ICANN

Moderator: Brenda Brewer
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8:00 am CT

Coordinator: The recording has started. You may proceed.

Chuck Gomes: Thank you very much for starting the recording, I appreciate that. This is Chuck Gomes. And this is the Design Team O meeting on Friday the 3rd of April, 2015. Welcome, everyone, as I see in Adobe Grace and Alan and Cheryl and Olivier are on with me here this morning.

Cheryl Langdon-Orr: You've got Mary on audio only. She's traveling in the car. Her line is muted so...

((Crosstalk))

Chuck Gomes: Oh okay she's on - I didn't - so I welcomed her in the Adobe and she couldn't even see that so welcome, Mary, we're very happy you joined us today.

And, Mary, please feel free to just speak up if you want to say something or ask a question since you can't raise your hand in Adobe. That will be very welcome. And let's go ahead...

Mary Uduma: Okay, I'm not on Adobe so I cannot raise my hand but...

((Crosstalk))

Chuck Gomes: I understand that.

((Crosstalk))

Cheryl Langdon-Orr: Mary, just jump in when you need to; there's only a little number of us. We'll gracefully back off and let you talk as required, dear.

Chuck Gomes: Yeah, there are just six of us so far so you're welcome to just speak up. Okay. All right so I think we need to wrap up on our scoping document and our - and then work on our recommendations today. So let's start right off with the scoping document.

I sent some questions on the latest revision to it that Marika thankfully did after our call earlier this week. Let's start off with what we thought James was going to be doing and unfortunately James, because of a family emergency, is not able to continue with our group. He made some good contributions while he was on the group...

Cheryl Langdon-Orr: Yeah.

Chuck Gomes: ...so I appreciate that that we were able to take advantage of those. But he suggested last week the statement there in the background paragraph, he suggested the need for clear itemization/identification of IANA costs is consistent with the current requirement between NTIA and the IANA functions operator to separate policy and operations budgets.

Now unfortunately I didn't see anything further on that. He was going to provide a citation. I assume he meant the citation to the current agreement.

Cheryl Langdon-Orr: That's just out of the contract.

Chuck Gomes: Exactly, that's what I'm thinking, Cheryl.

Cheryl Langdon-Orr: That shouldn't be too bloody hard.

Chuck Gomes: No, that's exactly what I was going to say. We can do the citation but I don't think he's expressed it correctly and I welcome comments from the rest of you because I don't think the contract is a separation of policy and operational budgets or at least not in that broad sense.

I think it requires the IANA services to be separated from policy development.

Cheryl Langdon-Orr: That's true.

((Crosstalk))

Chuck Gomes: Is that correct, Cheryl?

Cheryl Langdon-Orr: That's my understanding and if my other computer wakes up I'll give you the facts so.

Chuck Gomes: So - and that's what I put in my comments there is - in the last sentence you can see my comment there on the right. And, Mary, for your benefit what I said in my last sentence of that comment is I believe that what the IANA

contract requires is separation of IANA functions from policy development functions.

Cheryl Langdon-Orr: Correct.

Chuck Gomes: Is that a okay way to word it?

Cheryl Langdon-Orr: Can I just - let's not settle on that; let's come back to that towards the end of the call. Let me just, you know, check the contract because the other place we might also look - I know the language - we went over this language a lot in the framework of interpretation so I might drag that out as well and just see what the - dotting the Is and crossing the Ts may take us forward. I've had to reboot my other computer. But, yeah, I think we need to tweak that sentence and the citation.

((Crosstalk))

Chuck Gomes: And in fact, Cheryl, even if you want to do it offline after this call and just submit it to the list...

Cheryl Langdon-Orr: Okay. Sure.

((Crosstalk))

Cheryl Langdon-Orr: I'll own that then.

Chuck Gomes: Okay very good. And then, Grace, then we can just fix that with the language that Cheryl provides after the call. Okay?

Grace Abuhamad: Sounds good.

Chuck Gomes: All right let's go then to the issues section of the scoping document. And, Mary, I'm going to do quite a bit of reading to help you since you're not in Adobe. And please stop me if there's something that you're not able to follow.

Cheryl Langdon-Orr: Right now Mary's line is disconnected and they're reaching out to her again.

Chuck Gomes: Oh okay. All right. Thanks.

Cheryl Langdon-Orr: That's just the voice of Cheryl for the record just by the way.

Chuck Gomes: Good for the recording, thank you. Okay and I see...

Cheryl Langdon-Orr: Who is that, Chuck?

Chuck Gomes: That is Chuck, yes. Okay the - so in the - Marika thankfully moved the five items that were in the Issues section to the - to our Recommendations sections, or she moved some of them, okay and didn't move others. So I'd like us to talk about that and see if we're in agreement with that.

So the - and I guess I don't need to read it. Please let me know if Mary gets back on and we will - and I'll do more reading for her benefit. But so anyway so the intro paragraph there the changes in that seem to be okay to me, the blue text if you have that in front of you here.

But then I didn't understand why...

Cheryl Langdon-Orr: And Mary's back now, Chuck.

Chuck Gomes: Oh hi, Mary. For your benefit Cheryl is going to provide some rewording of the sentence that was added in our meeting earlier this week by James so that it accurately reflects the actual contract between the IANA functions operator and ICANN. And it also reflects possibly the framework of interpretations in the ccNSO. So now we're in the Issues section of the scoping document.

Cheryl Langdon-Orr: Grace, you'll need to mute Mary. Thanks.

Chuck Gomes: Yes, if you would mute Mary that would help, we're getting a lot of interference. And then just unmute and we'll try and deal with it when you're not on mute. So the intro sentence then of the Issues section says - is now worded like this. "In order to determine the appropriate information and detail expected in relation to the IANA costs the design team will, as a first step, consider all the current information available in relation to IANA costs as part of the fiscal year operating plan and budget and may ask the ICANN finance team for additional steps - additional details as needed."

Now I think that should say "fiscal year '16" we could probably even say "fiscal year 15 and fiscal year '16 operating plan and budget. Is there any disagreement with that?

Cheryl Langdon-Orr: No. That's fine.

Chuck Gomes: Okay so we will - is it sufficient to say "fiscal year '16"? You think we ought to say both the current fiscal year and the next one? Thoughts on that.

((Crosstalk))

Chuck Gomes: Let's just say "fiscal year '16" for now.

Cheryl Langdon-Orr: Let's say '16 for now. Cheryl for the record. But - and Mary's line is disconnected, they're calling her back. This is going to be one of those times which often happen with where she's trying to communicate from.

So my problem with this is that the lack of actuals from '15. So providing we pick up the actuals from '15 somewhere then I'm happy to say just '16. But if we're not going to pick up actuals from '15 then I think we need to say '15. Does that make sense, Chuck?

Chuck Gomes: It does, Cheryl. But we don't actually have actuals for - well we have actuals for '15 through the - I think that through second quarter of the fiscal year...

Cheryl Langdon-Orr: Ish.

Chuck Gomes: ...in other words December.

Cheryl Langdon-Orr: Ish.

Chuck Gomes: Yeah. Well exactly but that is true also with '16; '16 of course we don't have actuals but '16 - we don't have detail on either one for all of the...

Cheryl Langdon-Orr: Exactly, yeah.

((Crosstalk))

Cheryl Langdon-Orr: So the sentence is - is valid for both and that's what I'm saying. But anyway Olivier has got his hand up so I'll shut up and get back to...

((Crosstalk))

Chuck Gomes: So what's your preference? Olivier, go ahead and speak.

Olivier Crépin-LeBlond: Thanks very much, Chuck. Olivier Crépin-LeBlond speaking. And I don't think we can use FY'16 because it's not even voted yet; it will be voted in - the end of June. But I don't think we can actually assume that anything that's in the budget or even the form that it takes today as it's proposed to us will be as that when it gets voted.

So I would recommend that we just stick to '15 and of course that budget has been voted so we can take it as it was voted and when it comes down to the actual budget obviously it might be a little bit different from the voted budget except of course that if they've done their job right it should be very similar. If they really screw it up then it will be very different. But I don't expect them to have made a large error there so you would have to be FY'15 as being pretty accurate hopefully. Thank you.

Chuck Gomes: So - go ahead, finish. Okay so let me make a suggestion. I think we can tweak the language to include both if you think that's a good way to do because I think we need to look at both.

Cheryl Langdon-Orr: Yeah.

Chuck Gomes: But so what if we say, "The design team will, as a first step, consider all the current estimated information available in relation to IANA costs as part of the approved fiscal year '15 operating plan and budget and the draft fiscal year '16 operating plan and budget"?

Cheryl Langdon-Orr: Yeah. That'll work for me.

Chuck Gomes: Doe that work, Olivier?

Cheryl Langdon-Orr: He's got a green tick up. Yeah.

((Crosstalk))

Chuck Gomes: Okay okay.

Olivier Crépin-LeBlond: Yeah, green tick from me.

Chuck Gomes: Thanks. Okay so I think that's a good fix I think. Now my - I didn't understand why Marika deleted - did not move Items 1 and 2 down to the recommendation. And I'm going to be quiet because I've already made that point in my comments. And I'd like the thoughts of everyone else on the call if you would. Should those be - not be included in the recommendations?

Grace Abuhamad: Chuck, by the way, this is Grace. And I - we've lost Internet in the ICANN office so I'm taking notes offline.

Chuck Gomes: Okay.

Grace Abuhamad: But you can - I'm taking notes offline, I'm on the phone and I know what the document says so if you need anything I'm here, I'm just working without Internet at the moment.

Cheryl Langdon-Orr: Oh I love this.

Chuck Gomes: Thank you, Grace.

Cheryl Langdon-Orr: (Unintelligible) you'll so good if it ever becomes resilient (unintelligible) will work well we think.

Olivier Crépin-LeBlond: It's a hobbyist network isn't it?

((Crosstalk))

Cheryl Langdon-Orr: It is, isn't it? Olivier, my view on this, and I want to hear your view before I crystallize it, but my knee jerk reaction is if we don't have 1 and 2 under the topic issues identified and rationale for changes if any, we won't have any expectations listed in that box. So I can understand why she didn't take those down. But maybe that's just me wanting all the boxes to be filled out because I like boxes that are filled out.

Chuck Gomes: Yeah, okay. Thanks, Cheryl. All right. Olivier, you want to go next on that...

((Crosstalk))

Olivier Crépin-LeBlond: It's Olivier speaking. I'm rereading this and I'm kind of undecided in thinking well, yes of course we want to develop or specify requirements for budgetary transparency post transition so I'd say 1 would definitely go in the second.

I'm in two minds regarding 2 because as far as stewardship transition is concerned and our DT work I'm not sure we should take on drafting comments for a CWG consideration.

Chuck Gomes: So let me stop you there...

((Crosstalk))

Chuck Gomes: Olivier, let me stop you there because I don't think we're talking about submitting comments yet, we're talking about Number 2 is the item - I'm in the Issues section, okay? And the two items that were delete were not transferred over to the Recommendation section.

Number 1 was, "Itemization of the most current forecast of all IANA costs in the fiscal year '15 operating plan and budget to the project level and below as needed." And Item 2 is, "Itemization of all IANA costs in the fiscal year '16 draft operating plan and budget to the project level and below as needed." So I'm not in the Recommendation section right now.

Olivier Crépin-LeBlond: Oh so sorry because I'm reading what's on the screen at the moment so that's why I'm a little confused.

Chuck Gomes: Oh well...

Olivier Crépin-LeBlond: Sorry.

Chuck Gomes: ...if you - yeah, okay so scroll up, okay.

Olivier Crépin-LeBlond: I am up.

Chuck Gomes: Oh you can't see it - you can't see it in - so what's on the screen doesn't have - I'm looking at a redline that...

Olivier Crépin-LeBlond: Yeah.

Chuck Gomes: Okay so...

((Crosstalk))

Chuck Gomes: ...so what happened.

Cheryl Langdon-Orr: I'm only looking at the screen too so this might be why we've go a disconnect between what you're saying in this section.

((Crosstalk))

Chuck Gomes: I wasn't looking at the screen.

((Crosstalk))

Grace Abuhamad: Do you want me to upload the redline?

Chuck Gomes: Yeah, if you would please.

((Crosstalk))

Grace Abuhamad: Okay I had put a clean version because I thought it would be easier to work with but I'll upload the redline right now.

Cheryl Langdon-Orr: Never take Chuck's redlines away from him. It doesn't matter how many colors end up on a document, Chuck likes them there until the very end.

Grace Abuhamad: All right, it's coming.

((Crosstalk))

Cheryl Langdon-Orr: ...paper copy.

Chuck Gomes: ...Olivier, I get it now.

Olivier Crépin-LeBlond: I'm just thinking, wow, we must be in another world.

Cheryl Langdon-Orr: You know, when we get the redline up it might be entirely different.

Chuck Gomes: Isn't that what the people say about the ALAC folks in another world...

((Crosstalk))

Olivier Crépin-LeBlond: I was also very concerned that I - I often agree with you, Chuck, and on this occasion we were at diametrically opposed and I thought, this is weird, I mean, it sounds like right but I don't agree.

((Crosstalk))

Olivier Crépin-LeBlond: Anyway now we've got the right thing, okay good.

((Crosstalk))

Chuck Gomes: This is...

((Crosstalk))

Chuck Gomes: ...we're going to have to encourage people to listen to this part.

Olivier Crépin-LeBlond: Okay.

Chuck Gomes: Okay now - okay now I'm not sure - I'm trying to see - so that's...

((Crosstalk))

Grace Abuhamad: So I don't know if the redline will really help you much with what you're trying to do. I think - so what I've sent - put in the chat is the page to the wiki. And if you download the Word version of this you can actually expand the comments and so you can see where the deletions were made and things like that because in the PDF version you don't see that detail.

Chuck Gomes: Yeah, it doesn't show. So let's...

Grace Abuhamad: Yeah.

Chuck Gomes: ...do our best here, and I'll just have to talk through it. So like - does anybody need to repeat what I said? The first two items were itemization of the fiscal year '15 budget for IANA and the same thing for fiscal year '16. Do we want - and Maria did not carry those over into the recommendations.

So that said let's start over and get each one's opinion on that. If somebody doesn't understand what I'm talking about please speak up. So is there anyone that doesn't think we should include in our recommendations a request for itemization of the IANA costs for the current year - current fiscal year, fiscal year '15 in that?

So you're in agreement that - we're all in agreement that those should be included as a recommendation - I guess it's more of a request from the finance team. Okay.

The second one then was for fiscal year '16. And obviously that's a draft budget but the - is there anyone - and I'll go to Grace in just a second - is there anyone who doesn't think we should request that? Okay and, Grace, you're up.

Grace Abuhamad: Yeah, so I just wanted to note that I did send the questions from the last call to finance and I think my understanding is that Xavier will try to join the next call, the one that's on Monday. But in terms of the, you know, the request that the DTO would make through the CWG, I'm not - at this point I don't know and I can't speak to the feasibility of itemization for FY'15 and the FY'16 draft budget. So that's something that Xavier may be able to speak to more.

And of course, you know, you're free to make the recommendations that you want and I just wanted to note that of course from a staff perspective I can't speak to the feasibility of some of that but Xavier will probably be able to elaborate on that further when he joins the call on Monday.

Chuck Gomes: Thanks, Grace. Did he answer the question about whether they are working on a breakout of the costs for the IANA?

Grace Abuhamad: I actually just sent him the question via email and then we have a call - I have a call with him this afternoon to go over sort of the context of the group and sort of - and help him get some background on that DTO is doing for the CWG because he hasn't necessarily been involved as closely, right.

Chuck Gomes: Yeah.

Grace Abuhamad: So I'll get - I'll make sure I raise that with him this afternoon.

Chuck Gomes: Yeah, and I understand the feasibility. I think all of us do on this call because - or at least most of us have been really actively involved in the budget so we get that. And...

Cheryl Langdon-Orr: Yeah.

Chuck Gomes: ...we're not going to be shocked if they come back and say it's going to take a while. So anyway, Olivier, you're turn.

Olivier Crépin-LeBlond: Thanks very much, Chuck. Olivier Crépin-LeBlond speaking. And I've now opened on my computer the original 1 of April, 2015 (unintelligible) input Word document which, of course, has five points rather than two so it's an entirely different animal. And I agree with you that the first two points should remain in there. I think it's - you know, the itemization of the current forecast of IANA cost in the FY'15 operating plan and budget is important. We need to itemize those things so as to be able to then show them that's what I would see as good transparency.

And obviously it's all going to hinge on whether it's feasible or not and we'll hopefully have the answer from Xavier on Monday for this. Thank you.

Chuck Gomes: Yeah that's - and, Grace, thank you very much for - this is Chuck - for getting Xavier to attend our call on Monday, that'll be excellent.

Cheryl Langdon-Orr: That'll help a lot, yeah.

Chuck Gomes: Yeah. And we'll probably start off right there and get confirmation. So we're okay on 1 and 2. So 1 and 2 - what was 1 and 2 - I hope you're following us, Grace, on all that - so those two items that Marika had deleted in her redline, and I had commented on, those will be included. Now when we get down to recommendations we can talk about the order. Maybe those two items are put in a different order than 1 and 2 but we can talk about that when we get there.

Now - and I didn't have any other comments in the move of the issues except the ones that I put in the recommendations. Olivier, is that an old hand or is that a new hand?

Olivier Crépin-LeBlond: Old hand.

Chuck Gomes: Okay thanks. So now then - so then we go to the - what's next is it says, "Based on the," - and you can see this on the screen there - the "based on." "Based on the review of this information" - and I think all of you have this in front of you so I probably don't need to read it for you unless you want me to.

So is everybody okay with what's in the issues section now so, "The design team is expected to," and there are two items underneath there.

Cheryl Langdon-Orr: Yes.

Chuck Gomes: And to your comment earlier, Olivier, when were all on...

Cheryl Langdon-Orr: When we were on different pages?

((Crosstalk))

Chuck Gomes: Step 2 says that, "The design team may draft comments." Are you okay with that? In other words we're not saying we have to but may.

Olivier Crépin-LeBlond: It's Olivier here. And that's a question. I'm not too sure about that. If we put in as "may draft" then that's - it always leaves the door open and why not. But that would obviously assume we have spare cycles to do such a thing. I hope that we don't commit to drafting comments or feel the...

((Crosstalk))

Olivier Crépin-LeBlond: ...pressure on our shoulders to draft comments when the time comes.

Cheryl Langdon-Orr: It is a significant commitment. Cheryl for the record. It is a significant commitment. I understand why this is written the way it is to say that we're not excluded for doing that if we get particularly excited about our work and have the human bandwidth to do so. But Olivier's point that by saying may or mentioning it at all perhaps leaving it in an openness of omission but not allowing us - don't have anything that limits us but, you know, I feel where he's coming from.

Chuck Gomes: Yes, thank you Cheryl. And thank you, Olivier, I appreciate that. So we're - no problems with the language then in the based on paragraph. And, Grace, you're up.

Grace Abuhamad: Yeah, so I just wanted to make sure I have - I can confirm the changes. So for the based on section you have 1 and 2...

Chuck Gomes: Yes.

Grace Abuhamad: So 1 is, "Develop the proposed recommendations," and, 2 is, "may draft comments," right?

Chuck Gomes: Yes.

Grace Abuhamad: Do you want the itemization included or not? My understanding was you...

Chuck Gomes: Oh not there.

Grace Abuhamad: Not there.

((Crosstalk))

Grace Abuhamad: In the recommendations.

Chuck Gomes: The itemization moves down. See what we...

Grace Abuhamad: Right.

Chuck Gomes: ...agreed to last - I think you remember...

Grace Abuhamad: Yes.

Chuck Gomes: ...what we agreed to last time was to move those five items up above down to the recommendations and 1 and 2 were not moved.

Grace Abuhamad: Okay correct. All right so leave 1 and 2 in the issues identified and the rest in the proposed recommendations.

Cheryl Langdon-Orr: Correct.

Grace Abuhamad: Okay.

Chuck Gomes: I'm not sure I understood that correct. The...

Grace Abuhamad: So...

Chuck Gomes: ...based on wording that's on the screen right now will stay.

Grace Abuhamad: Correct, okay thank you.

Chuck Gomes: Okay. So that's all that will - there's the introductory paragraph and then the based on paragraph; two paragraphs in the issues section.

Cheryl Langdon-Orr: But we are a little fuzzy on 2 under the based on where Olivier is saying, and I'm certainly feeling what he's saying fairly strongly myself, that by even mentioning that we may draft material to go into public comments is a commitment that he's unsure we should be committing to. But then by the same token we shouldn't be stopped from doing it so.

Grace Abuhamad: Right and I guess my question for that is whether you want to do that as the DT-O or if you want to draft comments as a separate group and then submit them, you know, to the CWG for comment and then come out but have it outside of the DT-O I guess would be - but either way. I mean, if it's after the Step 1 of the DT group then it - as long as the DT work is complete I think, you know, we're satisfied from that perspective.

Chuck Gomes: Yeah, and my - this is Chuck. My thinking on that is this is not something that would happen by the 10th.

Cheryl Langdon-Orr: Exactly.

Chuck Gomes: It would - if the DT-O members are willing to work on it after the 10th we should - we would do it then. Because the comment period doesn't end until the 1st of May so we actually have time on that. And secondly, before I go back to Olivier, I wasn't thinking much more than picking out some elements of our recommendations to put in public comments from the CWG.

So I'm not talking about a lot more work but my thinking is we still have an opportunity to have some impact on the fiscal year '16 budget. And so like was said in Istanbul, if there are some things that we would like to request in the fiscal year '16 budget if it's feasible seems to me we should get that on the public comment record, and that's where I'm coming from on this. Oliver, your turn.

Olivier Crépin-LeBlond: Thanks very much, Chuck. Olivier speaking. Thanks for your explanation and I agree with what you've mentioned here. In response to what Grace was asking and whether it would be the DT-O or would be the wider group that would be making comments, I think that we'll cross that bridge when we get there if we get there. And at that point no doubt the co chairs of the working group and us will be able to see...

((Crosstalk))

Olivier Crépin-LeBlond: Yeah, we'll see which way this goes and whether it's better for the DT to come up with a first draft or whatever. But I don't think we should spend any time and make things more complex or more - or more rigid than what they should be. Thanks.

Cheryl Langdon-Orr: Okay how about, Chuck, Cheryl here for the record, how about under Point 2 rather than a more committal subject as is written now, the language being "after step 1 is complete the DT may," how about we put something in there that says after Step 1 is complete outcomes from DT-O may be found useful to contribute to public - to submissions to the budget public comment period, blah, blah, blah.

And then it's not even saying will do it, you know, anyone who reads it can use them.

Chuck Gomes: I'm fine with that.

Cheryl Langdon-Orr: Doe that work for you, Olivier?

Olivier Crépin-LeBlond: That works for me.

((Crosstalk))

Chuck Gomes: Alan, do you have any comments on this?

Cheryl Langdon-Orr: Mary back on?

Chuck Gomes: No, okay, all right. So all right so we have - did you get that Grace? This is
                 Chuck.

Grace Abuhamad: Yes I got it.

Cheryl Langdon-Orr: She can wordsmith me anyway. She can rewrite me. She picks up what I
                     mean to say.

Chuck Gomes: Okay well we'll have another shot to do any more wordsmithing too, but I'm
                 sure she can. So...

Cheryl Langdon-Orr: Oh Hell yeah.

Chuck Gomes: Fine Grace. Make it sound pretty for us please.

Cheryl Langdon-Orr: Yeah, yeah, top it up, will you doll?

Chuck Gomes: Okay then let's go to the recommendations. Or I think that's what it - wait a second, I'm - yeah, it is the proposed recommendations.

Cheryl Langdon-Orr: Yes. Yes it is.

Chuck Gomes: Okay so let me scroll down on my own screen.

Grace Abuhamad: It is easier for me to upload the clean version for you guys? Or do you prefer to...

Chuck Gomes: For now let's leave this one up...

Grace Abuhamad: Okay.

Chuck Gomes: ...because the red line's helpful and the comments relate to the different comments, the one I'm looking at. But we can do that, okay?

Grace Abuhamad: All right.

Chuck Gomes: So I'm looking at Marika's comments and my comments on my printed copy so...

All right so this section then starts off addressing team recommends that future fiscal year operating plans and budgets and if possible even the fiscal year '16 operating plan and budget include at a minimum - and then let me stop there. Any problems with that intro sentence?

Notice it acknowledges basically the way it's worded that, you know, fiscal year '16 may not be too realistic but it'd be nice. Okay, okay with that intro sentence?

So then Number 1 says "itemization of all IANA costs in the fiscal year operating plan and budget to the project level and below as needed." Any questions or comments on that?

Cheryl Langdon-Orr: Chuck, Cheryl here. My only question is is the language we're using - "project level and below" -- consistent with the terminology currently used by ICANN Finance?

Chuck Gomes: It is.

Cheryl Langdon-Orr: That's okay then.

Chuck Gomes: Yeah and let me explain that just so that we're all on the same page. The way the budget works is it starts out with strategic objective and then it goes to goals. And then it goes to - oh and I just went blank - to - hold on, I'll get it. There are - let's see, where do I have my budget information? Over here in this...

Cheryl Langdon-Orr: I mean it's language that I'm comfortable with and I would look at the (unintelligible) projects for those small cuts of information. But I just wanted to make sure that our language was going to be consistent with the...

Chuck Gomes: It is, it is.

Cheryl Langdon-Orr: ...formal language. That's fine.

Chuck Gomes: I'm missing the term that comes between projects and goals, okay?

Cheryl Langdon-Orr: Isn't there - oh okay.

Chuck Gomes: Help me out, yeah. I don't know where...

Cheryl Langdon-Orr: Is it departments?

Chuck Gomes: I should have my budget document handy and I don't. Okay, what'd you say?

Cheryl Langdon-Orr: It's not departments, is it?

Chuck Gomes: No, no, no, no. It's...

Grace Abuhamad: I uploaded your budget documents to the (DTO) page on the Wiki as well so that maybe helps find them.

Chuck Gomes: Yeah.

Grace Abuhamad: But I'll go through...

Chuck Gomes: Hold on. I think I've got it. Actually I have it on my - here we go. I've got it. That's the - oh that's the spreadsheet. Let me get the budget. Okay hold on. Budget's in a Word document and - boy it's crazy. I know that term really well.

Cheryl Langdon-Orr: It's called a senior moment Chuck.

Chuck Gomes: Here we go. I got it, I got it. It's - in fact I'll scroll down to - why can't I remember that term? It's - oh I guess it would be easier to look at the spreadsheet which I have on my screen too. Portfolios. Thank you.

Cheryl Langdon-Orr: Portfolios.

Chuck Gomes: Portfolios. So it starts out strategic objective, right? There are five of those. And then it goes to goals and I think there are 16 of those.

Cheryl Langdon-Orr: So that was the departments I was thinking of, yes.

Chuck Gomes: There are several portfolios in each, for each goal, and then it's projects. But as you've seen if you've looked at the budget, the projects can still mix different department expenses. So it can include some IANA expenses. It can include some other department's expenses in the same project.

Cheryl Langdon-Orr: Yes.

Chuck Gomes: And so that's why - and I wrote that sentence. That's why I said and below as needed because to get the full picture it's not even necessarily quite sufficient...

Cheryl Langdon-Orr: That's right.

Chuck Gomes: ...I don't think to just go to the project level.

Cheryl Langdon-Orr: No I agree.

Chuck Gomes: And we have to the project level now for '16. We don't for '15. So they're going to have to go back and pull that out if they can. And keep in mind I'm not advocating that the finance team do anything that's not feasible that can't be done in the time frame, okay? But if they can let's ask. I mean if it is possible I think it would be very good information for us.

Cheryl Langdon-Orr: Whatever we can get will be valuable on that for sure.

Chuck Gomes: Right Cheryl. That's correct. And let me go back over to the Adobe so I can see if there are any hands up. Okay thanks for the agree there. Okay so we're okay there. So I think we're okay on Number 1 then.

Cheryl Langdon-Orr: Mm-hm.

Chuck Gomes: Number 2 then - and it's red-lined - was identification of any existing IANA naming services related cost elements that may not be needed after the transition, if any. Now that was crossed out. But let's go over to the comments because I don't - and unfortunately Marika's not able to be with us here -- but I frankly didn't understand her comment.

Cheryl Langdon-Orr: Now that's confusing Grace.

Chuck Gomes: Maybe you guys do and you can help me out, okay? So on Items 2 and 3, Marika made this comment: "These seem transition specific so as such I am not sure that these belong here for inclusion in the transition proposal. These may be more relevant in relation to the possible public comment submission."

                 What am I'm confused on -- and I need you guys to help me on - I think they are transition specific. I agree with that. But that says to me why - that seems to be a reason for including them, not including them. What am I missing here? It's early in the morning so I may be missing a lot, so - for me.

Cheryl Langdon-Orr: You might be short of coffee but it's coming up to 1:00 a.m. for me, so careful there. Olivier's got his hand up -- also I think Grace - speaking to that.

Chuck Gomes: Olivier go ahead.

Olivier Crepin-LeBlond: Thanks Chuck. It's Olivier speaking. Actually Grace had put her hand up before me and...

Chuck Gomes: Okay.

Olivier Crepin-LeBlond: ...I'd be interested. Maybe she can share some insights from Marika's point of view.

Chuck Gomes: That would be fine. Go ahead Grace.

Grace Abuhamad: Thanks Olivier. Thanks (Chuck). I think, you know, I sometimes wish I could be Marika but that's not the case. So I'm going to make a little - my interpretation of what she's saying here is that in Items 2 and 3 we may be presupposing an outcome that at this point we're not sure of.

And so for the April 10 deadline to try to make the recommendations on for 2 and 3 we would be presupposing an outcome that we don't have confirmation in by the CWG or the broader community yet.

And I think that's where maybe we include language that is a little bit less - so that allows for that to happen post-transition but that doesn't presuppose the outcome or the structure or the - however you phrase it - before we have completed the transition. I think that's where she's going with it. We're maybe moving ahead of the...

Chuck Gomes: Ah, I get it.

Grace Abuhamad: ...group.

Chuck Gomes: Okay.

Cheryl Langdon-Orr: And so it was like a circular thing we were creating, and she wanted to avoid that?

Chuck Gomes: Yes, okay. So now I understand. And I was really optimistic that somebody could help me, and you did Grace. Thank you very much.

So where would - I mean this seems like it would be good once we know the solution -- and now I'm on board with Marika's thinking - once we know the solution there will probably be some IANA services, cost elements, okay, in the fiscal year '15 budget for example, that may not be needed for the transition, okay?

And at some point those need to be identified. So that's an example maybe - let's see, we don't know what it will - we probably won't have a solution identified before the public comment period of the budget closes. So it might not work for public comment period either.

So at some point I think that's going to have to happen. Does - I mean where should that be identified if not in our report? Now it doesn't have to be a - well it could be a recommendation that they be identified after the proposal is finalized. Does that make sense? And go ahead Olivier.

Olivier Crepin-LeBlond: Thanks very much Chuck. Olivier Crepin-LeBlond speaking. And we're dealing here with a classic case of a reverse chicken and egg scenario. In order to see how the chicken was built we have to examine the egg. In order to examine how the egg was built we have to examine the chicken.

I'm - well, so there are two things. Either we drop this altogether in which case I wouldn't feel right about dropping it because obviously this is something. I would have thought this was part of the core (remit) of this design team to find out how the finances and the costs are going to change depending on the scenario that we come up with as a group, as a large group.

So leaving it till post-transition sounds too late for me. I would say we would probably have to put this as future work of this design team after the comment period when the group has finally decided on a single proposal. Or if it decides on two proposals then this design team would have to provide the details of the finances relating to each one of the two proposals.

So at least we know how our proposal is going to influence on these details. Do I make sense?

Chuck Gomes: It does to me. Cheryl, what do you think?

Cheryl Langdon-Orr: Yes I agree with Olivier.

Chuck Gomes: And Grace does that make sense to you?

Grace Abuhamad: Yes I think that makes sense.

Chuck Gomes: Okay. All right, so if we can just - in other words, I think what you're suggesting, Olivier - and I like it - is to reword this - leave it but reword it along that line. And I think that was good. Can you take a crack at that Grace or do you want Olivier to put that in writing and send it to you?

Grace Abuhamad: Either way is fine. I'm happy to take a crack at it after this call.

Chuck Gomes: Okay...

Cheryl Langdon-Orr: The girl can write. Let her write.

Grace Abuhamad: If Olivier feels like sending me some additional comments you're welcome to do that. And of course I'll circulate this document to everyone so you can make changes.

Chuck Gomes: Sure.

Olivier Crepin-LeBlond: Yes I'll work with Grace after the call. Grace you can send me what you captured just now and I'll tweak it and things and we'll come up with some text. But as long as it's okay with the group here what we're basically saying is this is not something we can do now. This is something we can do or could do after the CWG IANA Stewardship has focused on its one or X number of plans that it will send to the (ICT).

Chuck Gomes: That's excellent. And I think - this is Chuck - I think that Number 3 is in the same situation but let's find out. Let me read that real quick. So a projection of any new cost elements that may be incurred as a result of the transition and so on. And you can read the rest of it. So I think this is in the same boat.

Cheryl Langdon-Orr: Yes I agree.

Olivier Crepin-LeBlond: That's correct. If I can jump in - it's Olivier speaking - that's correct, yes. The alternative of course would be for this group to produce, to identify any costs of any existing IANA services that would change and to do a projection for all of the different scenarios that we currently have on the table. And I think that this would be a bit unwise judging from the fact that there's still so many things up in the air.

Chuck Gomes: Okay. So and then again that one just needs to be reworded along similar lines
as Number 2.

Olivier Crepin-LeBlond: Yes.

Chuck Gomes: Okay, all right, good. All right, boy we're making good progress. I'm pleased.

Cheryl Langdon-Orr: We're moving along.

Chuck Gomes: Number 4 then - I understand Marika's questioning of what is reasonable (to
me). I fully get that. And as both (Olivier and Cheryl will recognize this is
really - when I wrote this idea down it was really a response to what happened
in Istanbul when we were on the budget Webinar because we all saw that 7
million projected - and it looks like if you just read the wording - it looks like
it's just for the IANA transition.

Olivier Crepin-LeBlond: It is not.

Chuck Gomes: But we found out on the call that it included the CCWG implementation and
included some AOC stuff, etcetera.

Cheryl Langdon-Orr: All sorts of things.

Chuck Gomes: And so we all started to think based on where the CWG is going that that
might not be enough, depending of course, like everything else, on what
solution is proposed.

So that's just the context of why I put that in there. Now let's talk about do we
want to make a statement in this regard or is kind of like what we did to 2 and

3 where we say we're going to need to revisit the estimated costs and the budget once we know our solution? Okay Olivier, your hand's up. Go ahead.

Olivier Crepin-LeBlond: Thanks very much Chuck. Olivier Crepin-LeBlond speaking. And I think that if we see a rough assessment of the reasonableness that again focuses a bit too much and provides much for us to say, "Oh great," or, "Oh that's terrible," I would favor say an audit of the IANA costs included in the currently posted FY16 draft upgrading plan and budget which might include benchmarking with similar other functions.

Chuck Gomes: Thanks Olivier. I think there's a problem with saying audit of them because that $7 million that's in there right now, they had nothing to audit. You know what I mean? I mean they just - it's a wild guess.

Cheryl Langdon-Orr: That's what budgets often are in these gray areas. You know, a number you hope you do not exceed.

Olivier Crepin-LeBlond: I was trying to be Cartesian here.

Chuck Gomes: I like Descartes. I'm a former math major so I like him a lot, so...

So I mean you understand what I'm saying about audit. I'm not sure audit works because there's not much to audit.

Olivier Crepin-LeBlond: Correct. I understand. It's Olivier speaking. I see what you mean. And audit might also be the wrong word. Now that you mention it, it might also be a bit too formal of a word as to how one would do this. I was just trying to convey that we're not looking at the reasonableness of it.

But what we might wish to do is to - and that's why I used the word benchmarking - maybe compare with similar other functions or...

Cheryl Langdon-Orr: Review.

Olivier Crepin-LeBlond: Some kind of evaluation or review or something which of course is not going to be exact science and is unfortunately not going to be Cartesian. But it is going to provide us with an idea of whether this - I mean maybe looking at what's been spent so far and what's expected to be spent in the next few months, whether that budget actually works within the bands that they define.

Chuck Gomes: Yes thanks Olivier. I think you're on a good path. And I like the word review Cheryl. Here's the concern I have. Chuck speaking. Okay the concern I have is that if the budget is approved in June with a -- let's just say it stays the same and it's $7 million for the four things that that includes, one of which is the IANA transition -- and it's too low. Then we get into a situation in fiscal year '16 where they're going to have to go back and revisit the budget and find funds to fund this thing.

Cheryl Langdon-Orr: And it's going to look really (unintelligible).

Chuck Gomes: And take them away from somewhere else probably, okay? So now unfortunately it's the chicken and egg thing again.

Cheryl Langdon-Orr: Mm-hm.

Chuck Gomes: You know, and it's very possible - and I think all of us are aware of this - that the final approval of the IANA transition may not happen until the meeting in Dublin. You know we're hearing things (unintelligible).

Cheryl Langdon-Orr: Most probably not.

Chuck Gomes: You know, and the budget's well underway. And if a major adjustment to the budget needs to be made - and it may be unavoidable, okay? That's true. Go ahead Cheryl.

Cheryl Langdon-Orr: Chuck if we use the sort of review language etcetera and what Olivier was saying in the last intervention he made and do a "with a view to" recommending the consideration of a contingency in the 2016 budget to ensure that and then insert the issue you were just making the point on I would feel comfortable because you could have a contingency - basically a buffer identified - of $7 million, and here's the bucket where the - if the "oh shit" happens. At least it's been budgeted for.

We've got to try and help get some, you know, view from the outside here as well. I mean people are going to look at this very, very closely. And assuming that we do get transition and assuming it does happen a third if not half way through a 2016 budget I guess maybe we not have burnt through all $7 million.

But it seems quite possible that there's going to be a concern as you say that the functional operational funding may be in some way risked or paralyzed. And that needs to be avoided. So it almost needs just like a corporation has a contingency fund, this operation needs a contingency fund. Did I make any sense at all?

Chuck Gomes: It absolutely does Cheryl. This is Chuck. And in fact the way the budget is designed - and unfortunately it's such a big document I'm trying to find the

term - they have a core budget, okay, that matches - and you can see this if you go into the details of the budget - that matches the revenue, okay?

And they have - and I'm trying to - I'm scrolling through the document right now to find the term, and I'll try and find that. And then they have some - they don't call them - they're not project expenses. That would conflict with the use of that. They have some funds on some initiatives. Initiatives, okay? That's what it is. I didn't find it in the document.

But they have some - in some of their tables of expenses they have their core expenses, which - and you'll see that what they forecast is the revenue projected exactly matches the core expenses projected, okay? No variance.

And then they have initiatives. And the initiatives - and I think Xavier talked about this. I think I asked this in the Webinar on Friday, last Friday when we were all together or most of us were together. Grace was next door, right? And remember he said that the initiatives will come out of the reserve fund.

Cheryl Langdon-Orr: Yes. That needs to be identified then.

Chuck Gomes: Yes. And so in this particular item I think what we need to say is that we think it's along the lines that you're suggesting Cheryl. We need to at least raise the flag that this needs to be covered in an initiative and ensure that there's enough flexibility to deal with what could be significant changes in the currently projected expenses for the transition. Does that make sense?

Cheryl Langdon-Orr: It does. It does.

Olivier Crepin-LeBlond: Yes. Works for me.

Chuck Gomes: Now Grace do you have a good enough feel for that that you're comfortable with drafting up some language and then we can tweak it? Or do you want me to draft something and send it to our list?

Grace Abuhamad: Chuck I would prefer if you drafted this one.

Chuck Gomes: I suspected that and I'm okay with that. And (Cheryl) you're going to have to - because it's following I think along the same line that you were going so please feel - I'll draft something and then everybody chip in and...

Cheryl Langdon-Orr: We'll do a sanity check. But can I suggest Grace when you're talking to - if you don't mind Chuck - when you're talking to Xavier, a heads up on this part of our conversation because we do need to talk this through on Monday with him would be a very wise thing indeed.

Chuck Gomes: Oh yes, yes. In fact what I'd like to do if we can via our list finalized - finalized, I mean get a reasonable version of the changes we've made today including the one that we're talking about right now - and send it to Xavier in advance I think that would be a good idea. Did you agree?

Cheryl Langdon-Orr: Yes I agree totally, yes. But you've got Olivier's hand up, so he may disagree.

Chuck Gomes: And we've got Grace's hand up and I wasn't watching to see who was first so...

Cheryl Langdon-Orr: Chuck you know this is my job. I'm your wing girl, aren't I?

Chuck Gomes: Who was first? Come on, wing girl.

Cheryl Langdon-Orr: I think you'll find it was - I think it was Olivier that was first. But I am reading - I am reading the original NGIA contract and I've just discovered a couple of things that actually give me pause that is not for our work, but anyway.

Chuck Gomes: Okay. All right, good. All right, so go ahead Olivier.

Olivier Crepin-LeBlond: Thank you very much Chuck. It's Olivier speaking. I think you should fire your wing girl because Grace was...

Cheryl Langdon-Orr: It was Grace. Ah well, fine.

Olivier Crepin-LeBlond: ...there before me.

Cheryl Langdon-Orr: Under those circumstances I'm going to share with both of you before either of you talk.

Chuck Gomes: Cheryl you're fired. Cheryl you're fired.

Cheryl Langdon-Orr: Okay Chuck, let's see how you go without me then.

Chuck Gomes: Okay. This is going to be a very interesting recording to listen to. Any one of the more enjoyable ones. Okay Grace. You're up.

Grace Abuhamad: No I just wanted to note that I'll go ahead. I was planning on sharing the content, sort of the content template that we have with Xavier for the call this afternoon. So I'll make sure to send him the edited version if we have one ready by this afternoon. And maybe the recording of this call as well so he can at least see how the conversation's developed.

Chuck Gomes: I will draft - take a first crack at Number 4 right after this and send it to the list, just so that - now I suspect that Cheryl may not get it till later. She probably would like a little sleep, and I respect that. But I'll do this.

And if all else, if Cheryl isn't able to respond or anybody else isn't able to respond before you meet with Xavier give him the first cut and just put a note that this is still being worked, okay?

Cheryl Langdon-Orr: Yes.

Grace Abuhamad: Okay will do.

Chuck Gomes: Okay, that's great, okay. Now my - oh, (Olivier) I need to come back to you. Go ahead.

Olivier Crepin-LeBlond: Thanks very much Chuck. Olivier speaking. And would I be correct in suggesting that we use the word projection in that paragraph?

Cheryl Langdon-Orr: That would be good.

Olivier Crepin-LeBlond: Could this resolve our question mark regarding not using reasonableness but we do it effectively an assessment of the projection of the IANA costs?

Cheryl Langdon-Orr: Review...

Chuck Gomes: I'm not going to use the word reasonableness. And I will take your suggestion under consideration. How's that? No I think that's good. Sorry for being a little bit light on that. I'm just trying to keep the humor going, but yeah, I

think that may be very good. In fact, I jotted that down as - and I really will take it under consideration when I do a first cut at that Number 4.

Olivier Crepin-LeBlond: Your action plan is quite reasonable.

Chuck Gomes: Okay. Yeah, right, so thank you. Good use of the word reasonable. What does that mean though? Never mind.

Cheryl Langdon-Orr: Yes. Stop it. Stop it. Stop it. Stop it both of you.

Chuck Gomes: All right, now, so my next question then, are there any other recommendations we should talk about with regard to - for drafting or Design Team O to put forward to the CWG? And we can think about this more and talk about them next week. Or is this kind of the result - I mean what I think was intended we do on this?

Cheryl Langdon-Orr: Oliver's hand's back up.

Chuck Gomes: Go ahead Olivier.

Olivier Crepin-LeBlond: Thanks very much Chuck. Olivier speaking. And ultimately the goal of - I would say the goal of this group is to make sure that we have a budget that makes it very clear what the IANA function's budget is. And if that function's budget was to be completely separated or run in a totally independent manner, what would be the bottom line cost for running the IANA functions?

And that of course includes taking out any of the discrepancies that we might have observed in the plan so far such as having full time equivalents that are something point five people. You've got to be figures if they're nine people

working in the IANA department then there needs to be nine F keys. You can't have for number. So what I was going to suggest is that we check that our number one here. Itemization of all IANA cost and DSY operating planning the budget too. The project level and below as is needed would be able to fulfill that condition of having something that's entirely autonomous financially

Chuck Gomes: Yeah, and thanks Olivier. And before I got to Cheryl and the reality is and we don't necessarily have to say anything about this, but the reality of it is that if we go to the subsidiary model for IANA, which is being evaluated right now. Then probably some of the costs that come from other departments. You know, personnel and benefits they would probably be some sort of an agreement. Ultimately were going to need those too. But that may have to be worked out later. So anyway, I think you're right Olivier, on that. Cheryl, go ahead.

Cheryl Langdon-Orr: It just struck me that the Worthing Transparency is isn't in there and somewhere in those recommendations I would like to have - I don't really mind where but it's all very good having this data for this point in time. That's not a snap shot exercise. We do want a degree of transparency and longevity in this as well. So I just wanted to...

Chuck Gomes: ...so a suggestion, Cheryl. I think you're exactly right. This Chuck again. Should we maybe add a new number one that says that the design team recommends that all IANA costs be fully transparent? And then we can go down and specify more what we mean. I think the other items do that.

Cheryl Langdon-Orr: Just keep talking amongst yourselves while I scroll back up to Section C in the contract which is the transparency part and I'm not able...

Chuck Gomes: ...so Olivier, did that make sense maybe adding a number one that addresses Cheryl's point as kind of a high level point that all IANA costs need to be fully transparent?

Olivier Crepin-LeBlond: Affirmative.

Chuck Gomes: Okay. And so Grace, then we would add a new number one and just renumber the other four to two, three, four, five - make sense?

Grace Abuhamad: Okay. Yeah. I've got it.

Chuck Gomes: Good. Thanks.

Cheryl Langdon-Orr: The contract doesn't help us here. The only reference to transparency and accountability under C26 does talk about technical requirements with corresponding IANA functions. It doesn't talk about financial transparency at all. So we'll just have to wing it.

Chuck Gomes: And by the way, this is not related to this team's task, but the more I look at it the whole way cap costs are captured in the IANA budgeting process is not transparent and...

Cheryl Langdon-Orr: ...oh.

Chuck Gomes: At some point it would be really good and I think probably the registries - I'm going to propose that the registries maybe put forward something like this. Of course, other groups hopefully will do it too. If at some point the way cap costs are captured needs to be changed so that it really is transparent. And I fully get that that's going to be a major change.

Cheryl Langdon-Orr: It's a medium to long term plan but it's one that - yeah. I don't think there's a sector within ICANN outside of the finance staff maybe, who would not agree that that would be a good thing. But we do need to obviously recognize the huge difficulties from the inherited issues and the history on some of it. I mean the thing like (unintelligible) and it can't fly the airplane and rebuild it all that effectively at the same time. Yeah. We cannot keep saying it so I'm fully in support of that Chuck, but I think that that item one or a new one talking about transparency is really important.

Chuck Gomes: Thanks for bringing that up. That's very good. Chuck again. And I fully get how big a change that is going to be.

Cheryl Langdon-Orr: Huge.

Chuck Gomes: It's a big task and - but anyway, I think it's going to be good for some of us separate from the IANA effort to communicate that. All right. Are there any other recommendations that we should consider? And again, we don't have to draw the line right now. We can think...

Cheryl Langdon-Orr: I actually think that's enough for our proposed template. I really do. Yeah this is what do we got now. Given more days to do it in?

Chuck Gomes: Yes. Actually I'm more optimistic than ever that we're going to meet the deadline and, in fact, we may not need much more than the one meeting next week. We may need a follow up after we talk with Xavier or we may be able to in our 90 minutes on Monday to really wrap it up. So we're looking very good because it's such a good team, you see. Olivier, you're up.

Olivier Crepin-LeBlond: Thanks very much, Chuck. Considering you're speaking I agree with you. I think we're on the right road here. The only thing I could still point

out and I don't think it's a task for this design team to work on now but it might be something in the future just as what we mentioned with part two of this design team's work. Once the Weider group has chosen it's solution, the accountability group has also got some recommendation that could affect the budget or that could give some parts to the community over the budget. And one has to maybe work hard as to whether these parts would extend to the IANA function as well one way or the other. I think it might be this design team here that could look at that in the future.

Chuck Gomes: So you're not recommending something specific in our recommendations but something to keep in mind; is that correct? Or are you suggesting a recommendation for future action? For possible future action?

Olivier Crepin-LeBlond: Mm. Thanks for the question. I don't know. I'll be very frank with you. What does this imply if you do commit to a recommendation on this? What was the question? Would we over step our mark or would that be something to work on? I guess in the absence of an answer here I could always say, we could just leave the door open and not mention it for the time being. Perhaps if the Weider group decides that it needs to reconvene a group that looks at budgets. It could always just have a design team O+ or O2.

Chuck Gomes: Go ahead, Grace.

Cheryl Langdon-Orr: No. It's not on that point. We are running a 90 minute call today; aren't we?

Chuck Gomes: Yes. We have fifteen minutes plus.

Cheryl Langdon-Orr: And I'm going to need five minutes, so heads up.

Chuck Gomes: Well, okay. Well, you'll definitely get your five minutes. Grace, do you have something?

Grace Abuhamad: Yeah, I just wanted to echo Olivier's point. I think it's probably wiser at this point to focus on the April 10th deadline and sort of the scope and the reason why they design teams were created; right, which is to submit text into the proposal. So I think that should be our primary focus. And then going forward I know that the group - the CCWG chairs have asked the CWG to submit comments on budget requirements and things like that so I think the output of DTO has to be shared with the CCWG. And there may be need for further information, coordination, etc. But I think you're probably better off leaving that open for now and focusing on the content of the proposal and then coming back to it if it's needed or determined or decided that that's the way that information or coordination would happen. Right? So I think Olivier's point was - I just wanted to echo that. I think that's the right way to go at this point.

Chuck Gomes: Thanks Grace. This is Chuck. You said something I think that's important. Should we go back up to the based on section and add - maybe it's number two. It's probably number two and not number three, that says we need to submit the information from this group to the CCWG or is that something we don't need in ours.

Cheryl Langdon-Orr: There's no reason not to say it.

Chuck Gomes: So why don't - I think it fits better up there in the issues thing that it does in the recommendations or do you think it's a recommendation. I don't have strong feeling. Olivier, go ahead.

Olivier Crepin-LeBlond: Thanks very much Chuck. Olivier Crepin-LeBlond now speaking. Now, the other suggestion or just something I'm hearing on the table here since we are brainstorming after all. I did hear not so long ago between a few glasses of whatever alcoholic beverages it was on the night itself. That as far as the IANA function, the funding of the IANA function itself is concerned, even if ICANN went down or collapsed when we're out there financially there was some kind of by-law or rule that the last few pennies would go to the IANA function to that function that would be the primary function to spend the last few pennies on. And I don't know whether that's correct or not. And I wondered whether anyone here had heard about this and whether it's something that we need to report on. Thank you.

Cheryl Langdon-Orr: Chuck, you've got connected to the routes (unintelligible) China and perhaps you should take this.

Chuck Gomes: Ask your question again, please, Olivier - so that I respond sufficiently?

Olivier Crepin-LeBlond: So let's do this a little bit more formally figuratively speaking. In the event that ICANN enters Chapter 11 or I know that this is a not-for-profit so there might be some other designation for that. In the event that ICANN falls financially the last contingency funds would go to IANA with some kind of emergency way to keep the last funds but ICANN would have more of the IANA function. And I don't know whether that's correct or not. That's all down to the stability of the function it's on but that we had discussed in Frankfurt.

Chuck Gomes: So it sounds like that deals with the element of the contract now in terms of a plan in case there is failure of some sort. Don't we have another drafting team working on that?

Olivier Crepin-LeBlond: It may be that falls under that. Yeah. That's correct. Yeah, maybe it falls under that in which case I don't know whether they would think that because it's financed they would throw it to us. We could just make sure that someone picks it up.

Chuck Gomes: Yeah, and I think if they do I'm okay with that because there's a relationship with all the design teams.

Cheryl Langdon-Orr: We do but there is a standard clause in the USG supplier in the SI31 forms and I'm definitely (un). I've got 41 and that's a bankruptcy ruling. I will be telling you exactly what it says in one moment.

Chuck Gomes: And while you're looking that up, Cheryl. This is Chuck...

Cheryl Langdon-Orr: That might be where it comes from, you know.

Chuck Gomes: The legal - some of the legal advice is related to the possibility of bankruptcy too.

Cheryl Langdon-Orr: Yeah. Was it based on the USG Standard Form of Contract or whether that's based on bankruptcy laws for not-for-profit in a more general sense. Probably needs to be asked.

Chuck Gomes: Yeah. Exactly.

Cheryl Langdon-Orr: Where the hell can I find 4.1.

Chuck Gomes: Well, while you're looking, Grace, go ahead.

Grace Abuhamad: Yeah, so I staff Design Team L which is the group that is working on a transition plan in cases of emergency or any other situation. And so I can transfer if you'd like or relay - if you want them to address that there could be something that we relay on a phone call. Like on Tuesday's call and ask that that be relayed or relayed by e-mail. And if anyone wants to draft text for that or I can send a quick message to them to make sure that it came up on the GTO call and the group would like Design Team L to address that. Because I think it is more in their scope of work.

Chuck Gomes: Olivier, do you want to draft something there or do you just want Grace to relay the message?

Olivier Crepin-LeBlond: Yeah. It's nothing formal. It's Olivier speaking. If Grace can find that out that we had this discussion here.

Chuck Gomes: So Grace, if you would do that that would be great. This is Chuck again. That would be excellent. Cheryl, did you find what you were looking. I have one more item before we give you your five minutes.

Cheryl Langdon-Orr: No, you can keep going.

Chuck Gomes: Okay. So with regard to the public comment period, okay. Let's get some closure on that. And I think there's several ways we can do it. One way would be to add a sixth recommendation that we recommend that the CWG as a whole give direction with regard to whether or not the CWG should submit some of the recommendations from our recommendations in the public comment period. In other words, I'm not talking about starting something new but should some of these be submitted and should that be in our recommendations. Another way to do it would be to communicate - just send a message to the CWG as a whole asking that the CWG decide whether they

would like to submit some of our recommendations in the public comment period. Grace, go ahead.

Grace Abuhamad: So I'm editing the document as the call is happening. So we have enough I think in the issues identified section to probably not need that recommendation specifically. So I'll read out what I have right now. I have, 'After the work of the design team is complete, the outcome of this effort may be found useful to contribute to submission for the public comment period on the draft FY15 operating planning budget. The DTO should also submit as a contribution to the CCWG accountability. Their work, considering the CCWG's work on budget and their request for information from the CWG'. Something like that. I have to phrase...

Chuck Gomes: It sounds pretty good to me.

Grace Abuhamad: Okay. But that's what I'm thinking of. So essentially the DTO's work would be submitted to the CCWG accountability as input on behalf the CCWG. And then, in addition, it's available for anyone to submit to the public comment. So it's has multiple future ways it could go. The work itself.

Chuck Gomes: Thanks. And Cheryl likes that too.

Cheryl Langdon-Orr: I do?

Chuck Gomes: So that's good Grace. Thanks. So now I need to give - we need to have at least five minutes for Cheryl.

Cheryl Langdon-Orr: At least five minutes. It may not take that long. This is Cheryl. Okay. You now, who know more about Section C as a contract than she thought she really needed to? But having gone through Section C as a contract and Section

C is a description on stakes of the work statement; right? Which is the GTB. The background is boiler plate stuff. Boiler plate for our purposes. It don't do things like clearly identified to the affected parties, etc., etc. But when we get under contract requirements which is under C.2, other than saying a lot about as a contractor that we have to furnish everything, can charge nothing to the US Government.

It does talk about on C.2.5, separation of policy development and operational roles. And it states specifically the contractor shall insure the designated IANA functions staff members may not initiate, advance or advocate any policy development related to the IANA functions that is in keeping with the framework of interpretation language so we don't need to go to the frame work interpretation because I know that language well. The contracted staff may respond to requests for information requested by interested and affected parties as enumerated in a previous section which happens to be C.3.1 or .3. To inform ongoing policies of discussions and may request guidance for clarification as necessary for the performance of our IANA functions. And that is the only time in the contract all powers of many pages it is that it talks about a separation of anything. It is silent on the matter of budget.

Chuck Gomes: So thanks. That's excellent, Cheryl.

Cheryl Langdon-Orr: Now, it may be that - and I believe it is the case that CCTOV community because they've been asking for the same transparency that we are now diving into. Has made recommendations in the public comments phase for the IRST that went out last time that there was specific talk of also having a budgetary specificity and separation. If that's in a separate annex I have not found it.

Chuck Gomes: So thank you. This is Chuck again. So if we go back up to the background, that sentence that was added at the request of James.

Cheryl Langdon-Orr: I think that's fork lore and mythology which we're not short of in this course.

Chuck Gomes: I'm sorry. I didn't hear that.

Cheryl Langdon-Orr: I think that sentence is now fork lore and mythology which, of course, we're not short of in this.

Chuck Gomes: Well, can I suggest a change to the sentence so that we - I guess I already did in my written comment. So we shouldn't say - the sentence reads like this. The need for clearer itemization / identification of IANA costs is consistent with the currently requirement between NTIA and IFO to separate policy development and IANA operations. Now, that would be more accurate than the way it's worded right now. I included the changes obviously that I'm suggesting. Or we can delete this sentence.

Cheryl Langdon-Orr: Look. It is more accurate that remember that all that would mean is you have to be able to prove you're not paying staff to be involved in policy development. That's kind of not what we really want. There is no, as far as I can find it. And maybe Grace can ask legal to just to double check the - while I'm looking at is, in fact, you know, the most recent annex. Or there is no annex that should go on while I'm looking at it. But I think we should leave the need for clearer itemization of the implication of IANA costs is consistent with the paramount. See, I would be talking about this would be consistent with the current requirements of the affected and interested parties and is consistent with the frame work for accountability and transparency outlined in the affirmation of commitment before I would say it's got to do with the contract with ISO and NTIA.

Chuck Gomes: Anybody object to that? I'm okay with that. This is Chuck. And I think that is better because it is a stretch to say what James was saying there.

Cheryl Langdon-Orr: It's a huge stretch. I honestly thought because I heard it so many times at the CCTOV community that it might actually be in there. But I can't find it.

Chuck Gomes: Yeah. Okay. All right. So let's make sure Grace has the changed wording for that sentence. I assume the first part stays the same. The need for clearer itemization, identification of IANA costs is consistent with... And then it changes; right, to the...and give the wording once more. Consistent with, what?

Cheryl Langdon-Orr: The current expectations of the interested and affected party of IANA function...

Chuck Gomes: ...and you mentioned the affirmation of...

Cheryl Langdon-Orr: ...and consistent with the current expectation - community expectations based on the affirmation of commitment between NTIA and ICANN.

Chuck Gomes: Got that, Grace?

Grace Abuhamad: And consistent with the current community recommendation expectation.

Cheryl Langdon-Orr: Expectation and recommendation.

Grace Abuhamad: Expectation. Sorry.

Cheryl Langdon-Orr: And make that pretty. But basically, ITI wanted ATI to have declared again and again and again that we need to do better in terms of transparency in ICANN and this is a transparency issue.

Chuck Gomes: Are you comfortable with that, Grace.

Grace Abuhamad: Yeah. I just need to work on the phrasing of it.

Cheryl Langdon-Orr: Throw us a draft and we'll dot the I's and cross the T's. It won't happen for me in the next six or seven hours. So I think Chuck, you understand where I'm coming from?

Chuck Gomes: I do.

Cheryl Langdon-Orr: You can have (unintelligible) English sentence.

Chuck Gomes: So we're just about at our 90 minutes. Let me compliment the whole team on what I think was a very productive call. And it will be great on Monday for us to be able to discuss these items with Xavier and then see if there's any further work we need to do but I think we're close to having a very good and useful document. Olivier, please.

Olivier Crepin-LeBlond: Thanks, Chuck. Olivier speaking. And since Grace is speaking with Xavier shortly, can anyone think of anything that we haven't touched on that we would like to ask Xavier to have for us on the Monday call? In addition to everything else that we've said already, or course?

Chuck Gomes: Now, we already identified it at the beginning of the call that we need to find out whether there are already working on itemization of IANA costs. So that's already been identified. I don't have anything additional.

Cheryl Langdon-Orr: Nothing additional. As you close off, Chuck. I just wanted to share one "oh, oh" moment. I know what I've just been reading while we've been doing the call is the existing contract but it was interesting that under C.2.1 of the current contract it clearly states that the contractor shown not to enter into any subcontract. And, of course, subcontracting was one of the proposals that was put forward as a mechanism to manage "the separate ability" you have when you not having separate ability. It's interesting that when they've through the effort to insure that it is excluded in the current contract, we may predict that they may not react kindly to that as a proposal we might just want to keep. Sometimes not saying things is as important as saying things.

Chuck Gomes: Interesting. Good observation.

Cheryl Langdon-Orr: That was an interesting moment for me in the reading of it I can tell you.

Chuck Gomes: Thanks Cheryl. Olivier?

Olivier Crepin-LeBlond: Yes, thanks Chuck. It's Oliver speaking. And in response to Cheryl's point. Are they contractor in my other life having applied many of these contracts and having agreed to not use subcontractors for the work that we were contracted for, I would think that would be actually a standard clause that would be there and .. .

Cheryl Langdon-Orr: It's not in the standard clauses. If it was in the standard clauses I'd agree with you.

Olivier Crepin-LeBlond: So it's drafted in a different way then, is it?

Cheryl Langdon-Orr: It's Section C which is specifics of the standard of work. It's not the bulk standard stuff which is (un). But anyway, it was just a little heads up 'cause we will have some influence in the other conversations that are happening and maybe not making too much of that might be a bit a way of getting these things through.

Olivier Crepin-LeBlond: Another question for Sidley Austin.

Chuck Gomes: Oh. There you go.

Cheryl Langdon-Orr: I think we've got a long way, Chuck. Thank you very much.

Chuck Gomes: Yeah, we have. Great contribution. So thank you very much. We're going to wrap it up and I will deliver within 15 minutes that rewording - my first cut at it and I appreciate all of you getting it and fixing it.

Cheryl Langdon-Orr: Hang on. I don't have an ION now because there is no citation. All right. The action item that was on me?

Chuck Gomes: Mm-hmm. Oh, you did that. Correct.

Grace Abuhamad: (unintelligible)

Cheryl Langdon-Orr: Oh thank you, Grace. You're ahead of me yet again. Well done, girl.

Chuck Gomes: Grace, go ahead, please.

Grace Abuhamad: So Chuck, I'm ready to send you - I think in maybe five more minutes and I'm ready to send to the whole list, the edited text. So do you want to take it from there?

Chuck Gomes: I will. I'll just redline it in there.

Grace Abuhamad: Perfect. Okay.

Chuck Gomes: Thanks everyone.

Cheryl Langdon-Orr: Have a good weekend, team. We seem to be working on all the holidays. Yeah, it is worthy work.

Chuck Gomes: And, Cheryl, do you always stay up so late on a Friday night or is it Saturday night? What is it? I guess it's Saturday night?

Cheryl Langdon-Orr: Well, officially, it's Saturday morning. It's Friday night.

Chuck Gomes: Saturday morning, yeah.

Cheryl Langdon-Orr: Well, yeah, because these bloody ICANN people forget that it's Friday in my part of the world. They don't realize that it's the eight weekend for me.

Chuck Gomes: Okay. Is that an old hand, Grace.

Grace Abuhamad: Yes it is. Sorry about that.

Chuck Gomes: Okay. Thanks everyone. I'll adjourn the meeting. The recording can stop.

END