also blame ourselves on this, because maybe it was the case that we in SSAC, if we would have tracked how our recommendations are followed up better, maybe we are the ones that should have flagged that earlier?

That's one of the main reasons why we have been pushing so hard, together with the ICANN Board and ICANN, to have a tracking tool that everyone – you as well – on the myICANN website, can follow what the Board is doing on a recommendation coming from any kind of group. At the moment, it's only ALAC and SSAC recommendations in there, but more will be added.

So let me phrase it this way: the fact that nothing was done for that recommendation, from my perspective as the Chair of SSAC, is taken into account by having this tool created. We also see in SSAC that since it all was detected with Internal Name Certificates in spring of 2013, the community, people like you, us, ICANN staff, ICANN Board, external groups, there is enormous activity going on, at last.

Whether this is enough or not, well, this is one of the reasons why we're pointing out these kinds of things in our report – we try to help people to explain how to make the calculation of what is manageable risk. Now we hope that this will help people to actually do those calculations in a proper way.

If you would have had time to talk about our comments on the EWG initial report, like what you have in the slides, you will see that we try to help by identifying that one of the reasons why the WHOIS discussion

has not moved forward is because we do believe that the community don't have a shared taxonomy.

So we don't care really what the discussion is about, but please use this common taxonomy and that will make things easier. That's where we are at the moment. I cannot answer your question better than that.

STEVE DELBIANCO: Steve DelBianco with NetChoice. Patrick, thank you and the rest of the SSAC for great work on this. Your reports are highly specific, they're often very timely, and it turns out that you had to be rather persistent to get any attention to it. SSAC 62, as you say, to drive the work of JAS advisors, was something we tried to do in yesterday's session with JAS.

You were there with me, and I was trying to suggest that JAS ought to look at your considerations about trial as part of the work that they do in developing the framework. I'm not entirely sure that they received that idea as constructively as it was intended. This is a vendor that ICANN is paying to take a look at the framework, and the framework is supposed to include a trial for certain risk cases. I think you've given a road map as to how to design a trial if one is needed. Do you feel that they get that now? Or do we need to assist SSAC in driving SSAC 62 into the JAS work plan?

PATRICK FÄLTSTRÖM: I can just tell you what happened after that meeting, and you and others pointed out the report – the representative of JAS came to me and we exchanged business cards. Obviously, it might be the case that it had

some traction. I just encourage… I was at the session myself and I heard them asking for feedback, and I just encourage you to encourage to give that feedback to them and others as they ask for it.

I will of course make sure… This is what I talked to the gentleman about, that I, and other SSAC members, will ensure that they understand what we have written in our report. So that is a task that we have in front of us.

STEVE DELBIANCO: At one point ICANN staff pushed back on me asking about trial: "Be careful of the taxonomy of the word 'trial'." I reminded them that I got the word 'trial' from ICANN's collision management report, and I said the SSAC also used the word 'trial' and described four different kinds of trials. Are we all talking about the same kind of a trial right now, or is there some confusion that needs to be cleared up?

PATRICK FÄLTSTRÖM: One of the reasons why we talk so much about trial is because we made the same identification as you – that we believe that they used the word 'trial' without really defining what they mean. To some degree, that might be something to defend them. That might be something that you have to do when you don't really know yourself. But anyway, we wrote our report partly – as we say in the beginning – as a response also to the NGPC document. So you should read our report in that context.

STEVE DELBIANCO: That came out on October 4th. ICANN's NGPC Collision Management. You turned this around in two and a half weeks basically, SSAC 62?

PATRICK FÄLTSTRÖM: Well, I must actually say that yes, we turned this around in two and a half weeks, that's true. But – and I'm really happy that you've given me the ability to thank the absolute ICANN support staff that we have – specifically in this case, Steve Sheng, because the report that you see, we have been working on it for several months. What you see on the table is probably…

I tried to count and I know that at least six times we started over from the beginning, for various reasons; because the community worked hard, because ICANN staff worked hard, because we found new issues, etc. So because the world is changing so fast, we had to restart a couple of times. At the end of the day we produced something in literally two and a half weeks. That's true.

STEVE DELBIANCO: Thank you.   One final question: everybody wonders whether .mail should have been added to .corp and .home on the list of high risk strings. Google did some fantastic research on the public DNS, and we would love to have a definitive answer. Does .mail really pose a risk, or is it all mostly dotless and therefore you don't care?

PATRICK FÄLTSTRÖM: As we point out in the report, we encourage the community and the IETF to see the recommendation in front of us, and this is what we are saying. Nothing more, nothing less. We don't make decisions on individual strings.

KRISTINA ROSETTE: Thank you. Sarah?

SARAH DEUTSCH: Hi, Sarah Deutsch from Horizon. One thing that concerned me yesterday was the discussion – I think JAS mentioned it several times – that their mission was to reach closure. They said it over and over again. But what concerns me is that there are these measurements of risks and Monte Carlo analyses, etc., and maybe this goes to Steve's point about a trial, but no one will really understand what the consequences are from collisions without measuring the actual impact and looking at the consequences.

All these studies to-date are just looking at queries, so does the SSAC… Is part of the trial support looking at the actual consequences of collisions and reporting those back to ICANN?

PATRICK FÄLTSTRÖM: We wrote the document on Internal Name Certificates, which described one example of events that can happen due to name collision. We mentioned a couple of them in this report itself, but this is one of the reasons why we are considering looking into more of those examples of

what the result of a name collision is. We do have a couple of examples on this and we're looking at doing more of this.

KRISTINA ROSETTE: Thank you. Tony?

TONY HOLMES: Very quickly Patrick, some of the points you've raised are part of what I wanted to say, but on the issue of trials, I don't think I'm exactly on the same page as Steve with this. I'm very reluctant to leave that just as something that will be tackled by JAS. There are a number of ways of doing trials. Currently we have no mechanism to discuss that in ICANN, and I assume that's not under the purview of SSAC to dictate that. We have a session with the Board later and I think we should raise that there. That's one issue.

The other aspects that you've raised in your recommendations – the word with Denise to be undertaken with IETF and IAB – that doesn't just magically happen. I assume that that isn't something that you drive. Is that something else that we need to take up with the Board? Finally, I do believe there's enough energy now, from this area, to actually get something back to you today.

You said by three o'clock to try and drive your work – it's going to be very top-level because we've got a pretty packed day, but if we can come back to you afterwards with a little more detail and you could accept that, just take it as a marker for now. That would be appreciated.

PATRICK FÄLTSTRÖM: Yes. It's 10:15 now, but let me start with the last point. The reason why I said 3:00 pm this afternoon was partly a joke, of course, because I do understand that you can't whip something together in that short a period of time. It's more an indication that it happened to be the case that this afternoon we're going to have the first of many discussions on how we're going to prioritize our work. So it's not the case that the door closes at one minute past three. Absolutely not.

Regarding this work and the IETF, that is something that has been ongoing. We have the RFCs that are being published. They are already in discussion; it's ongoing in the Working Groups in the IETF. There are some Internet drafts that already discuss the topic, so that discussion is already ongoing in the IETF. So if you or your organizations are interested in this, the IETF have their own process of dealing with these kinds of things. For example, talk with whoever from your organization might participate there, and participate in that process.

KRISTINA ROSETTE: Well, we are at time. We are extremely appreciative of the time that you've spent with us this morning and your expertise. As I think you can see, this is a topic of significant interest, and I very much expect that we may in fact have something to you by three o'clock. I think we're certainly going to try. Again, thank you very, very much.

PATRICK FÄLTSTRÖM: Thank you very much.

KRISTINA ROSETTE: I know that we didn't have a chance to do it earlier, because we were going straight into the SSAC presentation, but I think that would be great to do is go around the room and stand up, introduce yourself and identify the constituency of which you are either a member, or interested in participating in. Jonathan Zuck, would you mind starting? [pause]

CLAUDIO DIGANGI: Claudio di Gangi, INTA IPC.

MARILYN CADE: Marilyn Cade, ICT Strategies, BC.

ELISA COOPER: Elisa Cooper, MarkMonitor, now part of Thomson Reuters. I'm the Chair of the Business Constituency.

MIKEY O'CONNOR: Mikey O'Connor, Minnesota [Mice? 00:51:12]. Councilor Elect on the gNSO from the ISPCP.

KRISTINA ROSETTE: Kristina Rosette, President of the IPC.

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TONY HOLMES: Tony Holmes, BT, Chair of the ISPCP.

MARK MCFADDEN: Mark McFadden, Internet Communications.

ZAHID JAMIL: Zahid Jamil, Pakistan Domain Name Dispute Resolution Center. I'm a Councilor to the gNSO, BC.

JEFF BRUEGGEMAN: Jeff Brueggeman, AT&T, BC.

MICHELLE CHAPLOW: Michelle Chaplow, Andalucia.com, BC.

CHRIS CHAPLOW: Chris Chaplow, Andalucia.com, BC.

PHILLIP SHEPPARD: Phillip Sheppard, BRG.

SPEAKER: [Kiera? 00:51:56], MarkMonitor/Thomson Reuturs, IPC.

STEPHANE VAN GELDER: Stephane Van Gelder, Stephane Van Gelder Consulting. BC, Chair Elect of the 2004 NomCom.

PHILLIP CORWIN: Phillip Corwin, Virtual Law, representing the Internet Congress Association on the BC.

SPEAKER: [inaudible 00:52:20], Orange. ISPCP.

JOHN BERARD: John Berard, gNSO Councilor from the Business Constituency.

STEVE METALITZ: Steve Metalitz, representing the coalition for online accountability member of the IPC.

SPEAKER: [inaudible 00:52:36], Argentina [inaudible], ISPC.

[SEBASTIAN KAPLAN]:   [Sebastian Kaplan? 00:52:45] from América Móvil.

SPEAKER: [inaudible 00:52:50] from [inaudible] Argentina.

ELLEN SHANKMAN: Ellen Shankman from Israel, IPC.

PAUL MCGRADY: Paul McGrady, Winston & Strawn, IPC.

LAURA COVINGTON: Laura Covington, Yahoo, IPC.

MARK PARTRIDGE: Mark Partridge, Partridge IP Law, presenting the American Intellectual Property Law Association, outgoing Treasurer of the IPC.

JIM BASKIN: Jim Baskin, Verizon. Member of the BC.

PHIL MARANO: Phil Marano, Katen Muchin Rosenman, IPC.

ANDY ABRAMS: Andy Abrams, Google, IPC.

FABRICIO VAYRA: Fabricio Vayra, Time Warner, IPC.

GRIFFIN BARNETT: Griffin Barnett, [inaudible 00:53:33], IPC.

DAVE [DUQUETTE?]:   Dave [Duquette?], Microsoft, IPC.

BRIAN WINTERFELT: Brian Winterfelt, Katten. Councilor for the IPC to the gNSO.

SARAH DEUTSCH: Sarah Deutsch, Verizen, BC.

CHRISTIAN DAWSON: Christian Dawson, Internet Infrastructure Coalition and application to join the ISPC.

TIM SMITH: Tim Smith, Canadian International Pharmacy Association, BC.

HEATHER FORREST: Heather Forrest, Australian Catholic University, IPC.

NICK WOOD: Nick Wood, Com Laude, IPC.

MARTIN SAM: Martin Sam, HSBC, BC.

BRIAN BECKHAM: Brian Beckham, Valideus, BC.

DEBRA HUGHES: Debra Hughes, Katten Ruchin Rosenman, IPC.

JUSTIN MACY: Justin Macy, Legit Script, BC.

JUDY SONG-MARSHALL: Judy Song-Marshall, Neustar, BC.

SUSAN [CALGUCI]:   Susan [Calguci], Facebook, BC.

JOHN [MAKELWANE]:   John [Makelwane], [Nelson Moens?], BC, and I'm the IPC Rep on the NomCom.

CARLOS REYES: Carlos Reyes, ICANN staff.

SPEAKER: [inaudible 00:54:52], outgoing Vice Chair of the gNSO, and ISPCP.

JESSICA JONES: Jessica Jones, BT, ISPCP.

ROGER [LATCHMAN]:   Roger [Latchman], representing [Vitza?], BC.

ALEX DEAKIN: Alex Deakin, Motion Picture Association of America IPC.

OLIVIER [MARON]:   Olivier [Maron], Orange, ISPCP.

SPEAKER: [inaudible 00:55:20], Amazon.

ROSS [?]:   [Ross ?] with Google.

MARIE BOTELLO: Marie Botello, European Brands Association, BC. Who do I give the mic back to?

KRISTINA ROSETTE: Do we have folks on remote participation?

CHRIS CHAPLOW: [Benny? 00:55:37] said there wasn't, five minutes ago. [inaudible 00:55:43].

KRISTINA ROSETTE: I'm sorry, we were talking when you spoke. Can the person who's on remote identify themselves? All right. Hi Benny. So really, unless

there's anything new, our really only item of business for the next 45 minutes is to prepare for our meeting for the Board. We've identified our three topics to recap. For those of you who were unable to attend the meeting on Sunday, we'll have name collision.

Tony Holmes from the ISPs is going to take the lead on that. We have maintaining the multistakeholder model. Marilyn Cade from the BC is going to take the lead on that, and ATRT 2 and Steven [Hallitz?] from the IPC is going to take the lead on that.

So I know that Tony had indicated to me earlier that in light of some of the information that had been received with regard to name collision and some of the developments, I think from what I understand, particularly in light of some of the alternative path lists that were released yesterday, there's probably going to be some variation on what we may have previously discussed.

What I'd like to do is just kick things off to Tony to recap the points that we want to be making to the Board, and then take a queue for those who would like to add or comment. Then we'll move into maintaining the multistakeholder topic, and then onto ATRT 2. Tony?

TONY HOLMES: Okay, thanks Kristina. What's significantly changed since we discussed this earlier in Buenos Aires, is the fact that we had the session yesterday. In particular, we had the discussion with the SSAC and also with JAS advisors. It's clear that some of the things that we were going to bring

up with the Board, that we were going to push, now should be embraced by that study. That's the good news.

The bad news is that I don't believe it covers everything, and I think we need to make the point that we haven't had the opportunity to engage in that discussion, despite the fact – particularly from the ISPCP position – we've actually made an approach to the Board to undertake some further action, to help us understand the whole issue and to involve the broader parts of the community in that discussion.

Because we had no response, what actually happened was industry had to take the initiative. There have certainly been events that a number of us here have been engaged in that have really tried to fill that void, that I think ICANN should have taken more interest in. So it's worth making that point. We are where we are on this, and I know that Steve in particular has some issues with some of the proposals – I think we can open up for that debate.

There is some other discussion that needs to take place, and some of that came up this morning. The whole issue of trials – there are various ways of conducting trials. ICANN could actually do that themselves. it could be left to the applicants. However, if we go down the path of applicants conducting trials, I think we need to establish a common set of criteria that they have to use when they're conducting the trials, and the assessment criteria has to be developed in a way that is common – we can't just leave it for everyone to determine their own.

We don't understand how any of that is currently going to be addressed by ICANN. So there's a need for engagement there. There's also a need

for engagement in terms of outreach. We heard yesterday that there's going to be some focused outreach campaign. I don't believe that that should be something that's just developed by a third party. We need to engage in that.

Currently, the interest that we cover, whether you're an ISP or a business, you need to know about these things. I don't know whether that's fully appreciated by ICANN either. So those are the points that I primarily want to bring up. Others are welcome to chip in with anything that supports that.

Expressing a level of concern, expressing the need for engagement, and somewhat disappointingly that we haven't had the opportunity to do this so far, are the key points to bring up during that session. Any other comments? Marilyn?

KATRINA ROSETTE: Actually, Marilyn, I just wanted to note for the transcript and to remind everyone that this is an open meeting and I believe we actually have a member of the media on Adobe Connect. I just wanted to remind everyone of that. Marilyn?

MARILYN CADE: My name is Marilyn Cade, I'm the CSG Officer for the BC. I'd like to share an insight that has come to me by my casual conversations about how important it's going to be for us to speak clearly, because there is some resistance to understanding the depth of our concern on the part of some of the folks who'll be listening to us.

We need to be very clear about why the people who we represent, a small part of representation of the vast number of people who build and run networks, do not know about this. ICANN's idea of letting us organize and hour-and-a-half workshop at random places around the world, or doing webinars, does not meet my criteria for an effective outreach program.

KRISTINA ROSETTE: I would… I'm going to take the liberty of putting myself in the queue. I completely agree. I would also suggest that in addition to clarity that… Personally, I don't have a problem with being direct. I think for those who have somewhat, historically, been reluctant to be very direct with the Board, I think this is an issue for which that would be appropriate.

Let me go ahead and take a queue. I saw Jeff, I saw Mikey, I saw Steve DelBianco. Anyone else? Go ahead Jeff.

JEFF BREUGGEMAN: I do think the more we can come up with a list of actionable items, as Tony was doing, I think the better. We are concerned but we also should push in as specific a direction as possible, and along those lines one thing that is not clear to me is, is there a clear set of recommendations that come out of this issue that you could give to every company and every network operator to say, "We don't know if you have an issue but don't do this, or do this"?

If so, I think we should make the point that we should collaboratively develop that material. We can deal with how to do the outreach later,

but let's start with what is the substance of what the direction is? It seems to be we don't need to wait. This can be done in parallel with the further study. I think that will help to maybe reduce the public pressure that the only solution is endless delay. No, we need to be solving the problem on two tracks at the same time. Thank you.

MIKEY O'CONNOR: I'm a long time enthusiast about this particular issue. The meeting yesterday with the Security Staff was quite heartening for me. I think that they've got the beginnings of some pretty good stuff in there. They've got a pretty good study getting underway. They've got an outreach campaign getting underway. They've got materials on how to identify and mitigate the risks being developed getting underway.

I think that one of the things that we may want to do, to extend what Jeff just said, I think we may want to just dive into that one with both feet and do everything we can to encourage them, amplify their effort, add resources to the effort, collaborate with them. I've been talking to lots of folks with a couple of messages.

One message is, in terms of resolving the debate between the end of the world as we know it and "nothing's going to happen", we don't have the information and it's going to be very difficult to get that information. Continuing on that polarized path leads us nowhere. What we have to do is concentrate, as Jeff, Tony and others have pointed out, we have to concentrate on getting people ready.

We, the business constituency, are the biggest group of people that need to get ready. Not the Business Constituency, BC-sense, but the commercial stakeholder groups. The ISPs, if nothing goes wrong, that would be lovely, but if anything does go wrong, it's very likely that the first people that are going to get the call are the ISPs. These are going to be very tricky calls for ISPs to resolve because if the worst happens, networks are going to fail in unusual and diverse ways.

I think that, speaking as an ISP, it would be lovely to have a portal that we could go to to get great advice, great solutions and great resources to help our customers fix their problems. If we can nudge the already-underway initiative along and leverage them, I think that would be good.

STEVE DELBIANCO: To be really specific, as Jeff and Mikey have said, all we have to do is focus on documents that are in play today, and there are two. The collision management framework that the Board adopted on October 4th does contain, Jeff, exactly what you said. The ICANN plan says that staff is to post the developer's part of its outreach campaign, advice to users and network operators, on the measures you take to minimize the potential and assist you with the identification and causes of name collisions.

As ICANN staff put it yesterday, all of you, network operators and business users, are living on borrowed time. Your inexcusable leakage over the past decade is about to come home and you're going to pay the price for it. At the same time, the Board has instructed staff to proceed

with exactly what you said, not JAS; Jeff Schmidt. We should talk to the Board about specifically the outreach campaign, that's #3.4.

If you're the one that handles that with the Board today you'll be able to point to that. Secondly, with Jeff Schmidt's plan, as Tony indicated, JAS Advisors has already published the work plan for the work they're going to do on identifying the framework. What's interesting is that their work plan doesn't contain the word 'trial'.

The work plan he's got right now, which he's got a contract with ICANN, for which we have no public comment until the January second draft is published doesn't contain the word 'trial', despite the meeting we just had where the SSAC, in SSAC 62, identified that NGBC want a trial, the SSAC identified how to do a trial, and yet Jeff Schmidt doesn't have it in his work plan.

I'm certain he'd put it there. He'd love to be paid to do that and I think it's money well spent, but he or some other vendor ought to do the trial work, and we have to insist that the Board expand their project work plan for JAS, so that it reflects everything that the SSAC has put in. That's the only way to avoid this becoming delay.

If we have one bite at this apple through Jeff Schmidt then he needs to put everything in the apple – to mix metaphors a little crazily. He's got to get it in there now and this is our only chance. We don't have a public comment period on this. Thank you.

KRISTINA ROSETTE: All right, I have [Izumi] and Mikey. I need to know if anyone else wants to be in the queue, because I think we have to close the queue and then move on. [Izumi], go ahead.

[IZUMI]:   I just want to share what we plan to do in Japan regarding the name collision issue. I think it's important that we share the current status, even though the solutions aren't perfect. Then we also had to reach out to different targets. One is the DNS operators' community, so that the ISPs know what to inform their customers about its implications. The second is what actual end sites, networks, have to do. I think the current information that's been distributed by ICANN is not very comprehensive for each of the communities.

What we plan to do is extract what information is necessary. For the DNS operators, "This is what you need to do, this is what you need to care about." For the business and network people, "These are the consequences that you have to care about." We plan to summarize that and then get feedback from our community. Maybe the ISPs or the business people feel like, "This is the information that we have at the moment but we need additional work from ICANN.

"We plan to give this feedback to ICANN based on what we consult." So instead of just broadcasting we plan to outreach, depending on the constituency groups, and get individual feedback so that we can move forward to the next steps on what's necessary, in addition to what's already being done by ICANN. That's just sharing what we plan to do.

KRISTINA ROSETTE: Thank you. Mikey?

MIKEY O'CONNOR: I thought of one more thing and it ties right into what Izumi was saying. During the meeting yesterday, one of the things that struck me about the ICANN initiatives is that they have presented themselves a little bit of a project management problem. They have four different things going on simultaneously. As far as I could tell, they didn't have anybody coordinating it.

One of the things I suggested… Well, I suggested two things. One, put somebody in charge of it all so that there's some coordination. The other thing I suggested, and we might want to lobby for, Tony, in your comment, is that they set up a Steering Committee for that group of projects, and that they involve the community on that Steering Committee.

Then I've noted that surely somebody from the ISP, who's Irish and lives in Minnesota, would love to be on that Steering Committee. I think one of the things that we might be able to do to target and focus that effort – and I'm thinking to Steve's comments; the kind of thing you're raising is the sort of thing that a good Steering Committee could very easily work into their work, rather than turning it into a giant problem.

We could just have a good Steering Committee in place that could catch that stuff and say, "You missed this one, what are we going to do about

that?" and get it fixed in that sort of context. But in order to do that we need that Committee. So we might want to lobby for that a bit, Tony.

KRISTINA ROSETTE: Gabriella?

GABRIELLA: Thank you. This is Gabriella from [Gavislac?] from the BC. As the only Latin American member of the Business Constituency today I just want to express a lot of concern about this. I think this is a huge burden for us as the only members of this region in our constituency.

We would like to really work with the other constituencies in a cross-constituency manner, to be sure that the message gets to the relevant people that need to know this, and that the message is understood by the people that have to take the measures in our regions.

I just wanted to say that if you are concerned, think about us. We are only one member in this constituency. Of course there are members of Latin America in the other two constituencies, and we need to actually work a lot together to achieve results and get the message across there. Thank you.

KRISTINA ROSETTE: I think we're now going to move to the maintaining the multistakeholder model topic, of which Marilyn is going to be lead.

MARILYN CADE: Actually, I've asked Elisa if she would lead.

KRISTINA ROSETTE: Okay, excellent. I think there's certainly been additional information since we discussed this on Sunday. Elisa, to the extent that you think – or anyone else in the room thinks we may want to modify our talking points to the Board, I think now would be a great time to identify that. I'm going to go ahead and take a queue on this topic. Mikey, Marilyn, okay.

MIKEY O'CONNOR: We're all pretty familiar with the issue. I think one of the things it would be interesting to hear from in this room today is the way we want to take this forward. Let's talk a little bit about what we would like to see as outcomes of this. We've certainly spent a fair amount of time and energy looking backwards, and as most of you know, I was fairly vocal about this in lots of places.

I'm of two minds. I've been talking to a lot of people about what, if anything, should be done in response to that sequence of events, as a separate topic from what we do going forward. My sense is we're in this boat – we might as well row it as best as we always do and get… Fadi has gotten a lot of attention and momentum behind this. We might as well leverage that.

I am personally – I'm not speaking for anybody else – disinclined to spend any more time looking backwards. We've certainly sent a pretty clear message to the Board and the staff that this was a pretty unsettling

experience. I'm not sure that there's a whole lot of value in beating that to death. That's just my personal stance.

KRISTINA ROSETTE: Thanks Mikey. I've added Elisa to the queue. I need to do a last call for the queue because I want to make sure that we have enough time. I would still like us to get to ATRT 2 and I think we need to close things up here at 11:10 after, to make sure that we're in there, seated, and frankly can be in a position where the Board has no choice but to start at 11:15, so that we don't lose any of our time.

I've added Stephane and Phil. I'm mindful that we basically have about 15-16 minutes on this topic, and seven people in the queue. I would encourage everyone to be very succinct. Marilyn, take it away.

MARILYN CADE: I just want to say, I think we all agreed we're not going to look backward, but I think we need to set some expectations going forward. Yesterday, as you guys all know, I made a couple of statements that I hope we all support. I was not speaking for you, but one of them is that we have a very robust, important operational agenda at ICANN.

Internet governance is part of what we need to incorporate in order to protect the model, but that the best defense is to have operational excellence across all of ICANN, in all aspects, and to have very broad community involvement in our decisions, in everything that we do. I say that because we need to convey, without looking backward, that this is a community who's going to do this work – not the staff and the Board.

I also said – and I think this is really important – Brazil is an event. For anyone who wants to see how Brazil fits into the rest of this story. I think we need to convey that to ICANN, that we understand that it's much more than Brazil; as risky as the outcomes from a particular single event must be.

KRISTINA ROSETTE: Thanks Marilyn. Zahid?

ZAHID JAMIL: I have a why, a what and a how. I had some discussions at the CSG cocktail with Olga, for instance, and my understanding in Bali was – and this is looking forward; what we need to do next – that this was about orphan issues only. That the whole process of Brazil was because we wanted to deal with orphan issues and that ICANN's structure and ICANN work was off the agenda. That was my understanding, at least at that point.

Coming to this meeting here, my understanding is that's not the case anymore. Everything is on the table. We heard somebody say over the weekend, "[inaudible 01:18:19] it's not. Nothing's on the table and it's fine, don't worry about it," and there was a minimization to some extent. But Olga's response to a question of, "Is IANA on the table?" was, "Yes, absolutely. It is on the table."

So in a sense, I think we need to take this seriously. We need to engage the process, and when we do that I would like to see ICANN Board and staff give us some kind of resource, support, and acknowledge that it is

the community, as Marilyn said, that needs to get involved. Here are the challenges I see going forward:

1) This is the only meeting that we're going to have up until the next ICANN meeting is too close to the Brazil meeting. We need to have some decisions, hopefully made here, at this meeting, where the Board says, "Okay, either we're going to have inter-sessionals before this happens so we can coalesce, coordinate, collaborate, and have some strategies going forward."

At the moment what I haven't heard is what the strategy is that ICANN community, intra and inter, needs to have to deal with these issues. We have a very short window of time. We have no budget or budgetary support, and at the same time, the worst thing I've seen is that we don't get any strategy comments from anybody. So I think I would focus on those and see what the Board can come back to us with. Thanks.

KRISTINA ROSETTE: Thank you. [Ayesha?]?

[AYESHA]:   Thank you. [Ayesha San], ICC. I actually heard Olga's response to you a little bit differently. What I heard her saying was, "I've got my notepad, tell me what you want to be there." So we might want to try and get clarity on that.

ZAHID JAMIL: Yes, that's what I asked the next day at the main session, but actually in a private meeting, very clearly… It was the CSG cocktail, one-on-one. She was very clear. It seemed like she was quite supportive of the fact that it should be on the table. That's the response we got.

[AYESHA]:   That's helpful. Thank you for clarifying that. I think the things that Marilyn has pointed out is a good way to have a balanced approach to this. I would also say that the path forward, in terms of how to help shape the Brazil meeting agenda is something that… It's going to take getting engaged in whatever channels there are, but I think that the point Zahid is making, about having a clear strategy from this community would be helpful.

I also think that getting more clarity around how ICANN and the ICANN community is going to look at the broader range of events that the Brazil meeting fits into. That's something that will be important, because it is just one step along the way for the next two years, as has been pointed out in various settings. I was also just wondering if the talking points have been circulated, or is that just something that we were going from the discussion from the weekend?

KRISTINA ROSETTE: They were just being compiled based on the discussion from the weekend. Next I have Steve DelBianco.

STEVE DELBIANCO: Steve DelBianco from the BC. If we did ask ICANN, "What is the strategy?" the answer was given to us on Sunday morning. The strategy is, "Oh no, we're done. We've energized One Net, now it's up to you." Okay, fine, so we'll continue as we have for ten years, to work at the United Nations, ITU and other places. So don't ask ICANN what their strategy is for One Net because they're done.

Instead, to the Board, we should – this is an expansion of the BC points that Marilyn made, because in yesterday's BC meeting we drafted some discussion points. They have not been approved by the BC. These are not ironed out. I can email them around and you can consider them, but the BC won't even meet until later today.

We said that we would express disappointment with the process in the Montevideo statement, but then quickly move on to say the destination for ICANN – here's what ICANN should do: they should limit their scope, and as Marilyn said, deliver on operational excellence. They should be accountable and transparent, in other words lead by example as a multistakeholder group, and then do two things since we know IANA's on the table:

1) Get more governments to commit to ICANN by asking governments to sign the Affirmation of Commitments. Any government can do that, and thereby pledge its support for the ICANN model and hold ICANN accountable for it – and by the way, that's the best way to accelerate the globalization of ICANN; to have more governments commit to the Affirmation.

2) The IANA functions. We should suggest that IANA functions ought to be executed by ICANN staff without any involvement in the US Government. It's my understanding that that's pretty much the way it happens today, when 20 TLDs a week slip into the root, they slip into the root virtue of technical checks that are performed. The US Government, no government, gets to say yay or nay when a string goes to the root.

So that would say that… If IANA' s on the table [Zahid], then lets put it on the table in a way that's manageable. We can say to ICANN, "Declare to the world that you execute IANA without any involvement of any government," and then the BC members at yesterday's meeting – and it was Jeff Brueggeman who brought this up; he said, "Let's give ICANN an awareness of two dangers as they proceed on their path."

The first is the danger that the ITU openly covets control of IANA. It's come up at every Internet governance meeting, and finally, that ICANN moving to other legal environments will create great uncertainty with parties that do contracts or have legal engagements with ICANN. That was disappointment, destination and dangers. I can circulate that in writing if you think it's helpful.

KRISTINA ROSETTE: Before we go onto Elisa, who I think is next in the queue, I just want to make two comments. First, I'm going to use the prerogative as President of the IPC to say that the IPC has not, in any context, discussed the IANA function point. I am not comfortable supporting that point as being put forward as a CSG position at this time.

Second, I understand the point you're making Steve about, "They've told us they're done," but I think that there was a lot of pushback to the Board on Sunday. I think there has been a lot of moving pieces in the past 36 hours. I would suggest we ask the question again, if only for purposes of clarity, because it may be that in light of some of the discussions that have occurred, that the answer may have changed somewhat.

So I would suggest we ask the question for purposes of clarity and to ensure that we're leaving this meeting, the last meeting before Brazil, to make sure that we all have the same information and the same basis of understanding. Having said that I'm going to turn things over to Elisa. You're next.

ELISA COOPER: I definitely understand the desire to limit the negativity, but I do want the Board to be aware that the CSG does have grave concerns about how things are handled. I don't want to harp on it, I just want to make sure that they understand. I know we've had conversations with Fadi but I don't know that the Board, as a whole, understands. So if people are okay with that, I'd like to just say, "We do have concerns about how it was handled, and it was a surprise to us.

"That said, we want to be engaged. We want to be part of this process, but you need to include us." That's the message I'd like to take to the Board, and I just want to make sure that as the CSG we're okay with that. I'd also ask that they help us understand what some of the language means around globalization, and that, again, we can be part of

developing a strategy going forward and how we can be involved in the Brazil meeting.

This is what I'd like to ask, and I want to make sure that there aren't any concerns with anything of what I've just said.

KRISTINA ROSETTE: I would just ask that if there are any CSG members on the phone or on the remote that have a concern with anything that Elisa has just stated, that they indicate that now. Okay, Mikey?

MIKEY O'CONNOR: I just want to add something. I think concern is fine, but I think the other thing that we may want to keep doing is keep selling how much this constituency helps that process. We are a very engaged set of ambassadors – and I should leave me out of the 'we' because I don't do this – but there are people in this room who can really move the ball for ICANN.

So I think partly it's concern about the process but I think the other thing is, "Hey guys, it's stupid, you're leaving out your best ambassadors." Don't do it that way.

ELISA COOPER: No.

MIKEY O'CONNOR: To the reporter, Mikey's a crazy guy. Pay no attention to him. But the point is, do some selling along with the reminder.

ELISA COOPER: Yes, "We want to be included, please include us."

KRISTINA ROSETTE: Okay, I have Stephane, I have Phil. I'm closing the queue. Steve, we're only going to have five or six minutes on ATRT 2. I apologize.

STEPHANE VAN GELDER: Thanks Kristina. I'm very conscious of time, I just want to add to what Elisa and Zahid said, that I think the question of scope is one that we need to ask. The scope is not clear. Zahid made some points about his surprise that the IANA function was included when most expected that it would not be.

I think we need to clearly understand… That's an honest question that we can ask, "What is the scope of these discussions? What does ICANN or the Board, the ICANN Leadership consider to be in or out of scope of these discussions?" Thank you.

KRISTINA ROSETTE: Thanks Stephane. Phil?

PHIL MARANO: I spoke yesterday at the SOAC meeting in the morning and I made the point that it was not acceptable for ICANN to say, "We're done, it's up to you now, the community, to shape a meeting you were never consulted on and never…" A Board member came to me afterwards and said, "What makes you think we're not going to be involved?"

So I think in that context we have to deliver the message that there has been a breach of trust here, and to restore the trust the Board needs to take some responsibility going forward, and has to clearly state what ICANN's going to do as an organization to make sure that Brazil is not a train-wreck, that it doesn't hurt the multistakeholder model.

No matter what they say, ICANN owns Brazil, because the meeting results and requests made by the CEO of ICANN to the President of Brazil. So I think we're ready to move past the past and move forward, but we need to hear what they're going to do to take responsibility going forward, and to work with us and not just throw it on the community. Thank you.

KRISTINA ROSETTE: All right. I'll turn things over to Steve on ATRT 2. We talked briefly in our CSG meeting on some of the points that we wanted to raise with the Board. I don't know if anyone… Has anyone anything else that they'd like to add? Steve, has there been any information you've gotten since Sunday that might suggest that we want to change our focus at all?

STEVE METALITZ: Steve Metalitz with the IPC. No, there hasn't been any new information, just for those who weren't at our Sunday meeting, there are two issues… There are many issues in the ATRT report. The two issues that I plan to raise are Recommendation #7 – dealing with improvements needed to the public comment process, and Recommendation #12 – concerning the need for a special scrutiny of the financial governance structure of ICANN.

All I'm going to do is kick that off very briefly, and then I would encourage people to weigh in with other views. I think we'll also say in the first one that we have not even had a chance to review the ATRT 2 report in enough detail, and the fact that the public comment period ostensibly expires during this meeting is not a good statement about accountability and transparency at ICANN.

KATRINA ROSETTE: I'll take a quick queue. I'm actually going to put myself at the top of that. I see Mikey, I see Elisa… Anyone else? I see Ellen. I would just note Steve, with regard to that second point about the financial… There's nothing in the strategic plan, or at least the slides we saw yesterday, that deals with that issue. In fact, when I tried to raise it in connection with the prong of the strategic plan that calls for developing a world-class public responsibility framework, I was told that that was out of scope.

I find that troubling. That might be a good opportunity to link together not only ATRT 2 with our ongoing concerns about the budgetary process, but also frankly our dismay that it doesn't seem to be a significant

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enough priority for the organization to make it into the strategic plan. Okay, Mikey?

MIKEY O'CONNOR: Real quick, Steve, if I could add one more to the list? That's #13 – recommendations on the effectiveness of the PDP Working Group. There's a lot of stuff in there that's very near and dear to my heart as a Working Group-type guy, that I'd like to see us supporting. I don't know what's required to get on or off the list, but I'd lobby for adding that one to your list. Otherwise I'll just come in later and…

ELISA COOPER: Steve, can we ask the Board to ask for an extension on the comments for ATRT 2?

STEVE METALITZ: I think the way to approach this is to lead off with this issue and say, "None of our constituencies have really had a chance to identify, formally, our priorities, because there hasn't been enough time, and all the other things leading up to this meeting, and that we need more time to do that. But here are some points…" I think I would encourage Mikey to just intervene afterwards or to seek recognition, and anybody else. But I'm comfortable leading off with that point, yes.

KATRINA ROSETTE: Thanks. Ellen?

ELLEN SHANKMAN: Just an answer to your point of what, from Sunday, I've seen going on here, that might change the emphasis on what has to be… I think we have a lot of asks of things we have to have, but I think it's really important – from everything of the tone that I've seen, especially from the opening session of Fadi's, as far as they're concerned the TLDs are done and everything else is forward-looking.

Whether it's Internet governance and all the rest of it. I think it's important to wait, and I think we have to remind them that TLDs and our issues there are not done.

KATRINA ROSETTE: Thanks Ellen. I think I'm going to close the queue on that. We are heading over to AB. I would encourage everyone to try and get settled as quickly as possible after they let us into the room. I know that in Durban we lost about ten minutes of our time with them, and I'd like it to be… I'd like to avoid a situation in which our members getting organized and seated is not the reason why the meeting starts late.

Just to be clear, just because we have folks who are going to be kicking off the discussion, it's absolutely anticipated and expected frankly that CSG members will have an opportunity to contribute. Please be certain to… When we're in the issue that you're concerned about, make it clear that you want to get in the queue. Thanks everyone. We'll reconvene again shortly.

[END OF TRANSCRIPT]