

ICANN

**Moderator: Gisella Gruber-White
February 25, 2015
3:00 pm CT**

Coordinator: ...recordings have started.

Alice Jansen: Thanks, all right Jordan the recording has been started, it started.

Jordan Carter: Okay.

Alice Jansen: Thank you.

Jordan Carter: Thank you. I wonder Brenda or you could put the agenda items for the call and the (unintelligible) notes on for right there, the document that's it.

And good morning, good afternoon, good evening everyone. Welcome to the second meeting of working party two, my name is Jordan Carter I'm the rapporteur and I guess convener of this call.

And particular the agenda for the call yesterday, my time in Japan and there are further items. One was the difficult facts and the (unintelligible) call (unintelligible) 26,000 and specifically (unintelligible) items I think we need to make particular account on from that point.

And second is to work through the draft that has been prepared from (unintelligible) work about a week ago and I think that will be bulk of the call and those are available links from the Wiki and I hope people had a chance to read these.

Sorry Steve is that is that any better in terms of volume? It's 6:00 am and I just woke up so that might be affecting my volume as well.

Steve DelBianco: Yes that's suddenly better have another cup of coffee.

Jordan Carter: No I'm just holding the microphone nearer to my mouth. The third item is to just have another work at our work plan and see if there are any adjustments we need to make after what we've learned from doing this week's work.

And the fourth item is to see if there are any fresh volunteers to work on any of the work items we've got still vacant and in fact if there is any other people.

Are there any other items that we need to deal with on this call? We should be finished in an hour and one-half max. If there are any other new items then we can deal them with them in any other business.

One other (unintelligible) now is I've just seen (Becky Burr) the convener of working party two suggest that that working party still need to have a or she would like to organize a face-to-face meeting in advance of the assemble meeting for the CCWG and we can discuss that at the end (unintelligible) the same or indeed why we would need one if we're even going to be a working party and following that meeting.

So if we (unintelligible) from that first item and (unintelligible) from the CCWG call I was on most of that call yesterday and gave a report of that program (unintelligible).

And so far, sorry James has asked me advance of in the chat. James said to advance that the full meeting of the CCWG that's being held in assemble on the 25th and 24th of March.

I see Becky had suggested a meeting on Sunday the 22nd of her working parties. And (unintelligible) know what her work is going to be or in that meeting but I don't know that there is a meeting or not.

And sorry so back to the CCWG point. Would anyone speak (unintelligible) the whole of that meeting?

Man: Yes.

Jordan Carter: The parts that I attended I don't think that there were any particular items to report back to this group. The main things that were done, they're working through and what we've done so far and Roelof and Steve consented the (unintelligible) to give the CCWG an example of what we've done.

And so working party two was a little bit similar but is behind us. So they updated on their work plan. There are stress tests (unintelligible) test. And then there was another question about legal advice and then a question about upcoming meeting and assemble.

Was there anything else that you think, any of you here in the call starting with Steve since I know he did, that we need to take into account in our work?

Steve DelBianco: Jordan it's Steve DelBianco with respect to the task that we have, which is to move the affirmation of commitments reviews into the bylaws. We went through a relatively simple one and the feedback we got was not about the substance or even the idea of moving the reviews into the bylaws.

Instead it became an opportunity for folks to comment on things that they generally didn't like about ICANN or that they generally didn't like about the bylaws. I find this really frustrating since that complexity will burden what otherwise would have been a very simple task that we were attempting to do.

For instance James you're on the line as well, talked about trying to achieve balance among AC's, SO's and SG's and that is a substantive question. Whether stakeholder groups should be among them or not and then others chimed in to say should the GNSO only have one and the ALAC only get one?

That doesn't make as much sense. Of course the ALAC said that they have regional organizations of their own and that maybe they should change them to stakeholder groups so that they'll have more participants.

I don't (fear) having more participants in review teams. If anything we don't have enough people participating and doing all the work. It's also very rare that these review teams get down to voting.

But I do think it would be a disaster if a review team were artificially limited to one from the entire GNSO, one from the entire CNS ccNSO when in fact it is so core to those two SO's to be talking about things like the review of the new gTLD program or a review of Whois, a review of security, stability and resiliency.

ALAC and others also said that we needed to have balance among the gender and geographical diversity and that that should be baked into the bylaws that would force us to have gender, geographical diversity on these teams.

On the other hand Samantha Eisner with ICANN staff said let's avoid putting those details in the bylaws. Sebastien Bachollet agreed with that and both he and Kavouss said that the bylaws ought to have a separation between things that are sort of constitutional and operational from things that are purely procedural like the way a review team is constructed or the way elections are done.

So there's some constructive ideas in there and yet they would dramatically increase the complexity of what otherwise would have been a simple importation of a review into the bylaws.

And I fear that makes it a bit more difficult for us to get it done on our timeline. And having said that we have not actually addressed whether bringing the reviews into the bylaws is part of work stream one or work stream two.

And I mean work stream not work party because work stream one and two refer to whether it occurs before the IANA transaction or can it occur after, thanks.

Jordan Carter: Thank you Steve that's very helpful feedback. And I have to say my initial impression is that we will serve ourselves in the community best if we are very conservative in the way we design changes with (unintelligible) in other words that we (can't) fix ICANN more broadly through this process if it can be dealt with through normal processes afterwards.

And I've already said before that we ought to be conservative in what we're trying to achieve in work stream one except perhaps be done before the IANA transition.

And I think that we have - I don't think we have a mandate to quote "fix" ICANN unquote. I think we've only got an (unintelligible) accountability issues as (unintelligible) and working party within it. So that's just my view.

And I think if we try to solve everything we're going to be here for a number of years and that's not part of my plan in terms of this working party anyway.

Are there other people who were on the (whole) call who want to raise any issues for us to consider? That was very helpful Steve thank you. I do see a hand up from James, James (unintelligible) current hand.

James Bladel: Thanks Jordan it is, James Bladel speaking for the transcript. And, you know, I guess I ought to do a mea culpa a little bit Steve if I took the conversation off track, you know, when we were with the whole CWG.

What I was really trying to zone in on was an important change between what is currently in the AOC versus what I believed or understood to be proposed in the bylaws, which it said that we were going to remove the ICANN CEO and GAC chair from the role of selecting the members of the review team.

And this has been a sticking point I think for previous review teams that, you know, you kind of had to apply and send in your CV and a statement of or a letter of motivation or whatever and then they would kind of pick and choose what jury they wanted to judge them.

And so my thought and my only thought and again I apologize if this opened the floodgates to other, you know, other complaints and concerns that were off topic but my only concern there is if we don't have a human selecting the composition then how do we guard against - I think we have to be a little more prescriptive about what, you know, what those teams look like.

And I point to the fact that the last accountability review team had no registrars participating, that although several applied somehow someone along the line decided that registrars would have no representation in that group.

So I think this is what's driving that and I certainly again did not want to take us off into the weeds but if we're going to remove the CEO and the GAC chair from that role of selecting these review teams, which I support then I think we need to have some more robust description of what the composition looks like.

And, you know, I think it's - I also support the idea that we shouldn't go off into talking about regions and numbers and things like that just making sure that everyone who wants or believes they have an interest at least has an opportunity to participate in these review teams.

So that was where I was going with that what was it yesterday or the day before and I do think that this is an important exercise. I do believe that we have to strengthen and sure up the language of the AOC before it is moved into the bylaws that it's and I think to your point Steve it's not just a copy and paste exercise we have to do this thoughtfully, thank you.

Jordan Carter: Thanks James, that's helpful. There's a couple of hands from Steve and from Greg, so Steve your turn.

Steve DelBianco: Hey thanks and James no need to apologize it's just fine. The way you brought it up was the appropriate discussion of how to describe the representation.

Where it got off track was this notion of diversity and restructuring the entire bylaws the way Kavouss and Sebastien wanted to do. That would be a far bigger task than we'd want to take on as part of this.

And when it comes to representation we may have to do something similar to what we all discussed in Frankfurt because we are talking about the quote on quote community being able to veto a board decision, send it for review, block a bylaws change, veto a budget that ICANN proposed or the community coming in and forcing the board to implement something from the review team or even spilling the board.

In all those cases its quote on quote the community and we want to be as general as we can about that. The reason I said AC, SO and SG is because if AC's and SO's is what the affirmation said and it's all over the bylaws.

Advisory committees and stakeholder organizations is a phrase, it's used in the bylaws dozens of times. I added SG or stakeholder groups for the exact reason you just gave.

And it doesn't make any sense to not have registry, registrar commercial and non-commercial stakeholder groups participating within the GNSO. If that gives heartburn to our colleagues in the ALAC or the ccNSO because of over representation then let's solve that by having weighted voting if and when the review team ever votes.

You see, we should solve the imbalance problem with weighted voting but do everything we can to encourage maximum participation on a review team. Look at how thin the participation is even on this particular work party.

So let's not do anything to limit who joins a review team and open it up to SG's, AC's and SO's, thanks.

Jordan Carter: Thanks Steve this is getting into a substantive discussion of your (unintelligible), which is on review with (unintelligible) just to give you a heads up. And Greg I see your hand is up do you have another point from the CCWG meeting or do you want to continue this discussion (unintelligible).

Greg Shatan: Just briefly to add on to this discussion and I think that, you know, and to bring in some learning from the CWG, which is that when we start to get into issues of representation and seats and things like that it was a - it's a rabbit hole.

Now in some cases it's a necessary rabbit hole if you're going to create a committee that it is going to be part of the implementation of the transition plan.

But it is complex and when we get to the issues like comparing GNSO stakeholder groups with ALAC groups I think that's frankly apples and oranges because the GNSO is a multi-stakeholder organization all by itself.

In other words it represents people who have radically different roles not all users, not all registries or registries or registrars, representatives of business of intellectual property interests, non-commercial civil society.

It's a mini multi-stakeholder group all by itself and to consider it's some sort of unitary organization when it's grouped together for purposes of creating policy recommendations not for purposes of creating a governance template for all things ICANN it, you know, gets us going very much in the wrong direction, you know.

I hope we don't have to disband the GNSO just to kill of this canard that one member of the GNSO can represent the GNSO. It's hard enough having one member of the CSG represent the CSG when we have three very different groups and, you know, I didn't even mention the ISP's who clearly, you know, occupy I think a very different fear.

Let's all try to figure out one position for the CSG on that new (trial) differences, that would be fun. So I think that it's best though to keep this at the higher level and not to get down this rabbit hole because it's not necessary to, in order to enhance ICANN's accountability to try to cure all of, you know, the perceived ills or to meet all of the individual honeypot needs of groups that feel that they're under represented and to, you know, get into the argument of whether those representation issues exist.

Maybe we should just form a separate working group on sorting out seating for ICANN organizations, thanks.

Jordan Carter: Thanks Greg, yes okay if we can move on. If there are other sort of items that were raised at the CCWG meeting that I guess the other I'd mention is the face-to-face meeting was confirmed for assemble the 23d and 24th of March.

And we encourage the co-chairs to involve the rapporteurs for this would be the stress test working party and the working party two in the design of the agenda and of the deadlines for content.

We're going to need to get stuff ready possibly, you know, so three or four days ahead so that people have time to read it on the flight over and that may have an impact on what we need to do work wise and but we'll know more about that as the next week or two proceeds.

If we move to the next item then, sorry Greg I've got your hand up is that still the old hand or is this a new hand? Yes old hand thanks. So if we move to discussion of current drafts and particularly just in talking about the - sorry early morning (unintelligible).

(Unintelligible) the affirmation reviews into the bylaws. I wonder if it would make sense to start with that to be reviewed. So Steve would you be able to take us through that and I think you should probably and with this give a presentation discussion to take ten minutes ideally to just do that (unintelligible) your presentation, thanks.

Steve DelBianco: Jordan would you want me to cover both of the affirmation reviews in ten minutes the ones that are in the document in front of you?

Jordan Carter: We could stretch some - I'm just conscious that we have to finish this whole working through draft by in about 15, 20 minutes or so. So besides the two that you can present.

Then Roelof are you on the call and able to present your (unintelligible) as we go, Roelof are you here?

Roelof Meijer: Jordan this is Roelof yes I am.

Jordan Carter: Okay thank you and are there any other drafts alive that would be discussed on this call and if not then we've got about 20 minutes. I can only see

Roelof's work and AOC's stuff in the Wiki. So I think we could probably do it with about 20 minutes allotted to you Steve.

Steve DelBianco: Okay but I did want to put Matthew Shears on alert. Matthew also looked at some elements of the affirmation of commitments. They don't involve reviews they involved commitments.

And Matthew has looked at four paragraphs in the affirmation and begun to talk about ways of bringing those into the bylaws as well. So Matthew be ready in case it comes around to that.

So folks if you scroll onto the last two pages of the document that Alice has loaded you'll see that Matthew Shears, Fiona Asonga and I have endeavored to bring two reviews in the affirmation of commitments and dumped them into the ICANN bylaws.

They would be in section five, periodic review of ICANN's execution of key commitments. And section five would have a subsection for each of the four affirmation reviews. Two of them have been laid out for you here to consider.

The first one is the big review, the mother of all reviews the accountability and transparency review. This one is the ATRT as we know it, there have been two of them already.

So we use language in here like the board shall cause a periodic review of ICANN's execution of its commitment. And if there's any question about what ICANN's commitment is, we turn to Matthew and I believe he'll make sure that the bylaws reflect that commitment since that was in the affirmation as well.

Okay A through E in particular are verbatim from the affirmation of commitments. Item F is also verbatim from the affirmation of commitments but it wasn't part of that enumerated list it was a separate paragraph there.

And that is the notion that the ATRT not only looks at accountability and transparency but takes a look back to see whether the board and staff have properly implemented recommendations coming out of the other three reviews not just the affirmation review.

The next one, the one that doesn't start with the alphabetic says, the review team can recommend determination of other periodic reviews and recommend additional reviews.

This came from the inventory of accountability ideas we developed over the past several months. The idea here is that over time it may be that the Whois review becomes obsolete or it might be that we need a brand new review.

And if we do how do we make it so that the community can generate the objectives of a new review. And a perfect tool for that would be the ATRT team could recommend a new review or recommend a sunset of an old review such as Whois.

The next paragraph says, the review will be conducted by volunteer community group and this was the discussion that James and I were having earlier on today's phone call.

How do we comprise this so that it's not appointed by the chairman of the board and the GAC but instead the community does the review and that's always been what the affirmation intended to do.

So the placeholder, what we believe we should put in here is all of the advisory committees, that includes the GAC, supporting organizations, ccNSO, GNSO and stakeholder groups. That is to encourage as broad as possible.

In this one we also added the chair of the ICANN's board and that's because the affirmation of commitments expressly said that the chair of ICANN's board would serve on the ATRT review team. That's not the case with the other three affirmation review teams, that's only the ATRT.

We added a line here that the review team itself could look for independent experts if it wanted to. And it can incorporate what the (intended) experts say but only if it wanted to. We don't want to fall into a trap where the experts can dictate things and we don't want to fall into a trap of having to always having to use outside experts.

There's two more paragraphs. A number of folks over the course of the summer suggested we have more transparency available for these review teams. That the accountability and transparency review team is diving into whether ICANN is being transparent.

They ought to have visibility of internal ICANN documents that are relevant to that. Now having said that we don't want to betray confidences by dumping that stuff into the public domain so any documents that it's able to review that have care or duty of confidentiality should they maintain.

The review team should - this is right from the affirmation of commitments that the review team can put out for public comment and will receive the public comments and consider them, that it's up to the review team to decide which ones it wants to incorporate before it publishes its final report to the

board and the board should take action within six months, that's all said from the affirmation.

The last paragraph here says that these reviews should occur every five years. I put that in based on a lot of input in the inventory that said we were doing these reviews to frequently.

This one occurs every three years according to the affirmation of commitment, that's why we've already done two of them and the affirmation was first signed in 2009.

So I've put out five as a placeholder to say no less than five so I suppose if the community really wanted to do them more frequently it could but I do feel as if it's a forced march experience to have to do one of these every three years.

So Jordan I'll stop there if Fiona or Matthew want to add anything and it won't take very much time at all to do the same kind of recap on the other review on the next page. Any questions?

Jordan Carter: Thanks Steve and that's a great summary and James has got a hand up.

James Bladel: Just a quick question for Steve because I'm maybe not able to, maybe I need some caffeine I'm just trying to reconcile a couple of points here. One is that the ATRT has the ability to terminate other reviews and it can recommend other additional periodic reviews but it can't just to clarify it can't terminate the next ATRT or change the schedule of itself.
That's the one review that would be off limits to the ATRT's ability to change the calendar is that correct Steve?

Steve DelBianco: Yes, don't think of it as calendar because it says here no less than every five years. So if the community wanted to do an ATRT every year it could, that's not the...

((Crosstalk))

James Bladel: It could be ATRT override that itself and say, we're terminating the next ATRT until seven years, something like that.

Steve DelBianco: ...or never again we're done with ATRT.

James Bladel: Right.

Steve DelBianco: I sort of think that the ATRT should be able to make that recommendation. If it's not supported by the community it will never happen of course. But how do we build flexibility in so that we do reviews that vary over time to accommodate challenges that ICANN faces.

And everybody's favorite example is Whois review that could be replaced by a brand new directory services and if that's the case why would we do a Whois review five years from today.

James Bladel: So if I could just make a quick (unintelligible) just to put on the table here that in that sentence that follows enumerated item letter F that we say the review team recommends terminations of periodic reviews parentheses other than it's - other than future ATRT reviews, you know, as required by the section. Just squeeze that in there somewhere.

And then if we do want to change that at some point Steve then the community can do so via bylaws change because these will be baked into the

bylaws and that's - there's the flexibility that, you know, there's the opportunity to change it.

Steve DelBianco: So would you be just as happy as if it said, recommend termination of any periodic review required by this section? Why not let the ATRT terminate itself, would you be better with that?

James Bladel: I mean I think structurally it works but I guess the question is why are we doing this in the first place. We're trying to bake in the reviews as part of the institutional structure of ICANN.

And if one of those groups is able to terminate all the other reviews and itself then they just kind of find a, you know, a loophole to get out of the whole thing that we're trying to accomplish here.

I mean structurally it works it's just I'm just concerned about the potential for unintended consequences.

Steve DelBianco: Well we wanted to do two things by this importation of the bylaws. The first was to inoculate ourselves from the stress test of having ICANN cancel the affirmation of commitments and then the reviews disappear. So that's why we bring them into the bylaws.

The second thing we want to do is give the community more empowerment not only in the teams themselves but in the terms of the reviews themselves. So the community could I suppose change the bylaws, that's very difficult to do but the idea here is that the community supports it.

Well then the ATRT could sense that other reviews or even itself that that isn't going to be possible if the recommendation of sunseting the ATRT isn't supported by the community during the public comment period.

So we want to empower the community to be able to change the reviews, no?

James Bladel: I'll have to think on it. I just feel like it's somewhat counter to what we're trying to accomplish in the first place because it would be equivalent to cancelling the OC if the review team just, you know, self-terminated, so. Well, I'll just think about it. I don't want to monopolize the discussion. It's a good draft and I don't want to (get bogged down on it). It is a good draft and thank you. I agree with the last comment (unintelligible). It's great work.

Jordan Carter: And I kind of (disagree) intuitively that given the (unintelligible) issues for the community, it would be a bit odd if, you know, importing them into the bylaws to make sure they happen (instead of giving them a chance) to remove themselves.

But I think that's a nice kind of highlight issue to table and work through with the, with the whole CCWG when we work through this stuff at the face-to-face meeting.

So it might be worth addressing drafting it in a way that makes it really clear that this is an issue an either as a kind of note or as a like just wording it in a way that makes it clear it can terminate itself.

Steve DelBianco: The way I wrote it, the way I wrote it, it does not terminate itself because it says it can only terminate others. And for the sake of argument I was also asking whether you would also want it to terminate itself.

But if the sentiment of this work party is that ATRT shouldn't terminate itself, then we just leave it the way it's drafted because it says other.

Jordan Carter: All right. I think we should leave it the way it is personally.

Steve DelBianco: Right. And it won't take any time to do the other review, if you wish.

Jordan Carter: Yes, I was just going to ask if there are, are there any other comments? A few people have contributed to this. Is there anyone else who wants to talk about this? (Unintelligible). And I don't see any hands up.

And the people in (unintelligible) are generally people (unintelligible) and (unintelligible) (confidence. She's new). She's great. Let's move onto the second one then please and this is preserving security, stability and resiliency. It will be on the last page of (unintelligible).

Steve DelBianco: That's right Jordan. It's on the last page. And this was the first one we did because it's really the easiest. This is about security, stability and resiliency or SSR. And I believe there's a review like this that's due to begin this year. Jonathon Zuck would know for sure whether this is one of them.

But this is a review that's a little bit simpler. It gets to ICANN's commitment for its core mission of SSR, security, stability and resiliency. I imported the exact same A, B, and C particular attention line from the affirmation.

The next paragraph is verbatim from the affirmation. And then the next paragraph is pretty much identical to what we just covered under ATRT, how the community team is comprised. But in this case the ICANN Board Chair is not explicitly identified as a member so he would not be.

Independent experts, openness in deliberations, internal documents without betraying confidentiality, the output public comment posting and that it would be no less than every five years. Currently in the affirmation commitment, this one says every three years.

Any comments on this one?

Jordan Carter: Anyone with hands up for comments?

Steve DelBianco: I want to clarify that the SSR review for the affirmation will begin this year. Or it's supposed to begin this year, I should say.

So look the other two affirmation reviews, the who is and the one for the new GTLD program, can be developed with a similar approach that we've used for these two. So it should only be a couple of hours of work to bring those in so by probably early next week, Jordan, we'll have all four of the affirmation reviews brought in.

And the other element from our little volunteer group was to scour the affirmation of commitments for other things that are not in the bylaws yet and I believe Matthew could probably address some of those next.

Jordan Carter: Great. Thank you Steve for that presentation. And there are no hands-up so why don't we turn to Matthew. Matthew, you've got more comments to add at this point?

Matthew Shears: Yes, thanks Jordan. Can you hear me all right?

Jordan Carter: Very quietly.

Matthew Shears: Okay. Yes, so Steve very much focused on the paragraph 9 of the affirmation of (unintelligible). So I went back and had a look at some of the other paragraphs and I think there are some things in there. I'm not sure whether they fall exactly into the (remiss) of this particular working group but certainly deserve some further consideration.

So just to give you an example and this, we haven't put on any, I think it's because it needs more conversation, we haven't put it on a document (unintelligible). But certainly there are some, for example in paragraph 3 of the affirmation commitment there's some things that ICANN can commit to do that are not reflected in the core values section of the bylaws. And it's a question as to whether or not they should be reflected in some capacity.

So, for example, there is no real explicit mention of ICANN, for example, ensuring that decisions are made related to global technical coordination (unintelligible). They're made in the public interest and (our Council and are) transparent

There is a commitment to promoting...

Jordan Carter: Hello Matthew. We've lost your audio. I'm assuming that Matthew got that that phone call and deleted himself.

Matthew Shears: I'm back. I apologize for that.

Jordan Carter: Okay.

Matthew Shears: So...

Steve DelBianco: Matthew put the affirmation up on the screen. How about that?

Matthew Shears: That would be helpful, yes. So for example then, in the, in the core value section of the bylaws, there is a commitment to competition but there is no mention of consumer trust and consumer choice in the DNS marketplace which there is in (unintelligible) affirmation of commitment. Nor is there a commitment to, in the core values, to facilitating international participation DNS technical coordination.

So these are issues that jumped out in terms of what was covered and what was not covered. And it seems to me that we have to take a decision as to whether or not this is something that fall within, this is something that we would want to see accounted for in the bylaws.

There are a couple of other articles in the affirmation of commitment that are a little bit more tricky. Obviously there is the article 8 or paragraph 8 which is the particular reference to jurisdiction though in that one it talks about ICANN's commitment to maintaining capacity and ability to coordinate internet DNS at the overall level, to remain a not-for-profit corporation headquartered in the United States and to operate in multi (stakeholder) private sector (level) organizations.

Again, these are issues that, obviously particularly the issue of jurisdiction, are issues that have generated a lot of interest and engagement by certain parts of the community. So again we probably do need to think about how, if we're looking at the affirmation commitments as a whole and not just a review process, that we need to probably take those into account somehow in view of the work that we're doing here or somewhere else.

So that's kind of where, that's kind of what we've been trading a little bit on the email as you've seen but not with the broader group, just amongst the small core of us who've been working on the affirmations. I'll leave it there.

There certainly is some coverage in certain parts as (Jonathon) says, in the bylaws. But it's not, these things are not explicitly considered so (I'll leave it at that). Thanks.

Jordan Carter: Thank you Matthew. Are there any kind of comments in response to what Matthew has just said? I don't see any hands raising up. Steve has pointed out that in the Senate hearing today (unintelligible) that ICANN jurisdiction must (unintelligible) and we will stand by this. Just an interesting view from the stakeholders.

And, okay. So (unintelligible). Thank you Matthew. Thank you Steve for doing this work. It's going well. It's really good and I look forward to seeing (unintelligible). And I would like to just suggest something for you to think about as a team which is as part of work, whether we should be suggesting any new (reviews).

And I don't know the answer. Let's not talk about it now but maybe we can just think about that question as part of our overall accountability at work. As Matthew says, it's (more important) (unintelligible). It's about how and (unintelligible) change the bylaws would be helpful. Maybe I'll (unintelligible) to do that.

And could we move then in terms of looking at work that's been done to the (work-sets)? Roelof and (if you're in agreement), do you want to present what you've done? Do you want to look at the first, so 1A, 1B, 1C documents first?

Or do you want to look at the Advisory Board's. I don't care. It's really up to you.

Roelof Meijer: No, 1A, 1B, 1C's fine.

Jordan Carter: Okay.

Roelof Meijer: Okay, thank you Jordan. I think when we proceed to the documents I'll be less complete because otherwise I would just be repeating myself. And I won't go through all the documents but I'll pick some of the questions that I think need our attention when we're reviewing it.

The description in (sending), I think they're relatively easy questions. (I would say) it's more like an administrative kind of text that describes the particular power or accountability mechanism and there's not really something to discuss there.

There's the first one. For discussion I think the question's in the group (to be reviewed) which asks which (unintelligible) is the decision examined against? And of course for each decision or (unintelligible) there will be different and we agree that for certain types of (power), for instance approving or not approving the strategic plan or the budget, it's a pretty difficult question to answer.

I think it's more, it's easier to answer such a question for (instances) of bylaw change where you can actually review against the existing bylaws, review against corporate law, for instance, review against review reports (unintelligible). But I find it's sometimes difficult to respond to so it's something that I would ask your attention for.

The required skillset of course is something that indicates a (unintelligible) power, actually refers us back to the accountability mechanism is a group of members structure or delegate structure or even an Advisory Board. It probably talks about the skillset necessary for such a group of people to take such a decision.

And you will see the answers on 1A, B, and C, the skillset varies from financial expertise to legal expertise to general government's expertise. In this particular case, in 1A, (proposed) changes to ICANN's bylaws, I think it's just safely focused towards legal expertise and the capacity to grasp a draft bylaw change would have as an effect (unintelligible) interest.

In the competition there's also (unintelligible) requirement and in all (unintelligible) I feel I just would answer that there should be an adequate stakeholder representation because I think that in most cases if we cover the stakeholder groups, there will be a gender diversity and there will be probably also a relatively complete geographical diversity.

It is not something that I recommended we really go after. I think more important is that you have a (unintelligible) representation for all stakeholders. And the way the particular stakeholder group selects or elects, its representative or representatives, I think that you'd be left to that particular stakeholder group.

If we take it to the second page. So everybody has scroll control I think?

Steve DelBianco: Are you taking questions on the first page or are you going to wait until the end?

Roelof Meijer: Whatever you want. Let's not wait. Fire away.

Steve DelBianco: Well I'll tell you. It's Steve. I just wanted to ask, what are your thoughts about whether the geographical and gender diversity needs to be explicitly required or is it something that you just get, if the community is presumed to be diverse?

Roelof Meijer: My opinion is the second, your option 2. I don't think this is something that we should explicitly go after. We leave it to the secular of groups and I think through that process, it will be generally arranged ultimately.

((Crosstalk))

Roelof Meijer: So it's not something that we should put in bylaws or things like that. I don't think that is necessary. Did I answer your question, Steve?

Steve DelBianco: I agree with you.

Roelof Meijer: Oh, that's good to hear. Okay, top of page 2 in the (unintelligible) requirements. That's an interesting one because I think it was something in our first discussion document we thought it was very important. I still think it is very important. And of course, if we had (secular a) representation (if it's in a) membership structure and let's say it can (compete) across community working group delegate structure, supervisory board, if the members of such a structure are selected by their constituencies, of course they have an interest.

At least they represent the interest of that particular secular or group. Since they are a member of that stakeholder group they also have personal probably commercial or company interest. So I think there it is virtually impossible to get the kind of independency in the sense that they have no interest in the decisions that they are supposed to take.

For instance, if it's about approving the budget or the strategic plan, I think all seculars have an interest in the budget and in the strategic plan. So whatever the decision they take on those two subjects, they are not independent. And I think it's also something that we will have to accept because we want the stakeholders to have influence and stakeholder influence doesn't come combined with independence just because they're stakeholders.

And I would like to get some feedback from the people on the call about this particular issue. Get some ideas before I continue.

Jordan Carter: Who would like to raise their views to Roelof? There's some comments in the chat and there's possibly a hand. Still there?

Roelof Meijer: Yes, I'm still here. So I'm trying to read the (comment) (unintelligible). This one's on diversity. So what do you think Jordan? Should I take this silence as everybody agrees with me and just carry on?

Jordan Carter: I think it's more reasonable to take the silence as people are thinking about it and not sure yet so you should carry on. It's safer that way.

Roelof Meijer: Okay, either way I'll carry on. Another interesting question under decision making is, is the decision made based on personal assessment? I hope that I interpreted the question correctly in the sense that I took it to mean should any member of the supervisory board in the membership structure take a position on for instance a bylaw change that ICANN proposes by him or herself or does he or she have to get back to the stakeholder group to get kind of a consensus position from the stakeholders before he or she can take a decision?

I think in most cases the second part (unintelligible) in getting back to the constituency, getting a consensus position and taking that back into this community representative representing structure will delay matters in such a way that it becomes unworkable especially, for instance, if it's on approving the budget. Probably not so on taking the decision about telling the Board or not.

That is not something that you do overnight and it's such a high, such a high impact decision that probably there is would be a good idea to go back to the secular group first and make sure that the representative of the secular, this particular secular group is supported by its fellow members.

Is the decision made by consensus or a vote? In this particular case which is a bylaw change, I think it's a good example which illustrates that it cannot be by consensus because there could be a situation where a particular secular group convinces the ICANN Boards to make changes to the bylaws that are only in the interest of that particular secular group.

This would obviously be something that the other seculars would like to block but they cannot if it's a consensus decision to block a bylaw change because this particular secular representative, of course, will be against blocking and then you get a kind of a (unintelligible) whereby a change in bylaws could pass even though almost all stakeholders are against that particular bylaw change.

So it's kind of a mini stress test. Steve, (unintelligible) and I ended up with the conclusion that now it cannot be a consensus decision. It has to be a vote. And I think in certain (powers) as you will see from the different templates that I filled out, it can be a simple majority but on the high impact decisions I think that a super majority vote would be better.

And one could even adopt a mechanism that if it's an important subject, that the secular representatives have to decide (unintelligible) and they have only a simple majority not a super majority, then an independent review should be executed first before a final decision is made, something like that. So then you combine two powers to make sure that you take the right decision.

As long as I'm not interrupted, I'll just carry on. Well that's about it for 1A. The rest I think are relatively straight-forward questions or they're not very relevant because they are direct mainly for a mechanism and not for a specific power. So if there are no questions on 1A, I'll just carry on with...

Jordan Carter: Roelof you have a hand up from Greg Shatan there.

Greg Shatan: It's an old hand. Sorry.

Jordan Carter: Do you want to carry on then to 1B?

Roelof Meijer: Yes, if I can get it on the screen. So everybody, there it comes. Yes, okay. So the second one is the power of stopping the Board or the management from actions or activities that are in conflict with ICANN's bylaws or Articles of Incorporation.

Again, I'll take this straight to the third group of questions, standard of review, which is (defended against), well of course (unintelligible) are the ICANN bylaws, the existing ICANN bylaws and the Articles of Incorporation, one could well argue that California corporate law and things like that should also be defended against which the decision should be examined.

And it's very tempting to write down the public interest there but I think it will be very difficult to find a particular standard on the public interest. We've been discussing that. We didn't even come up with the (proper) definition and so I'm not too sure.

I think in the end there will not always be appropriate standards to examine these decisions against other than the position of the majority, the larger majority of ICANN stakeholders. There of course are things like the information of commitments and earlier conclusions of (unintelligible) things might also be (unintelligible) this.

Required skillset. Well again, (the skill of) understanding the language because we're talking about ICANN's bylaws again and the Articles of Incorporation. Also here it says, are the (defendant's) requirements, I have the same conclusion there. It's impossible to be independent on these issues for all stakeholder representatives.

And is the decision mandated or based on a personal decision? Again, I think in most cases, it would be better if in each community, the stakeholder group mandates its representative to take certain decision on his or her own without everyone going back and consulting his or her community except for the really high impact decisions such as recalling the Board.

Consensus or vote? Well I think from now on I'll skip this question because as every time I answer, no it cannot be consensus because there's a risk of capture or blocking decisions that have to be taken so it should be vote. Here I think it should be a simple majority and if we feel that that is not enough then we could either have a super majority or a simple majority and a review, independent review.

If there are no more questions, shall I now carry on with 1C, local adoption by ICANN Board strategic (unintelligible) (budget). Can I have it on the screen please? Oh, there it is. Thank you. That was quick.

Standards of decision is again, (unintelligible) (against) again bylaws, Articles of Incorporation as well as interest, (financial sustainability) of ICANN of course. So if you could, for instance, say it's a budget then I think if you want to approve or block it, then at least you should be aware of ICANN's (unintelligible) financial position. And the impact of the budget on that decision should also be examined in order to decide to approve or not to approve it.

This brings us to strategic plan, should be examined against ICANN's bylaws and especially of course it's mission. Its specifications, (unintelligible). Required skill set? Well if the setting of course is strategic plans, budgets, financial management and so they should be there and you should have people in the group to have some financial expertise, I think not on the level of for instance a CFO but probably on the level of a CEO, knowledge about ICANN's Articles of Incorporation, a feeling about the public interest and stakeholder's interest and again, being able to understand the final situation that ICANN is in, being able to read financial reports.

Diversity, well we discussed that so it's not really an issue. It comes automatically with a stakeholder's representatives selections. I'll skip independence. I've said enough about that. Again, mandated, not mandated and not on the basis of getting back to the community before taking (unintelligible) especially for the budget for the strategic plan which we do not change every half year, something, there's time enough to get back to the community on the other end.

It's not really clear to me at least if it will be necessary to get back to the community first because if a stakeholder representative takes a position on a strategic plan and his stakeholder group members do not agree with that position, there's ample time to act on that before, let's say the end of the strategic plan or before a change in the strategic plan really starts making a difference in what ICANN is doing. So either way, there's not very much of a time constraint there. In the case of a strategic plan, there's more time constraint than in the case of the budget.

Even there one could, if the stakeholder group does not want to approve the budget, then of course - then the organization has to continue operating. So it would at least have to agree with part of the budget or a temporary budget to make sure that ICANN doesn't stop functioning.

Simple majority here not concerned with (block). And that's about it for 1A to 1C. So maybe I should stop here and check if there are any hands raised before I start on the supervisory board template.

Jordan Carter: Thanks Roelof for presenting those. And actually we do have a hand up.

Roelof Meijer: Yes.

Jordan Carter: Steve.

Roelof Meijer: Steve.

Jordan Carter: I think this is a nice set of examples of how the template works and some (powers) (that are about) community. And the next one, the supervisory board is a nice example of the (client) mechanism. And Steve, (unintelligible).

Steve DelBianco: Yes. The community designation is similar to what we discussed on the Affirmation of Commitments reviews where we're trying to suggest that the particular way you define the community, AC, SO, SG; the particular way the voting rules are that'll be important to work out.

And we probably ought to try to do it consistently Roelof so that the same community composition that's used for rejecting a bylaw or a strategic plan is the same community that would - the same community representation that would be used for say a review triggered by the bylaws of the Affirmation of Commitment.

And did I hear you right to say that this one would be simple majority or did you say super majority? I'm looking for that.

Roelof Meijer: So Steve, so you mean 1C, right?

Steve DelBianco: That's right.

Roelof Meijer: Yes. Well, I said simple majority but with an option to be considered and that would for instance be that if there is a simple majority but not a super majority for a decision that's taken the group could order an independent review. Because I think it's not always necessary to have a super majority but if there's no super majority I think the group should do everything to make sure that it takes the right position.

And an independent review might help (here) to automatically upgrade from a simple majority to a super majority. And if that doesn't happen with the review and you are still stuck with a simple majority, at least I think that for the communities at large there will be a lot of proof that the simple majority group has the right position in this.

Steve DelBianco: Then Roelof, this is Steve. I - when I categorized and did the inventory, the overwhelming support from the comments over the summer was that the community could veto a budget or a strat plan, not send it to an independent review panel.

Since sending it to review panel, I don't even know what standard they would use to determine whether a budget should or should not be approved or a strat plan should or should not be approved.

The independent review needs to have a standard of review and this is what (Becky)'s been talking about. So I'm pretty sure that the vast majority of support so far for this mechanism is it to veto of the budget. It is not sending it for review. Or veto of the strat plan.

And that probably demands a higher bar like super majority although I'm not qualified to say whether super majority is 2/3 or 3/4. But I feel like we should steer this towards a rejection or a veto of a budget or a strat plan instead of steering it to an IRP. I'd be interested in what others on the call think about that.

Jordan Carter: If I could - it's (Jordan) here. If I could insert myself as I comment here on that question. I think that when you're sort of providing a community a chance to - you don't want to require the community to write the budget. And so it shouldn't be an approval thing. My preference is for the powers to use the (unintelligible) support is not the way to block its approval. That's my view.

Steve DelBianco: Which is just what I said (Jordan), by the way.

((Crosstalk))

Jordan Carter: Yeah. I'm (finally) agreeing with you.

Roelof Meijer: So Steve, yes. I sympathize with your point of view. The only problem I foresee a bit is that within - at the moment at least within the ICANN community there is not so much let's say deep attention for applicants' budgets.

I've been serving as the Chair of ccNSO Strategic and Operational Planning Working Group and we did all the reviews of the budget and the strategic plans. And I did quite a bit of explaining to councils of other SOs and to the GAC and also to the ICANN Board.

And if I can give you an example of where I might think that it could go wrong, one of the last comments I made on behalf of the working group to the ICANN Board was on their prognosis of income or revenues from new gTLD registrations.

I think they expected to get \$30 million U.S. in FY15/16 or was it 14/15. I can't remember really. And there was no indication whatsoever that we would ever get to that amount. It was our working group that signals it and from that signaling the Board changed the budget.

And they had to because against those - the sharp increase in revenues, there was also a sharp increase in cost. So they cut their revenue prognosis and they cut their costs.

There was not so much awareness in the community as far as I could determine on this particular issue. So I wonder if it would ever be necessary to

block the budget if there would be so much community involvement and community understanding this would be able to get the majority vote.

And for - maybe an independent review is not the right term here. But it might be worthwhile if there's not a super majority to get independent experts' feedback on the particular item in the budget that causes the position of not adopting it. I'm not very optimistic about the ability to get a super majority on budget issues.

Steve DelBianco: May I Roelof?

Roelof Meijer: Yes. Yes.

Steve DelBianco: Yes. This is Steve. The way this mechanism is written is it doesn't require approval of the budget. I think you misinterpreted it. It's - to use your words, it's to block the adoption.

So the community empowerment should be rarely used. It should be exceptional. And it would be to veto or block the budget. There's no need to hold a vote to approve it.

So therefore it should be extraordinary to block a budget. You don't worry about trying to get a bunch of people interested in the budget to show up and vote for it because they don't have to.

All we really need is the ability for the community to say wait a minute, ICANN you are ignoring our priorities for the budget. All of us. Not just one or two of us. Because the Business Constituency every time there's a budget - just like what you were describing, we have our pet projects that we want to

get funded. And we had a lobby in there. And you know what. We hardly ever succeed.

But just because we didn't get our bit would not be an excuse to veto the entire budget. And if we wanted to veto the entire budget, I doubt the rest of the community would go along unless they too had elements in the budget that ICANN was ignoring.

And if a super majority, 3/4 say of the ICANN community rejected the budget, then ICANN should go back and do the budget over because that means they've ignored the community who commented during the budget process.

And we shouldn't make the organization go broke just because we vetoed their budget. So we need something like a continuing resolution that says that in the event of a veto of the budget, send it back to use (Jordan)'s words. That the community should understand that ICANN will still maintain its operations at the same budget that it had last year.

So whatever the last year's budget is just continues for month after month until we get a new budget that doesn't get vetoed by the community. So don't look at this as a way of sucking the community into getting involved because then you're raising the bar to say that the community must approve the budget.

But that's not what this mechanism was designed to do. It's only designed in extraordinary circumstances where the great majority, super majority of the community says no. This budget is going beyond ICANN's scope or this budget is not adhering to the priorities the communities put down.

So that's - and I don't understand how an independent review panel could possibly handle that if we handed it to them. What is the standard they would look at and would they actually change the budget or decide whether to send it back?

Roelof Meijer: Okay. Steve, I think that on the (high lines) we don't disagree. So let's make sure that that's clear. I probably expressed myself poorly or something because it was not my intention to give the impression that I think that the community should approve (but no) the budget parts is - unless it's vetoed by the community. So we agree there too.

It's just that I'm not sure - and I'm not sure. So either way I'm not sure if a super majority is the right threshold. I'm not too sure if a single majority is the right one. The point that I'm making is that in either case maybe (even) it might be necessary to get independent advice.

So that was probably the wrong word. That would be something that I say in the document an independent review doesn't probably not automatically indicate that there should be experts. But I can imagine that before the community takes a position to block the budget, then could get independent advice from experts also.

And like all of us, I think there is material and expertise to judge a particular budget I guess. But maybe we shouldn't go into this too deeply because on the most important issues I think we completely agree. And this is just a matter of even if it's a super majority, a super majority 70 or 75 or 65, I'm not sure; we have to determine that for each of the powers.

And maybe getting back to one point you made earlier that we violently agree with each other. I think that we should make sure that we have the same group

of representatives that have to decide on these issues. Don't get a different group every time we have a decision like that.

Jordan Carter: Thanks Roelof. Greg, you've got your hand up.

Greg Shatan: Thanks. Greg Shatan for the record. I'm not sure if we're, you know, still on this point. But I'm very troubled by the idea that a simple majority should be used to vote for the reason that there isn't enough interest on the part of stakeholders and therefore you couldn't muster a super majority.

I think that's - I'm very - in the first place, you know, most decisions to my mind in the multi stakeholder realm should be made by consensus; and if not by consensus, then by high levels of agreement.

A decision that's made by most people not even participating is almost by definition not a multi stakeholder position. And if you have a simple majority, you're not necessarily sure whether the 49% that are not voting with the majority are not doing so because of disinterest or because of disagreement.

So you can have a situation where you could have tyranny of a very small majority and I think we lose the multi stakeholder ism if we, you know, allow bare majorities to control important decisions.

And I think on the specific point that Steve's discussing whether it's rejecting a budget or approving a budget, you know, these are exception but especially rejecting a budget. So I think that in the context of this type of organization, simple majorities should be avoided unless there's a very, very good reason to support them. I think it goes against the ethos of the multi stakeholder system. Thanks.

Jordan Carter: Thanks (Greg). Have we got - are there other views on this question. Believe this is the discussion that we need to have to give Roelof some more input in maybe preparing the next draft. And it's also these (very) kind of issues that are going to be discussed at the face-to-face when we actually work through the material. And...

Roelof Meijer: (Jordan) maybe we can - maybe I can just make a suggestion because I'm also reading the chat and I think there's quite a lot of support for super majority to (take) these kinds of decisions.

So what I'll do is I'll change that bit in all the drafts that I'm aware because I think I have two with simple majority and one with super majority. I'll change all three to super majority. And if that stops the discussion because everybody agrees, that's good. And then let's start another discussion because there are people that disagreed and we - and we'll deal with that.

But for the moment I think that there is a majority that is in favor of making all these decisions a super majority decision. And I can live with that. No problem.

Jordan Carter: Okay Roelof. That sounds good. I think that either way it's going to be a tough (and close) discussion. And but I agree with your view that based on the people that have been speaking (today) and (starting) in the chat and there probably is a view in that direction.

We're going to move onto the next item. We've only gotten minutes left. But I - (Greg), you've still got a hand up. Is that your old hand? Yes. Thank you. Steve, fire away.

Steve DelBianco: Thank you Roelof for considering all the views. But please understand. Don't switch to super majority unless you also switch to veto. In other words, it's the super majority to reject the budget, not to go to an IRP. Don't switch one without switching them both or we'll have lost the essence of the consensus that's present on this work party right now.

It's a super majority to reject the budget. There isn't any support of sending it to an independent review or expert.

Roelof Meijer: No Steve, that's very clear. And that's - I mean that's also the power. The power is - the name - the power is called block adoption by the ICANN Board strategic plan or budget. So not about approving it or blocking it. And we have just agreed - at least the group that is on this call I think there's a majority position that blocking the budget or the strategic plan should be on the basis of a majority - super majority position. That's good.

Steve DelBianco: Fantastic.

Jordan Carter: Thanks Roelof. And thank you every other (concession). That's been very helpful. And look, I'm going to - we're going to finish on time. So I'm going to call this item to an end. And I think we've all provided really helpful feedback for Roelof and (he) can get the next version this draft.

Roelof, we're not going to have time I'm afraid to go through the supervisory board concept. We'll have to hold that one over for the next meeting. And...

Roelof Meijer: Yes. Well that's - and in the meantime if people could go through it and give me feedback or start a discussion, then I can see if there's need to make changes before we have our face-to-face meeting.

Jordan Carter: Yes. Yes. That would be good. In terms of the next item, which is reviewing the work plan, there are, you know, there are no - there are no major specific things to suggest.

I've just been doing a few notes on the - looking at the work plan document, in particular the volunteers. And if you look down that list in the table towards the end of the paper, we've got the 1A, 1B, 1C coverage to (APB) with these work items.

And there was a work item, Item 3, which is about requiring the accountability Workstream 2 improvement to be done. And we need to have a - think about that. So all I've asked you to do is to think about it whether it's covered by the bylaws and so on or whether we need to give that some thought as part of the - how the transition works item at the face-to-face.

And I'm happy to do some drafting and taking the stress test language that's been developed for that (gap) consensus and trying to prepare a (power it) requires.

There are volunteers for Group 5 that are led by Keith. And I wonder Keith, are you on the call? Is Keith Drasek on this call? And if so, could you give us an indication of how you're going? (I don't actually see on the list). And look, I'll contact Keith directly and check in with him on that.

The next several pieces of work that we had to do were around the ombudsman. And it's universally agreed I think that in terms of changing appointment, that's a Workstream 2 item. So I think we don't need to worry about addressing that in the short run. And the last one is the (we can) remove ICANN (direct).

So when you scroll through that list and you see that A, we've already done quite a lot of work and B is that there aren't a huge number of gaps to cover. So I think if you look at the work plan items says we're mostly on track with a little bit less iteration going on than we'd originally set out.

And so I don't suppose any significant changes here. And I just want to agree with the point that Steve made before that it is exactly the point of these concepts and (standard) discussions like the one that we've been having and not to - just to that process. So I'm glad we had the conversation that we had.

And so do people have any other issues in terms of the work plan that they want to suggest we need to change our approach or add any work or not? Oh, the one thing I haven't yet done - I want to give our document - the work plan again to (Becky) and have a conversation with her about it.

She if she's given us any pieces of work that we need to take care of because of the new (trigger). This is not (a triggered) allocation. I'm (actually) am not particularly aware of any. But I'll know after talking with her if there are any that we need to pick up.

Any other work plan items? Otherwise, we might just slip into the related question of volunteers. And I think - I'm not sure but I think we're pretty fully staffed on the items that we need to do. And if anyone has - finds any other gaps that do need to be filled, we should fill them. But I think we're okay.

And I'd just like to say again thanks to all the people who have been doing drafting work and reviewing stuff and adding comments. And this is lots of stakeholders are at work I guess. And you can see we're making good progress.

And the last item on the agenda was any other business item. And I thought we might deal with the (unintelligible) about whether we need to have a face-to-face meeting with (unintelligible) meeting.

And I don't know if we will because I think that the work that we have done is largely going to have been done in that face-to-face meeting (unintelligible) what needs to be done next.

Does anyone have a different view about that because I'm perfectly happy to have another kind of informal get together in the same way that we did at the ICANN meeting in Singapore? Are there any view on that question? That is happening on the Wednesday of that week.

So Wednesday of that week is an interchange day. And so there's (ccWGR) accountability usually on a Monday and Tuesday. And the CWG, the stewardship group doing to name transition proposal is meeting on the Thursday, Friday.

So Wednesday as I understand it is provided for close liaison between the two groups. So I'd imagine the co-Chairs that session will be meeting. And Steve is proposing Sunday evening dinner meeting of this working party. And for those attending to have the (unintelligible).

And I think that would be very nice Steve. I am assuming that there's going to be a welcome cocktail on the Sunday evening and as there was at the previous face-to-face. And that that does not in any way include a dinner afterwards. And this is being held in the city where there will be many nice dinner options.

And so we can talk some more about the logistics of that and maybe Keith and some item with Steve with the ICANN staff and just check with the detail schedulers.

And, you know, I don't - to be honest with you, I don't know if our working party will have work to do. We will have prepared all of our input and be ready to discuss with the whole CCWG. But we should have dinner anyway.

The other item of AOB was that there was the United States Senate hearing on the IANA Stewardship transition. And I think Steve, you were going to give us a quick snapshot of that. And do you want to do that briefly?

Steve DelBianco: Sure (Jordan). In three minutes because it's - I'm three minutes away from a cigar and a scotch.

Jordan Carter: Yes.

Steve DelBianco: So (the hearing went) for two hours today. And Fadi Chehade, Larry Strickling and David Gross were the witnesses. Look, the Senate Commerce - U.S. Senate Commerce Committee members were very much ready for this and they're engaged and they knew what they were talking about.

We had freshmen Senators that have come from the IT industry and know a lot about it. We had Democratic Senators, three of them, talk about stress tests and the importance of applying those before we approve anything.

We'll send around a recap of what was said. But what we need to understand is that the U.S. Congress is paying attention and they're not entirely satisfied that NTIA's five conditions are sufficient to say that we've got the right conditions now to get this done.

There's a consciousness that ICANN is trying to steer us into a situation where you dump the Board or spill the Board is the only measure we get. We heard that from Secretary Strickling and Fadi.

There's also a notion that Fadi said where he said because we're not a member organization, we're open to all. And that is a subtle but deliberate shot at the notion of having to use a member structure to give the community the powers we need.

So believe me, there is a deliberate attempt to try to steer this to potentially something that disregards all of our intermediate measures to hold the Board accountable.

So I think Congress could be an ally in trying to shape a transition that gives the community the powers we want. The challenge is to make sure that Congress remains an ally and not an obstacle to the transition.

Help us with that, help us to try to articulate what mechanisms we're coming up with. There was plenty of recognition by Fadi Chehade and Larry Strickling of the incredible amount of work that those of you on the phone are putting in. They said the community really is working hard at it.

Secretary Strickling did take a little bit of a shot at the notion of a separate entity to replace NTIA as the counter party to the IANA contract. But I think he subsequently cleared it up with a reporter to say that separability is the last resort measure, that we really need intermediate measures to fix or replace the Board rather than yank the IANA contract from ICANN.

And Greg Shatan, I could brief you privately on this if you weren't watching the hearing. I think we may need to - we may need to step up and have the CWG say a few things about that.

So look, the Congress is paying attention. The members of the Senate Commerce Committee were very knowledgeable and they're paying plenty of attention to the importance of the community being able to override the Board and management of ICANN the corporation.

Senator Thune is the Chair of the Committee and his opening remarks looked straight at Larry Strickling and said, "There's a distinction between ICANN the organization and ICANN the community." And Larry agreed.

That's all I've got (Jordan).

Jordan Carter: Great. Thank you Steve. And as some of you know as Chair I'm going to say that we're not going to discuss that item because we've done our (own house) and the meeting is closed and people have other things scheduled.

What I would ask you to do Steve is maybe if you could share any reportage that you see of this on the working party list. And if others who were paying attention could offer some extra comments on, you know, just got time to jot down another, that would be great.

And but thank you everyone for your efforts and energy on this call today. And we're making great progress here and it's really reassuring to see. And we'll be speaking again I guess in a week at the same time or so. And there's plenty of work to be getting on with in between there. Thanks everyone and catch you next time.

Woman: Thank you Jordan.

Steve DelBianco: Thanks Jordan.

Jordan Carter: Bye everyone.

END