

**ICANN**

**Moderator: Grace Abuhamad  
February 2, 2015  
3:00 pm CT**

Coordinator: Thank you. The recordings have been started.

Grace Abuhamad: Thank you very much. Everyone, it's 2106 UTC. This is an RFP 3 call. And I will turn it over to the coordinator for the call, Greg Shatan.

Greg Shatan: Thank you, Grace. This is our last call before Singapore. And I thought it would make good sense to work on certain things that we need to work on before Singapore and be prepared to deal with in Singapore. Typically the, you know, specifically the questions that Larry Strickling raised at the State of the Net conference last week and also the preparation of questions to either be inserted into the draft report for Singapore to - or to be used in Singapore to elicit discussion as well.

And then the last thing is I've been - I made a short list of what I've called orphan issues that have not been dealt with much since Frankfurt or at least since the draft proposal went out. And on that list was the authorization function which I think we need to revisit in the draft proposal. The proposed method of dealing with that was an independent certifier which is not

something that has returned to discussion. And I'm not sure it's a much loved idea.

Given what's up on the screen I'd like to take things a little bit out of order so make 3 2 and looking at the Strickling questions. I don't know if we all have scroll control but would like to turn to the questions. Certainly I have, you know, caught the public eye to the extent that any of what we're doing really catches the public eye.

But for those who are watching this certainly, you know, has incited people to ask, you know, how are you dealing with the Strickling questions? What does the working group think about them? How would you answer them?

So I thought that while we've already had some discussion of that it would be a good idea to take a look at each of these four questions and see what people think about responses or what these questions mean for our work which is, I think, not so much that Larry Strickling wanted answers to these questions but rather that he wanted us to think about - to keep these questions in mind as we move forward.

But in either case I'll just quickly read the first question out loud, although of course you can all read it on the screen. "The draft proposes the creation of three or four new entities to be involved in the naming related processes. Could the creation of any new entity interfere with the security and stability of the DNS during and after the transition? Given that the community will need to develop, implement and test new structures and processes prior to a final transition can it get all this done in a timeframe consistent with the expectations of all stakeholders?"

So there is really two questions in there. The first is: "Could the creation of any new entity interfere with the security and stability of the DNS during and after the transition?"

To my mind I can't see how - well first off I think it's not so much the creation of the entity if that is really being asked about but rather the continued existence of the entity, I believe. But is there anybody who believes strongly or at all that the answer to this question is yes? And if so how do they think it would interfere with the security and stability of the DNS?

And I guess it's not so much the creation of the entity but really perhaps the tasks that it's performing that could ultimately interfere with the stability but the question is asked about the creation so first focus on whether there's any area where the creation itself would cause there to be a security and stability issue.

Paul Kane.

Paul Kane: Thank you very much. From the ccTLD perspective this is a major concern with regard to any new model. And so the issue needs to be which model can ensure a robust IANA service going forward and accountability of that new IANA service going forward? And so I merely put my cards on my table so that people understand what I'm trying to say.

I think - I want to come back to the Frankfurt effort which was to keep a lightweight structure. I fear that Contract Co and all the supporting (organs) that seem to go with Contract Co have the potential to destabilize the way in which we, as registry operators, obtain IANA services.

That said, placing all assets within ICANN also has the risk of destabilizing because if ICANN ceases to exist one of the assets of ICANN would effectively be the IANA and we want to ensure stability irrespective of ICANN's health.

And so I think one needs to have due regard for the models that are somewhere in the middle whether it's the trust internal or the trust external. I personally favor trust external because I think you can be assured of stability and security.

The IANA staff do a very good job at running the IANA function. And I hope that that continues for some significant period of time. If, however, they abuse their position the stability of the system comes into question. If there is a lapse of security at the IANA there needs to be a means relatively quickly of being able to improve and enhance the security.

So I think the emphasis is good to bring to our attention that security and stability are key and fundamental qualities. And all I would urge is that whichever proposal we decide to spend most time on is lightweight enough and efficient enough to ensure that registry operators can get a quality service from the IANA operator, whoever that may be.

And if there needs to be a change to a different IANA operator other than ICANN that can be facilitated securely, efficiently and with the utmost stability of all IANA.

Greg Shatan: Thank you, Paul. A couple of questions. In terms of the effect of the creation of the new entities to destabilize or the offering of the actual IANA functions to the direct customers, given that the MRT and the CSC don't really have an operational role, it's just an oversight role, and putting aside the authorization

issue for the moment, how do you think that they would have an effect on delivery of services?

Paul Kane: So today the IANA staff that work at IANA deliver a good quality of service. I would, once again, like to emphasize it is essential - essential that we have automation for those TLDs that want automation. Because that further enhances the security and stability of the registry's ability to update.

With regard to transitioning service, if there was a lightweight, I'm going to use the word "trust" but trust - it's more an MOU, I think, than trust because trust is a legal definition and I'm not a lawyer.

The thing that concerns me about Contract Co is there are so many additional moving parts. You are correct that they do not have an operational role but we are already, today, looking at the performance reports that IANA generates.

We don't need a new organ to do that. What we do need to do is have an organ where if or have a trigger mechanism where service fails to deliver a quality of service to the registry operators that use the IANA and ICANN is unable with seconds, minutes to rectify the issue, a short period of time, then one does need to look at the transition path because we need to ensure stable operation of the root zone as we have enjoyed for many years.

And remember, before ICANN existed, it was already, you know, fully automated, very stable and run by Network Solutions (VeriSign) at the time.

Greg Shatan: Thanks, Paul. And I guess it seems to me that under the other models there's still some form of an MRT or a CSC, although maybe you would argue that if we don't need another body internal or external looking at performance that may be a difference between the ccTLDs and the gTLDs. But in any case it's

just - it's hopefully, again, not a question of slowing down delivery of service just because there's somebody else receiving or somebody who's receiving the documents that the NTIA used to receive.

So I guess the number of moving parts seems to be pretty much the same even - except for Contract Co itself. I guess the other difference - the other moving part really is the contract which, you know, is not to be minimized. I guess I'm not as...

((Crosstalk))

Paul Kane: ...that one is being asked, which is a very valid question, is are we trying to over-complicate matters and we're trying to over-complicate matters in areas which are untested. And I think Avri has just raised a good point. Normally if we're going to make major system changes they're run in parallel and switch over when they are proven to work properly.

What I'm advocating is that we don't want to be making major system changes, whether that's an internal model or an external model. We're trying to replicate the excellent job that NTIA have done as trustees for the global community. And that's a very lightweight environment that NTIA provides to the community.

Greg Shatan: I agree with that. And I think lightweight is the goal. And if Contract Co doesn't turn out to be lightweight, if it, you know, is somehow given the ability to grow and spawn that would be a failure of execution. I think that the challenge is to find - is to replace the NTIA's lightweight model.

It seems like less of a new - of a change in the system to get rid of a contract which has existed for 15 years and some form of an external oversight than it

would be to have no more contract and no more external oversight in term of what the system change is. But that's, you know, there's really no way of course to test any of this.

We don't have a sandbox or a beta site for the transition unfortunately so whatever we do we're going to have to try to work it out in the lab so to speak. And then it's going to have to go live the way it is. Are there others who see this differently in any way, share the concern, see less of a concern, more of a concern, a different concern than we've discussed?

Cheryl Langdon-Orr: Greg, are you checking the chat? Because I for one am showing the concern that I have...

((Crosstalk))

Greg Shatan: Yeah, I think it would be nice to bring these things onto the phone line. It's a little hard to have everything happen in the chat.

Cheryl Langdon-Orr: Okay. Cheryl Langdon-Orr for the record then. And I was on the chat because it's taken up until now before I've been able to get onto the audio channel because of difficulties connecting to Australia for whatever reason this morning from the dial-out operator.

However, I've been putting in the chat that, yeah, this unknown of exactly where a Contract Co model with what the At Large and ALAC community believe is indeed more complexity than is required is one of the considerable risks that have been identified. So I need to put our pin in the ground now and say, yes, the answer to this question, in our view, is yes, it is a risk.

And because it is an unknown, exactly as you said, Greg, it's a risk that perhaps is one that we would proffer as not worth taking compared to some of the other models. Thank you.

Greg Shatan: Thank you, Cheryl. Other than it being an unknown what is the specific risk or risks that you are thinking of?

Cheryl Langdon-Orr: Oh, let me unmute. Cheryl again of the record. Your design of a lightweight Contract Co as a total external entity, I think, has far greater likelihood of it growing out of the original design and, to use your words, failing to execute as designed, than something which is an extension to a known and experienced fit and particularly of the operators and of what the ccTLDs community in particular is familiar with and happy with now.

And so to that end the change for change's sake, which is a little bit unfair as a term but it think you get my meaning, to the external model is not one that the ALAC and many At Large community are currently supportive of.

Greg Shatan: So assuming that there's a reasonable best effort to keep Contract Co from growing, what type of growth concerns do you think you have specifically? And I'm not suggesting that it can't happen but I'm trying to get a sense of what the...

((Crosstalk))

Cheryl Langdon-Orr: Sure, Greg. Any entity that is created particularly an external entity, in the experience of particularly multistakeholder groups that I have over - more than one or two years I'll say - if the risk of creep in any scope so real the risk of such a lightweight and particularly external entity to have to create activities, mechanisms and reasons for being well beyond their original



mandate, I believe is - and this is just me, not now speaking on behalf of the ALAC or At Large community, a far greater risk than a subsection activity to an internal model.

Where, to be honest, the protagonist in that internal model are very much busy enough and don't have to prove the necessity of their own continued worth and activity because they really are involved in all the other things. So it's that internal v. external issue that I think is absolutely critical, from my point of view.

So, you know, to that extent alone without gazing into my crystal ball - and by the way, I do actually have one - willing to bring it to Singapore but it weights several kilos - I'm not sure that I can answer you any better than you can answer me in proof that it won't happen. But the risk is there and as a risk that is assessed to mitigate it avoiding that risk is one of the simplest mechanisms that I can certainly feel comfortable with.

Greg Shatan: So I'm mindful we have a queue. But I guess just - you're assuming that there would be some sort of personnel who are actually within Contract Co who would be seeking to kind of maintain and enhance their own existence. The MRT is something that seems to exist more or less in the internal model and is supposed to provide the brain power for Contract Co. Contract Co's supposed to have...

Cheryl Langdon-Orr: Greg, whenever you've got some form of - Cheryl for the record - apparently hierarchical model and an internal/external by definition when one has control externally seems to be designing a hierarchical model, at least with my understanding of neurophysiology is that, yes, that's exactly what will happen when you've got humans involved. If you want to do it totally in some automatic system then I guess my arguments wouldn't be so strongly.

But the thing is the only way we'll know is by the, as you've pointed out, the real testing in real world and real time and that, to me, is a real risk for stability of the operations that we now currently have in a very satisfactory way. Anyway, get back to the queue, Greg.

Greg Shatan: Yeah, I would think that we would be able to accomplish a lot of that by the job description of whoever, you know, whatever functionary may actually be employed by Contract Co and its bylaws and the like. But for that, of course...

((Crosstalk))

Cheryl Langdon-Orr: Okay, Greg. You and I are going to have to - Cheryl here - just agree to disagree. You clearly have greater faith in humanity than I do but...

((Crosstalk))

Greg Shatan: I have faith in systems to control humanity. And - maybe because of my profession I have a better view of what those systems would look like.

((Crosstalk))

Cheryl Langdon-Orr: And, like I said, let's agree to disagree and see what other people think.

Greg Shatan: I think for that - for anything to move further in my view we'd need legal advice that we are so dearly seeking. Avri Doria.

Cheryl Langdon-Orr: Couldn't agree with you more on that one, Greg, we've wanted that, as you know, quite some time.

Greg Shatan: We're making actually some excellent progress on that, by the way. But, Avri.

Avri Doria: Hi. Yeah, this is Avri. And I apologize for butting into the middle of your discussion.

Greg Shatan: Oh no, I thank you for...

((Crosstalk))

Greg Shatan: ...it down.

Avri Doria: I have been - I actually tend to both agree and disagree with what Cheryl is saying. In my mind the risk is equal from this perspective. Whether we switch to an external model where we're building new institutions, new mechanisms but in that we're building new ones to be sort of similar to the existing model, or we go through an internal model where we remove pieces of the system in a system that is working.

And basically what I'm arguing is that in either case, internal or external, there are going to be artifacts of the change and model that bring about a risk. We'll need to - whichever model we end up going with or some third model that, you know, comes out and is hybrid between the two or whatever, is going to have switchover risk. That is in the nature of a systemic change and this has, to some degree, a systemic change.

So what I'm arguing when I say yes of course there's going to be a risk, argue that also for the internal model. We have to accept that any transition is going to have a risk and what we're going to need to do is figure out a way to understand exactly the particular bugs.

And these are not major risks I'm thinking of, not the kind of risks that Cheryl is talking about of humans gone amok, but of simple risk like a communication path that isn't properly established, a phone number that's changed, an email address that only gets used every once in a while for an emergency and now isn't there anymore.

That kind of artifact of change is where either solution is going to have risks. We have to accept that any solution is going to have risks and figure out how to mitigate them was the argument I was making. And somehow it got latched onto as no the internal one has greater than the external or vice versa. And I think that's a statement we can't make yet. I think any change is going to have risks. We need to measure, understand them and try to mitigate them. Thanks.

Greg Shatan: Thank you, Avri. Donna.

Donna Austin: Thanks, Greg. Donna Austin. So I think I agree with everybody that there are risks associated regardless of which path we go down. I would suggest that perhaps there is a greater risk for the Contract Co because it will be a third party entity that has - that has an important role to play and yet we don't know what the composition of that will be and we don't know how that's going to play out in the longer term.

So I think that the lesser risk to me seems to be potentially the internal to ICANN solution. But as Avri stated, there are risks either way depending on which way you go. I don't feel like I'm very coherent today.

So there are risks. I think the greater risk is attached to the Contract Co simply because it is an unknown entity. We don't know how the composition is going to work out; we don't know how it's going to play out in the longer term. Certainly we can say the same for ICANN but to a larger extent we are

dealing with a known entity. We do know who ICANN is, what they're made up of, how the IANA function works within that.

So to me the greater risk is probably Contract Co because we don't know what we're dealing with yet. The lesser risk is potentially within ICANN because we do have some understanding of how that works. Thanks, Greg.

Greg Shatan: Thanks, Donna. Sorry that you're not so articulate. We chose this time so you would actually be awake. But c'est la vie. Sometimes none of us are articulate, especially as we're getting ready for Singapore. And come back to Paul Kane.

Paul Kane: Okay thank you. Let me just reiterate - and I would just like to agree the risks are both sides. So history has taught us that before NTIA showed an interest in the IANA function the ICANN staff - this is not the IANA staff, this is ICANN staff - exerted pressure on ccTLD registries to behave in a certain way to the detriment of the registrant community. We seem to be forgetting that the registries serve their registrants with security and stability, in my mind, for the registrants' interests.

So I am concerned about the internal model based on past performance. I have to say the current staff are fine; the current management structure seems fine. It has had problems in the past and there is no reason for it - that it would not come around again.

Contract Co, as I've already said, is - could be exceptionally complicated because it's an unknown entity. And I hope we can find something in the middle that is relatively lightweight but focuses on service delivery.

Automation, I want to come back to it, this IANA used to be fully decentralized model where change has happened in real time. And that seems to be forgotten.

So the emphasis in my mind needs to be to create a system that's still accountable where we can transition very easily. There are many companies that could run the IANA service, many, provided it is a technical operation service that's given to the global community.

When it starts going into politics and policies they become unnecessarily complicated. We have courts to determine who should be the ccTLD registry. We have people that understand contracts, if there is to be a reassignment of a gTLD registry. So there are already mechanisms in place. We need to just keep it exceptionally lightweight.

Greg Shatan: Thank you, Paul. John Poole.

John Poole: Can you hear me?

Greg Shatan: I can hear you well.

John Poole: I wanted to note that we have an existing model. The model we have today is what has been defined as an external model. That's our existing model. The role - the question is the role being played by NTIA of the steward and external contractual counterparty to ICANN and the root zone maintainer, VeriSign, who is going to play that role.

That is what the global multistakeholder community is supposed to be developing a proposal for. In my mind, the greatest risk is to completely abolish a contractual - external contractual counterparty to both ICANN and the root zone maintainer. And in fact, if you read Larry Strickling's comments, the whole comments, you will see that not only does he question the draft

proposal - just to raise the questions - he doesn't say it's unacceptable he says just consider this.

He also questions the internal model because he says, which he did not say in March last year, he didn't even raise anything about ICANN's not ready; ICANN is not accountable enough. But in his remarks on January 27, 2015 he made a point of bringing out the whole accountability issue just in regard to ICANN.

He knows there's - what has been broadly called an external model which would be based upon the existing model. And there is also an internal model. And what he said on January 27 is I've got questions about both models. And we have to have - if you're going to go with an entirely internal model then there are broad questions about accountability that have not been yet addressed.

So I think Strickling's comments are well taken. I think the questions are legitimate. But I don't think it's appropriate to have to stop and try to answer Mr. Strickling today or come to any conclusions as to whether we should have a stripped down external contractual counterparty or go with another model or what have you.

I've offered the external trust model. If you're worried about mission creep qualified legal counsel can prevent mission creep in a trust agreement which is another reason we need to have qualified independent legal counsel.

The other thing I'm going to say is to me this is all dysfunctional. The group has said as of last week or the week before, we have to have independent legal counsel. Look what Larry Strickling says, you better get this right. This is a one-time opportunity. That's the way you should be looking at this. And we

don't have the advantage of qualified independent legal counsel? And yet we're going to stop today on February 2 and try to answer these questions just for Singapore.

To me this is dysfunctional. We need to have legal counsel. We need to have some dialogue and then we can answer everybody's questions and as a group come to hopefully a proposal for the multistakeholder community and everybody can then look at it, talk about it, put it out for comment, what have you.

But, you know, let's not get the cart before the horse. We have a definite need - I'm glad Mr. Strickling have spoken. But he has raised questions as to both the external model, whether you call that Contract Co or an external trust, he has raised questions about accountability of ICANN.

And he, unlike in March, he now says this whole thing - even if we have an external solution - what I read him saying as of January 27 - even if we go with a Contract Co or some kind of external solution it cannot go forward until something has been done about ICANN's accountability. That's what he said.

In March he says you can replace NTIA with an external group, it just can't be a governmental group. So there's nothing that's been done in the work of this group that I see that at all counter to what the announcement March last year has done but to proceed we need legal counsel.

And Chuck Gomes raised a question this morning about the root zone management that I think is valid that needs to be taken up at the appropriate time. There's a lot of questions but let's not put the cart before the horse. Mr. Strickling if not asking for these questions to be answered. He says taken into



consideration in your process. And the process right now is stopped dead in the water because we are waiting I guess for ICANN. We need legal counsel. And that's all I got. Thanks..

Greg Shatan: Thank you John. I'd like to respond to a couple of things there. First, we are working together with ICANN to identify and engage legal counsel. I've actually put out feelers to several highly reputable law firms with particularly strong corporate governance practices and also the ability to bring in expertise on trust and nonprofits specifically California.

And had a high degree of interest from these firms. Took a little while. And I'm sorry it took too long in many ways to get to the point where we're now having these conversations with potential counsel. But I think it's highly likely that, you know, but for Singapore I think we would have had counsel engaged by the end of next week. Given Singapore it may take another week or so the on that but I think that's about it.

I've already got potential counsel putting together some quick documentation to describe their strengths so that we can judge - make some judgments about this. And so I'm feeling highly optimistic that we will get some first-rate, creative, independent, tough legal counsel engaged in short order.

I don't want to share names because some of them are still going through conflict checks and the like but firms of the first-order with very good reputations in the area.

So secondly, I don't think we're dead in the water. I think we need to work through these things. Not everything here is a legal question. Sometimes, as with the conversation Cheryl and I were having, it does come down to a legal answer or legal advice as to how do you keep Contract Co small and

uninteresting in spite of the inherent possibility that because it controls an interesting contract it becomes interesting.

If there is no good answer to that then that's a problem. I believe there is a good answer to that. But I think we need better legal advice than mine in that particular area of structuring and fashioning to get that answer. So that I think covers that. I think we've beaten this first have of the first question to death fairly well.

The second question is can this all get done any timeframe consistent with the expectation of all stakeholders? I think this is inherently a problem of any model that we have. None of them are simple. Whether it's designing new accountability processes within ICANN or setting up a trust, whether it's a trust where ICANN is the trustee or some third party is the trustee, I think this question is process agnostic even though it comes after the - it seems to be phrased in a way to be - come right after the creation of a new entity.

But I think this is agnostic. I don't know if anybody has any thoughts on this. My answer - my first answer is it's impossible to answer this question. But my second answer is I don't think it's any different, whichever model we decide we're ultimately going to go - go down the path of. None of them I think are so elegant that we can just put them in place in some fashion. It's not like a bicycle versus a spacecraft. Any thoughts on this one? I will assume you all agree with what I just said.

So the second question; does the proposal, I'm not sure if they're asking only about the draft proposal - does the proposal ensure predictable and reliable process for customers of root zone management services?

Under the current system registry operators can be confident of the timing of review and implementation of routine root zone updates. If a new committee takes up what is currently a routine procedural check how will the community protect against processing delays and the potential for politicization of the system?

In my view this question is about the authorization function. Does anybody disagree with that? Well we've got the authorization function on our agenda. Right now, you know, the external certifier model is not one that I have - I look back at with fondness. So I guess the question is, you know, if there is an authorization function then it think whatever authorization function there is it has to protect against processing delays.

Paul Kane.

Paul Kane: Thank you. So prior to ICANN changes happened within seconds. Tests were conducted on the request from registries within seconds. So we as registry operators knew that the change would be going into the root zone in nearly real time. So when ICANN came into being it became a matter of weeks and now it's down to a matter of days and in some instances it's a few days.

As we are increasingly - as we're enlarging the size of the root zone, and increasingly using DS records and DNS SEC signing, I believe it is essential the automation of the root zone update process is available to those registry managers who want it.

Have to operate the root zone in a decentralized manner as it used to be. So I do not think it is appropriate that we create a whole series of supplementary checks that are outside of standards, IETF technical standards, for maintaining the root zone.

There is one exception and that becomes on the reassignment of a TLD. And we spoke about that at length at the last call is I don't need to go into it. So my emphasis again, is this question needs to emphasize the need, which is already in the current contract, for the automation to occur, it's available to those registries who want it, before any transition occurs. Because with out it we'll - inefficiencies are almost certainly going to be creeping in. That is not a good thing for a universal robust Internet.

Greg Shatan: Thank you, Paul. Do you think that either of these models or any of these models is - will offer a better solution to those problems or is that really more a matter of moving forward - moving up the IANA function itself forward in terms of innovation or actually turning on the innovations they've already perhaps got in place?

Paul Kane: So I don't think it makes a scrap of difference which model one goes for whether it's the external, the internal or I'm increasingly leaning towards the middle option - external middle option. I don't think that makes any difference.

The emphasis needs to be on efficiency. And the problem is both models, if it's an ICANN-internal we might end up with people trying to, as your term was, authorization role. What - the reason for NTIA doing what NTIA does, which is to check that no ICANN staff member has potentially manipulated communications, or other parties in standing other than ICANN, has been a valuable asset because of what happened to it in the late 90s, early 2000s.

So that role with a secure, authenticated, automated update tool would just evaporate for the vast majority of TLD registries. So irrespective of which

model it's just essential that before transition occurs we have that secure authenticated update mechanism in place.

Greg Shatan: I see. So basically if the authorization function - if the problem the authorization function is there to deal with goes away the authorization function itself becomes unnecessary for like buggy whip manufacturers all went out of business after the car.

Paul Kane: It goes back to the - in a decentralized way we are responsible to our respective communities and we need to make sure we have the tools to deliver a fantastic service to our communities. We don't want any middle men getting in the way to slow things down or make our exemplary service inefficient.

And to be fair, NTIA have never stood in the way of any update request; they have just been process checking to make sure that there has not been any shenanigans. You can do that technically now.

Greg Shatan: Thanks, Paul. Donna Austin.

Donna Austin: Thanks, Greg. Donna Austin. So I just want to read something from the Registry Stakeholder Group comments that we submitted as it relates to the (unintelligible). So the authorization role performed by NTIA is essentially completeness checks confirming that the details for the request are accurate and meet the necessary requirements.

Given that accuracy of the information is critical for TLD delegation it can be argued that it will be important that the authorization role performed by NTIA be replicated post transition. How and by whom is the question that needs to be answered.

So we identified some possible options. One is an alternative independent third party that confirms the accuracy and completeness of the delegation request. That can also relate to the Whois database changes as well. Or a secondary check that is built into the IANA delegation processes.

In the case of gTLDs an alternative independent third party can confirm the accuracy and completeness of the delegation request and also that the rules of delegation or redelegation is created through policy development process have been followed.

Greg Shatan: Thank you, Donna. So it sounds like - or if I'm not mis-hearing that there is a desire to have some form of authorization or...

((Crosstalk))

Paul Kane: Just the clarification. I'm in agreement with Donna. When it comes to reassignment of a TLD that it may be appropriate to have human engagement to make sure that the correct changes are made. The automation point I am raising is for everything, all IANA services relating to root zone management and Whois updates, are (unintelligible) - not excluding reassignment.

Greg Shatan: Thanks, Paul. That's a very helpful clarification and it helps to see kind of the layers of the ministerial versus the potentially cataclysmic. And not that a mistake - ministerial errors can still have cataclysmic effects but the reassignment of a TLD is a very significant thing; changing the phone number in a root zone file is not unless it's done incorrectly.

So I think that kind of disposes of the second question. It seems...

Donna Austin: Excuse me, Greg.

Greg Shatan: Yes, Donna.

Donna Austin: I don't know that we've discussed this in any great detail so I don't know that we can just say that, you know, we think it's okay. I think this group probably still needs to have a conversation around the authorization role and what it actually means.

One of the things that I have pointed out on a number of occasions is that the ccTLDs have great experience in the interactions and the operation of the IANA function. The gTLDs haven't so much but that will - that's going to increase over time as we become the primary customer of the IANA service as it relates to names.

So I think we would very much want to take the lessons learned from the ccTLDs and work with IANA to try to, you know, make sure that we have a proper process in place as it relates to authorization and delegation absent NTIA.

Greg Shatan: Right. So I agree with you and that's why I put the authorization function, you know, separately from looking at Larry Strickling's questions, back on the agenda because it is something we haven't adequately dealt with and, you know, clearly discussion shows that there's not a one size fits all answer to authorization as well. So I think we do need to come up with something in the nature of a proposal.

And maybe - there may be competing proposals for that or it may be one of these things on which we can converge. But I think we do need to have a design system for dealing with the - at least partial replacement, it seems like, of the authorization function. Anything else on this second question?

Moving on to the third question, in response to the December 1 draft, other suggestions have emerged. Are all the options and proposals being adequately considered in a manner that is fair and transparent? I hope the answer is yes or close to yes. Obviously if there are those who feel that we are not in a group and all of these groups dealing with them in a fair and transparent manner now is as good a time as any to bring it up.

I think the fact that we've, you know, fully surfaced both the - we'll call it the golden bylaw option and the internal trust option and now the external trust option and these have pride of place alongside the original proposal in our discussion - excuse me - in our discussion document and in - the upcoming webinar slides, I believe, are based on the discussion document so similarly there and I think, you know, we have RFP 3b to provide a somewhat slightly hived off place to develop those fully.

And that, you know, the legal counsel that we all sorely need have been given all four models to look at or will be. I mean, that is essentially - and there is no - it's not like there's an incumbent and three contenders; everything is being presented to them on an equal footing.

So I like to think that although this is a process we're building as we're going along, which is, you know, never perfect, that we are trying - we are aiming for openness, transparency and fairness. But, you know, I'm sitting to somewhat greater extent, you know, as a coordinator, you know, inside the car so if those outside the car think it's being driven in an unsafe manner that's always, you know, a good thing to tell the driver or the passengers. We're all passengers of course in the larger sense so the analogy of course sucks but, you know what I mean.



So the comments in the chat seem to be positive. Of course any time, you know, it looks like something is getting short-shrift that's, you know, we want to hear about that.

At some point, of course, we will need to be converging and ultimately coming to consensus or identifying or the possibility of an alternative to single consensus, which I don't think anybody really wants to go to, is to present alternatives. But we are trying to give everything its fair due. I think that disposes of the third question.

The fourth question, how does the proposal avoid recreating existing concerns in a new form or creating new concerns? If the concern is the accountability of the existing system does creating new committees and structures simply create a new set of accountability questions?

Well, I mean, I think that is a - probably a question that actually applies to the internal proposals as well as the external ones in so much - in one case it may be recreating existing concerns and in another case it may be failing to eradicate existing concerns.

The question of how to avoid it I think comes back to the conversation Cheryl and I were having earlier which ultimately comes back to legal advice as to how one can take the Contract Co structure and protect, to the greatest extent possible, against aggrandizement and mission creep and empire-building and all of those bad things.

Similarly, in terms of internal proposals also need to look at some of those issues and also need to look, perhaps, to a greater extent at issues of giving the internal processes enough teeth so they actually can accomplish their intended goal.

So I'm not sure how much we can answer this question. The answer is hopefully the lawyers will give us the ability to avoid these things. And clearly there's going to be - whatever structures we put together there are going to be some new accountability questions.

You know, whether it's - if we're putting together a powerful new working group that has a golden bylaw that allows it to tell ICANN to expel the IANA functions and it must do so, that group will have all sorts of accountability issues attached to it. So in any case we need to control for these things as best we can and hope that the multistakeholder model offers us options to do so.

Any other comments on this last question? Seeing none I'd actually like to move on to a conversation we've already started and, again, kind of staying a little bit out of order but moving from the Strickling questions to the discussion of the authorization function.

So I guess, Donna, if I could turn back to you and the comment that you made, I'm wondering if you have further thoughts on how an authorization function or replacement for it could look and what actions of IANA should and should not be subject to that function - to that authorization function.

Donna Austin: Greg, I think the processes that should be subject to that authorization function - what currently happens at the moment. So the process which is the delegation process which is ICANN, NTIA and VeriSign, there's an authorization process there that has to be replicated and for the Whois database one I think that is a - there's a authorization role in there for NTIA but there's no requirement for any interaction with VeriSign. So I think as it stands now that authorization role that NTIA performs needs to be replicated in some way.

Greg Shatan: So just looking back at a helpful slide deck that was put out by the - I think it was put out by the NTIA - shows the NTIA's role in a root zone file change - so we're not now talking about delegations - indicates that once ICANN receives, reviews or performs technical checks and processes a root zone file change request from a TLD administrative it sends NTIA an automated email notification requesting authorization for VeriSign to implement the change.

So there is a - the attributes of that notification are that it's secure, it's PGP signed, it's a standard set of information, summary of requested changes, it's a certification that all of the necessary processes were followed and it contains a request for authorization.

So, I mean, we're talking about a root zone file change, say, a name server change or a DS record change. Should we or should we not continue having some sort of check or authorization function on those types of root zone file changes?

Donna Austin: Greg, it's Donna.

Greg Shatan: Thank you, Donna, you beat Paul to the hand by a millisecond so you got it.

Donna Austin: I was just going to put the CCs on the spot here because I think it's the CCs that we need to hear from on this one. And I would also make that point that the - and I don't know this 100% but it's something that we need to understand as a group is whether the requirements of the ccTLDs will actually be different from gTLDs. Thanks.

Greg Shatan: Paul, I think it's over to you.

Paul Kane: So, again, if one goes back to before ICANN's time, there was no authorization function. Changes occurred in real time and it worked very efficiently. One of the benefits of the authorization function is not to the registry community but actually to VeriSign, the root zone publisher. And that NTIA effectively indemnifies, you know, broad brush term, VeriSign for the data they are publishing.

So in my mind, as a CC registry operator, I think the data that is published in the root zone is probably the same for the gTLDs. And if the registry operator is responsible for entries in the root zone then I see no reason why that should not be a fully automated process subject to VeriSign being able to conduct supplementary checks if they so wish because the liability, I guess, will pass to them should something be lost or corrupted or whatever.

But it should be a secure channel between the registry operator, passing through checks at IANA, passing through checks at VeriSign to publish the data in the root zone provided it's technically compliant and fully operational so I hope that's helpful.

Greg Shatan: Thank you, Paul. Chris Disspain.

Chris Disspain: Can you hear me?

Greg Shatan: A little fuzzy.

Chris Disspain: Can you hear me, guys?

Greg Shatan: It's a little bit...

Chris Disspain: I'll do my best. I'm sorry, I'll shout a bit. Thanks, Greg. I just wanted to add very briefly to what Paul said. And I agree with him mostly. There are significant differences I think between the Gs and the Cs in the way that they operate with respect to IANA specifically the fact that the autonomy of the Cs is different; the Gs of course are bound by a formal contract with ICANN.

But I wanted to make one very specific point. Whilst I'm in favor of automating as much as possible it is important to remember that I think most, if not all of the CCs, would acknowledge that when it comes to a redelegation of the TLD clearly there needs to be some checks and balances and there need to be policies in place and human eyes need to look at it.

It is important to remember that it's actually possible to effectively redelegate by stealth, by a whole series of what would end up being automated changes. So I think we just need to remember that at times a human eye - it should take a look at decisions not just when there is an actual redelegation in place but when there are a series of changes being made.

Now I know that that's intensely deep point and complicated, etcetera. What I'm trying to do is to illustrate that it didn't actually - as easy as simply saying should we or shouldn't we, it's about building a process that protects the incumbent, protects any government that might wish to change and looks after everybody.

And that is quite complicated and that needs people who know what they're doing and cannot simply be automated the whole time. But Paul's goal of having as much of it as possible automated is a laudable one that I agree with.

Greg Shatan: Thank you, Chris. It does make it sound like some form of authorization or check is needed. I see a note from Jaap in the chat that there are people that

disagree with Paul. That there was no oversight on changes in the root zone. Also note Matthew Shears in the chat that, Greg says, I think we have new variations of the model coming forward. And I think that's actually referring to the previous question, unfortunately.

We almost need an accountability template against which all the models can be measured, not what form that would take but could be useful. I think going back and getting this - I'm not sure where this slide deck came from, hopefully maybe I can ask staff to locate it or I'll try to relocate it.

I think it's a helpful annex to any discussion of the authorization function since no matter how much familiarity you have with the whole IANA function none of us have actually I think worked for the NTIA and performed the authorization function. Maybe Becky Burr but that's wild speculation.

AuDA came from Allan McGillivray via NTIA. Thank you, Donna. So hopefully if you don't all have it it's worth taking a look at and it could provide a template.

Now I guess the question is how can there be an extremely lightweight quick process check by a neutral but knowledgeable third party? Thank you, Allan, to put the link in the chat.

Chris, I'm not sure if that's a new hand? Hand is gone.

Any thoughts on that? I mean, our external certifier seems, as I said, I didn't look back at it in fondness but it may be - it may be an idea, you know, if there's somebody that would be contracted to do this job for X dollars. Unfortunately, you know, the US government it seems to be willing to work

for free. Of course, you know, free is never as free as one thinks it is but free in the sense of nobody's paying them from the community per se.

And on the other hand, you know, there may be some - we had talked about having a - having it done by the CSC or the MRT and that seemed perhaps a little bit odd. So I guess the question, you know, becomes how, you know, what can we design that will take care of this? I see we now have this up in the room which is good so we can skip past this part here, I think.

The NTIA is - what's happened here?

Grace Abuhamad: Hi, Greg. This is Grace. Just to let you know everyone has scroll control of the document so they can skip through whatever part they...

((Crosstalk))

Greg Shatan: Okay. So I'm looking at Slide 4 which says that the role is clerical and administrative. It's limited to verifying that processes, procedures and policies are followed and providing authorization. The implementer receives his request and is judgment-free with regard to content. That's all good.

And Slide 5 which is what I just - I read from earlier, the automated email that asked for an authorization which the NTIA then gives after performing a - whatever check it performs. So I see Paul Kane in the chat saying, "For a reassignment - agree with Chris - for reassignment there need to be human checks. Checks are undertaken by IANA and VeriSign for operational stability for day to day changes."

I think the sub-point that Chris was making or maybe it was - I think it was Chris - was that there could be incremental changes - kind of the reassignment of 1000 cuts whereby...

Chris Disspain: Yes.

Greg Shatan: ...changing a few - changing various indicators over time ultimately a reassignment can be accomplished - kind of a identity theft sort of model. So I guess that's why the day to day changes are not necessarily only - can be viewed as day to day.

Grace Abuhamad: Greg, Chris has his hand up.

Greg Shatan: Perfect. Chris.

Chris Disspain: Yeah, thanks, Greg. Sorry to come in again. Yes, I just put in the chat you're right, that is what I meant. I just wanted to make one other point, not willing to make this even more difficult than it is already, which is the legal - there are legal liability issues especially in the case of a redelegation.

Right now we've got a situation where you could argue that the ultimate check comes from the US government in the chances of the US government being taken on by somebody who are relatively small. We could put a committee into place of some description or an entity that has a legal entity - very, very, very careful that that is not in some way a target for attack legally by a government who believes that a TLD should be redelegated or an incumbent who believes that their TLD should not be redelegated.



I'm not suggesting that it's an intractable problem. There are answers that can be found to that but it's just something I think you guys need to bear in mind when you're structuring things. Thanks.

Greg Shatan: Thank you, Chris. Do you have any thoughts or ideas about how to structure this or who might perform this check in the absence of the USG that should...

Chris Disspain: Well you can go - you can somehow - there is no one answer to that, Greg, but you can go somehow down the line. The problem is that we've got - you've only got voluntary adherence by most ccTLDs to the existing policy of 1591. You've got an almost universal refusal (unintelligible) in my view by ccTLDs to enter into any sort of contractual arrangements.

You've got governments who if they could get away with not having to legislate for the transfer of a ccTLD or regulate would try and do so because when they try to legislate or regulate that becomes a political problem for them at home or could become a political problem.

You've got jurisdictions who run simply on the basis of an edict from the top. So you've got to try and bring all of those into a process that works. The way that it's been done in the past is probably something we should strive to copy, and that is this, John Postel, a long time ago said it is not ICANN's job to decide what is a country and what is a territory. He wrote that - used the ISO list; he wrote 1591.

And what has happened ever since then, in general terms, and I acknowledge Paul's point that, you know, sometimes things have gone awry. But what's happened since then in general terms is that ICANN has dubiously refused to involve itself in internal matters and has consistently sent things back to

country, to territory, until such times they are resolved to the frustration often of many governments.

The more processes you put in place the more opportunity there are for people to say, well send it up to the next level; let them decide. It's very, very important that there is a block - there is a block at the lowest level that says it's not even coming to us until you're got it sorted out at home.

And then there needs to be a policy check mechanism which is what the Board actually does now. And there needs to be perhaps a final check mechanism but then you're got to create somebody to do that and that becomes a target and that's complicated.

And there needs to be some kind of final appeals mechanism for a TLD manager who's leaving their TLD. That is content quoted in 1591 and the ccTLDs, I believe, will start to work on putting that in place in the not too distant future.

Sorry to be long-winded about it but it is complicated and I'm almost convincing myself by saying this that it may actually be better not to create an additional authorization mechanism but a lot more discussion needs to happen about it before coming to that conclusion.

Greg Shatan: Thank you, Chris. I did not think that was long-winded. I thought it was all good substance, just a lot to tackle here no matter how you cut it. So it seems certainly the risk is - there's a risk of having too much of an authorization function or having an authorization function that takes on new duties that were never taken on by the NTIA and that have been avoided by ICANN up to now as well.

So it seems we go back to kind of the fit for purpose concept that we need to make sure that the parameters of the new role, if any, don't exceed the parameters of the old role and that there are inherent dangers in getting too big that are, at least, you know, similar to the dangers of having no authorization function other than for redelgations at all. Donna.

Donna Austin: Thanks, Greg. So this is a question back to Chris because I'm not sure I understand what his last point was about not having an additional authorization mechanism. And I'm sorry if I missed the point, Chris, but could you explain a little bit more?

Chris Disspain: I wasn't saying it; I was saying that I may be slowly convincing myself that there are more risks with having an additional tick box mechanism than there are with not. But I acknowledge that we have it now and so therefore the logical thing to do would be to continue to have it. But stressing the point that it is very, very, very much only a process issue - so a policy and process check, it's not a moral or ethical check.

And I would just make one more point which you've just reminded me of to throw into the mix yet again the role that NTIA has played in the tick box mechanism for changes to the database and redelgations has been consistently characterized over the years by a number of governments as meaning that NTIA has the right to take us out of the root.

Consider that when thinking about how to replace that mechanism and consider that governments as a whole, through the GAC, are going to need to buy into whatever mechanism we put in place.

Greg Shatan: Thank you, Chris. So it seems like we need is powerless and as narrow a function as possible but yet one that can see if there are mistakes or perhaps

hijinks of some sort that are taking place and that there are dangers in getting too big.

I see Siva says in the chat, "NTIA verifies if ICANN follows the process, so if ICANN strengthens internal processes to a failsafe extent the absence of NTIA oversight would not affect RZM. With stronger internal processes ICANN can authorize VeriSign to implement RMZ file changes. ICANN can continue to implement Whois database changes."

Well of course not - I'm not sure if this has anything to do with internal processes but of course the more accountability there is the less chance there is for hijinks. It doesn't necessarily mean there is less chance for a mistake.

So Allan notes, "Based on the NTIA deck the NTIA does not actually verify that processes have been followed, rather they request that ICANN/IANA certifies that it has followed these processes. These two are not the same."

Allan, I believe you're correct, I think it is a self certification process. I think step two, Verify, on Slide 8, NTIA considers that ICANN follow the change notification process correctly, transmitted securely included in the standard set of information. Self certification from ICANN that process is followed, requests for authorization. And in looking at a few of these, and correct me if I'm wrong which is, you know, entirely likely, the self certification seem to be fairly boilerplate on the change notifications that I was able to take a look at.

Nonetheless it was this concern about change notifications and about - that ultimately led to the issuing of the RFP because there were concerns that the policy - that while the certification is a self certification that NTIA can also look beyond the certification to look at how ICANN is implementing its policies.

And so while the certification itself may be mechanical the fact is that if ICANN wants to tell the truth in the certification its policies have to be properly followed and implemented and those implementations properly utilized. So there is, even with the self certification, an ultimate threat. At least that's the way I see it. If anybody sees it differently, would love to hear that.

Just moving quickly through the slide deck, after verification NTIA will authorize VeriSign to implement the change either by a securely-transmitted email or by a web-based user interface system implemented to more fully automate the root zone management process.

VeriSign will perform technical change checks, implement the change, send a secure email back that the change was implemented. So that all seems fairly straightforward. Obviously there is a lot of complexities in getting it right.

Note from Chris Disspain, "I need to leave the call now. I strongly recommend that RFP ask Kim Davies to meet with you and discuss the functions performed by USG."

And if staff could make a note of that that's something that we should certainly try to do and we can put that on our action items list since if we're trying to design a replacement for a job that Kim Davies is in charge of doing it without talking to Kim Davies would seem rather silly.

He should be Singapore. Okay well that would be great if we could arrange that. And there's also the open IANA session in Singapore, which is on my calendar to attend. Hang around afterwards.

Grace Abuhamad: Greg, this is Grace.

Greg Shatan: Yes, Grace.

Grace Abuhamad: In the past when we've made - had questions for NTIA or made a request NTIA they've asked that we be very specific about what we would like from them and what we'd like to discuss. So if possible I'll collect with you offline to write a very specific request for them so that they - they're very overwhelmed right now with a lot of requests for different meetings and they just would like to know...

((Crosstalk))

Grace Abuhamad: ...what different groups are looking for.

Chris Disspain: Grace, it's Chris. It's not NTIA, it's IANA. Kim runs IANA basically underneath Elise.

Grace Abuhamad: Yes, no that's what I meant, I'm sorry.

((Crosstalk))

Grace Abuhamad: I did mean IANA. I did mean IANA.

((Crosstalk))

Chris Disspain: There will be absolutely no problem - there will be absolutely no problem assuming he's in Singapore, in having him come and talk to the group. And I'd be gobsmacked if that's an issue. I will - but there's no reason at all why he can't come talk to the group.

Greg Shatan: There is something good about having a mission critical job for the future of the Internet that this - not to make us sound too grand - but we do have an important job for the future of that function.

Chris Disspain: Exactly...

((Crosstalk))

Chris Disspain: I think, Greg, I think - I understand, Grace, what you're saying and I appreciate that that may well be the position that IANA has taken. But I'm very specifically talking about not asking a set of specific questions. I'm very specifically suggesting that we have what effectively amounts to a chat and a discussion that just goes wherever it goes with people asking questions and getting a feel for what it is that actually happens when IANA is doing its job properly.

Because the truth of the matter is that most of us have no clue. And we should be trying to at least get the essence of how much human involvement there is and the matters to help us make our decisions.

Greg Shatan: Thanks, Chris. That's very helpful clarification. And I think it's certainly true for those of us who are more on the - I'll call it the policy side - that IANA is kind of a black box. As much as we've all tried to learn about it in the last few months it's still, you know, more book learning and slide learning and less experiential or, you know, hearing it from the horse's mouth type of learning. So - and daresay that even for those who deal with the IANA function fairly often it may not be so transparent to them either.

Grace, is that a new hand?

Grace Abuhamad: Yes, this is a new hand. So just to be clear then are we suggesting, one, what Donna has put into the chat which is taking advantage of a session that's already been planned in Singapore with IANA with the departments? Or, two, suggesting to the chairs of the CWG to utilize part of the session on the working session on Wednesday for a discussion with the IANA department? Or, three, creating a whole new session?

Greg Shatan: I would say we are - I would definitely suggest that everybody on this call and not on this call in our stewardship - in our CWG, should attend the IANA functions discussion or try to, you know, follow it remotely if they have to be in two other rooms at the same time.

And I assume that it will be captured in some fashion, not sure exactly what level of remote capture there will be. Grace, maybe you can find that out some - you know, at least there'll be the Adobe Connect level I presume and recorded.

Paul is suggesting specifically to have Kim attend our - that Kim attend our working group session. I think we would aim for that as well. If for some reason that can't happen logistically then once we're all back in our respective home territories to schedule Kim to be on one of our calls.

Obviously if we're all in Singapore and we all have - we have a time scheduled and Kim can be available at that time it would be good to at least, you know, have some time with him at that time. It's often, you know, good to have an in-person icebreaker even if you can't ask, you know, all the questions or get all the information you need often makes for a very good starting point for further discussion.



So I guess the answer, Grace, is definitely one and two. Not a whole new session but a phone call afterwards so pretty much all of the above.

Grace Abuhamad: Okay so we've put a request in with the CWG chairs then to delegate some part of the two hour session on Wednesday to potentially a session about the IANA - what the IANA does, that kind of thing, with Kim if Kim is available to attend that session.

Greg Shatan: Yeah.

Grace Abuhamad: Okay.

Greg Shatan: Give us a chance for more personal presentation that's geared toward our particular tasks and challenges. I think the session - the open session will probably be a lot about performance numbers and things like that. May not be exactly what we need. Any further comments on the authorization function generally?

I still feel - we're not going to solve the authorization function issue on this call. But it would be good if we could think about and try to come up with some models that meet the needs that are identified and not everybody is identifying the same needs of course.

But any thoughts about how this could be accomplished and what agency or group could accomplish this if there is an automatic checking function and also keeping in mind the point that although there was a self certification, you know, behind that is the issue that if ICANN feels that the policy implementation and performance is lacking it doesn't have to accept that self certification. And perhaps that had a salutatory function in keeping ICANN in line.

For the last bit of our call here I'd like to switch to questions that can be either added to the draft report or that can be prepared for sessions including the webinar tomorrow. So I know we have a lot of questions in the legal document. Unfortunately the answers are mostly legal answers.

But if there are any thoughts here about - and, Grace, maybe if you could put up the most recent version of the discussion draft - not that we're going to edit it but just kind of for reference. And I'll note that the comments that have all been made on the email list about the first draft of the discussion document have been taken into account and Bernie Turcotte is holding the pen on revising the discussion document to - in a way that is responsive to all of those concerns.

So this draft is in essence already obsolete - the one that's in front of us. But at least it is a - kind of a guide for us. So we're seeking community input on key and intractable issues in order to assist the CWG in its deliberation.

You know, perhaps it may make sense to identify what we think the key and intractable issues are. Seems to me the most - I don't know, intractable isn't maybe too strong a word for these sorts of things. But the internal versus external that some people believe that no internal solution can be strong enough to provide adequate accountability and others believe no external solution can be simple enough and protected from mission creep or capture to be safe to put into operation. That may be seen as intractable.

I see Robert in the question - a couple of questions coming up here in the chat and maybe the chat is a good place for these questions although it's an awfully silent way of doing this.

What level of separability is possible? And, Robert, I'll put you on the spot if you have the mic. Are you talking about separability, I mean, level of - when we talk about separability I think we're referring to the ability to completely separate the IANA functions and to find a completely new operator, say, you know, Joe's Car Wash, to take on all the job of the IANA functions operator.

So, Robert, I see your hand is up. I see your mic looks like it's making noises but I'm still not hearing you. You may be on double mute or having sound problems.

Robert Guerra: Is that better now?

Greg Shatan: Yes, that is 100% better.

Robert Guerra: Okay, I just had to reset the mic. So for separability is just - it's been raised in a variety of different contexts. If it's something that's internal then how walled off is the IANA function? What's the desired ability for it, for example, to have a separate budget, separate legal staff? And I think there is a consensus that it should be perhaps be more isolated in some ways than it is now. And so that's one level.

Separability can also mean a separate entity so that range of how can it be walled both if it's inside or if it's - has a relationship with another entity is particularly important. And so that's come up a lot. And I think separability has been a core value but we've not gone into the details as to how to detail that depending on the different models.

Greg Shatan: Thank you, Robert. And I think, you know, it may be a issue of jargon in this language that we've created. But I think of what you mentioned as more separation than separability. Separability, I think of as a - the ability at some

future time to completely separate the IANA functions - the right to perform the IANA functions operation from ICANN.

Whereas when we talk about functional and structural separation we're talking about some kind of separation that we would want to put in place right now for accountability or transparency or control reasons, you know, as part of the transition that we would want some more, you know, current separation, not just separability but actual separateness of something.

So I guess there's a question of what level of - and I see Matthew asked what level of separability is desirable? And I'm not sure, Matthew, if you're thinking about separation or separability or if you're talking about - I'm not sure if separability in essence comes in levels. It seems to me it's black and white.

The right to - the ability to force ICANN to stop being the IANA functions operator and for the community to have a process to find a new IANA functions operator. I think that's separability.

I think there are, you know, the issue of how you get to the point where the nuclear option is actually invoked, what are the triggers? What are the escalated steps? What are the - what's the role of the MRT or guardian or whomever versus the community beyond that? You know, I think those are all questions of how you get to separability.

So I guess that's - thinking about separability I think those are, I mean, you know, I good questions as to how important is separability to people including keeping in mind that the ultimate - that the threat of the nuclear option is perhaps more important than the idea that one would ever execute on it.

Avri asks, "Do you want to see this transition happen? You know, why or why not?" And I think that's an interesting question. I mean, we've all been - this has been thrust upon us. Maybe it was thrust upon us 15 or 17 years ago but it's gone from being in the future tense to the present tense. And it's a - there may be many people who do want it and why but it's interesting to think about. What are the ultimate goals? I mean, we know we kind of have to do it but what's the point?

And what if a lot of people didn't want it? Other questions. As the registrants, registrars and registries to pay for the IANA operation, do you care how much the IANA operation costs? Do you care how much it actually costs to support the IANA function for protocols and numbers? Goes to, you know, budget transparency.

Matthew Shears asks, "Are we comfortable with ICANN as the policy maker as the IANA operator policy implementer, without external oversight?" And I guess the follow up question to that answer is, no, then what could be done to make you comfortable other than external oversight?

Robert notes, "Budget implications and how we factor that into options we are considering." We don't want this to become far more expensive than it currently is. Of course when you're dealing with replacing a set of services that have formerly been provided for free it's hard to talk about how you provide them for free unless you do it in an organization where it's volunteers and then that assumes there's no need for any additional headcount at ICANN.

Allan MacGillivray says, "We also have to start thinking about how the current ICANN-centric policy making process would work in the event that a new IANA operator were chosen. For example, should ICANN determine that

there should be another round of new gTLDs? How would we ensure that the new operator would accept this?"

Now to my mind they're under contract to do as they're told. They're supposed to be a clerical function. But if there's a different view of what the IANA functions operation itself does and that's, you know, a good reason to talk to Kim Davies, think about, you know, has the IANA function group ever said, you know what, I think we want to say no to the new gTLDs; we don't care about the policy.

And, you know, whether a third party organization would, you know, given the well defined nature of their job why they would do differently.

Avri asks, "We don't know how expensive it is." And the answer, Avri, is yes, we do not know. There is no separate line item for the IANA functions in the ICANN budget. And there's also no separate allocation of any shared - there may be some - something in the budget, I take that back.

But it's under inclusive because it doesn't include any shared services or the like. You know, no allocation of real estate costs or anything like that. So it's certainly not enough transparency to look at it and, you know, say this is the IANA budget, per se.

Allan says, "Perhaps the MRT which would control the new operator might not agree with ICANN." Well I guess, you know, that's true at least in the external model. And then again I guess it's always an external model if there's a new IANA functions operator.

The MRT or Contract Co would have a contract to perform the function. It could be that ICANN contracts out to the third party and the MRT controls it

through some form of the golden bylaw. But it is possible that there could be disagreement.

Avri asks, "What does functional separation mean to you?" Once I get started on a question there's no stopping me. And functional separation - and for that matter structural separation can be a lot of different things. And, you know, one of the things that we haven't revisited now that we have this coming up is to what extent we want greater functional or structural separation or whether we want IANA to function kind of as-is, although surrounded by, you know, better accountability and transparency regimes.

I'm beginning to see answers in the chat. All answers are appreciated. The exercise is to come up with questions that can be answered in Singapore or that should be part of the draft discussion document or part of the discussion of the draft discussion document.

Any other thoughts on this point? I think we may have kind of run our course here for the moment. No reason to whip us all the way to six o'clock. But I encourage people to consider these questions. I think it's important to have them available.

And I think it's, you know, we also have to ask ourselves the ultimate question which is what could possibly be done to the proposals that we don't support to allow us to support them keeping in mind that if we're going to get somewhere the answer to that question can't be absolutely nothing, you all have to come to me and support the proposal that I like in its pristine purity; the very nature of this is going to be convergence and consensus.

So I realize that our legal advice may provide, you know, break some log jams, identify some ways to amalgamate or some of the proposals to resolve

some of the more intractable issues with certain proposals. And I, you know, look forward - I actually have a call scheduled now at 6:15 with a potential law firm to provide those services. So, you know, we are moving on that.

Another - Avri Doria asks the open question, "What solution path has not been thought of yet by the CWG?" The road not yet taken. "Should the primary customers have a weighted say in which proposal is acceptable?" Oh now there's an interesting question.

At this point we've all been thinking that each SO and AC is going to have to come to its consensus and other members of the community. And we've been told the Board is a member of the community. Certainly wouldn't - I would certainly take a drink if they bought one for me if that's your definition of community.

Avri - I think - I already read that one out. So we should - staff should capture these questions separately. I see them being captured separately and placed in a secure holding pen on the notes side so that's good. Got a couple more to capture, Grace or Brenda - Avri and Donna's last couple of questions or last question each need to be captured.

Let us go back to the agenda. I think we've covered Items 1-4. Number 5, all other business, I don't think we have any other business other than to note that we have a big schedule in Singapore and hopefully we will also be dealing with this informally as well as formally letting it creep into every moment of your waking and sleeping as hopefully we will have some breakthroughs in Singapore and some breakthroughs from good legal advice in the very near future that we can continue to work toward convergence.



I hope to see many of you in Singapore starting as early as Friday. I think our first semi-official - there is a meeting on Sunday, an information session. And then a whole bunch of other things I don't necessarily need to tell you about. They're all on the schedule.

But I think we have not much left to do before we go to Singapore other than to finish off the discussion draft, which I think another version is going to be circulated for approval. So, you know, do look at that quickly because we do want to get that out quickly.

There are the two webinars tomorrow at 1500 UTC and 2100 UTC. It's always good to have members and participants on those calls both to answer questions and to get a sense of what is being said by those speaking and what's being asked by those asking questions.

If you're gluttons for punishment at 1200 UTC there is the CCWG on Accountability call as well. And after that I'll just wish you all safe travels to Singapore. Oh Grace says it's actually 1400 UTC and 2100 UTC. I don't know what my Google calendar is doing to me.

((Crosstalk))

Cheryl Langdon-Orr: You might be in Singapore time already, Greg.

Greg Shatan: What?

Cheryl Langdon-Orr: It might be in Singapore time already.

Greg Shatan: I thought I said 1400 and 2100 for the webinars. In any case you're all adults and can find this information but I do encourage you to do all that stuff. So in

any case safe travels, good morning, good night, good afternoon, good evening and we can stop the recording and unfortunately, we can't stop the madness; the madness continues. Thank you all.

Cheryl Langdon-Orr: Thanks, Greg. Bye.

Greg Shatan: Bye.

END