

ICANN

**Moderator: Grace Abuhamad
May 5, 2015
12:00 pm CT**

Grace Abuhamad: The recordings are started. Thanks, everyone. This is the 44th meeting of the CWG and 1703 UTC. And from what I heard earlier we have everyone in the Adobe Connect room but if that's not the case please let me know now.

Okay, well we'll take attendance in the Adobe Connect and I'll turn it over to Lise who's chairing today.

Lise Fuhr: Thank you, Grace. My name is Lise Fuhr, I'm one of the two co-chairs, Jonathan Robinson - the other co-chair is also on the call and he will do part of the agenda - he will chair part of this.

Well 44 calls, that's quite a lot but I think we have actually accomplished quite a lot so it's good to see that the work has been evolving. At the last call we actually agreed that we would have the Tuesday calls as a specialist call and more general calls on Thursdays. And if we didn't really need the specialist call we would cancel the Tuesday call.

But Jonathan and I, we thought it would be very helpful for us all to have this call as a management call on what, who and when for the outstanding issues.

So we will actually - the co-chairs will use this call to agree on what are the outstanding issues and who are dealing with them in what way. So the aim of this call is to get everyone on the same page.

During the public comment as we earlier announced, we intend to carry on working. And this group needs to carry on working because we have those outstanding issues. But while doing this we need to have one eye on the public comments so we can try and incorporate any issues that arises from them while we're working.

Furthermore, we've been asked to do - and we agreed to do some more webinars so we will have a webinar on Wednesday, that's tomorrow, at 1300 UTC. And Jonathan will do that one. And there will be another webinar that I will chair on Thursday at 0600 UTC.

We think it's very important that you communicate this to your communities and as many as possible participate. And we will hopefully get a lot of questions and we think it's important to educate as many as possible in the issues regarding the proposal. So the aim is to have those two webinars. And this call has the aim of getting a plan on the way forward regarding the outstanding issues.

Is there any questions or comments regarding this? If not I will continue to the next item on the agenda that is the CCWG dependencies and the new draft proposal from the CCWG. And as you might all be aware of a draft proposal was sent out for public comment from the Accountability group yesterday.

And we're very pleased to - during that trip - we - the chairs have been coordinating the last pieces of the draft before it was going out for public

comments with the chairs of the CCWG. And we have been doing that throughout the whole process.

We also, as you might see in the document that we sent you from Sidley, had Sidley help us with - if all issues we have been discussing have been taken care of in the draft. And it's been very helpful to have this cooperation with both the CCWG chairs but also Sidley who's been advising both groups.

The draft has a special section regarding the CCWG issues. And we had those four; one was the ICANN budget, another one was the community empowerment mechanism, one was the review and redress mechanisms and the last was the appeal mechanism.

Jonathan and I discussed it and to our best knowledge they have covered all these issues that we have asked them to take care of but we will have the chairs of the CCWG on our next call on Thursday and there will be a possibility to ask questions to them directly.

But if you at this stage have any questions or comments you can ask them. We have Sidley on the call and Jonathan and I will also do our best to ask - or to answer them if you have any now. But you will have the opportunity to do that - to ask directly at the next meeting.

So I'll pause here and see if there's any questions or comments. No. And I see - okay, Donna, go ahead.

Donna Austin: Hi, Lise. Thank you. If I understand you correctly now is the time to ask Sidley if we have any questions that we're not sure have been answered yet?

Lise Fuhr: Yeah, go ahead.

Donna Austin: Okay. Okay. So - it's Donna Austin for the record. One of the questions I had is - and I think this might have been alluded to on the punch list that Sidley put together but I'm just not 100% sure so I want to understand it.

ICANN will hold the contract with PTI. That contract will effectively be the statement of work. It will have the - it will contain the SLA and, you know, other contractual requirements that are similar to what the existing contract is between NTIA and ICANN now.

Moving forward when we think about the CSC the primary role of the CSC is to monitor the performance of IANA. And we had anticipated with the DTC when we do the work that that would - that performance would include SLAs that are being developed by Paul's team and also some of the other things that were captured within the current contract that exists.

My question is moving forward if the contract is between ICANN and PTI how does the - how is that relationship with the CSC being the entity that is monitoring the performance of IANA but ICANN ultimately holds the contract. So I would expect that they would have some responsibility to monitor performance as well and there actually may be a situation where perhaps the CSC and ICANN actually don't agree on how these things have - how the assessments are being conducted.

So I'd just like to get some clarity around how that relationship between CSC and ICANN would operate as it relates to the monitoring of performance of SLAs that actually are captured within the contract. Thanks.

Lise Fuhr: Thank you, Donna. And while it's a very interesting question - and I see Sharon now has her hand up but I would like to urge you to stay to the

dependency between the CWG and the CCWG. This is a more specific actual questions for our own part of the work, I think. So it would be better to have those at a later time.

And if we need to have a session regarding these issues I think we should have them there. But, Sharon, go ahead and give a quick answer if that's why you're having your hand up.

Sharon Flanagan: Yeah, let me just respond to Donna's question. The way we've structured the - in terms of the legal structure what we were contemplating and what's reflected in the CCWG dependencies is that the CSC would actually be in some sense a creature of ICANN. It would be contemplated by the ICANN bylaws, the CSC; it would be a fundamental bylaw so it's something that would exist and could not be amended out of existence without the approval of the multistakeholder community.

And so in a sense CSC is reviewing the performance both for the community and you could also say it's reviewing it for ICANN as well. So I think that's how you address the interconnection between ICANN and the CSC.

Lise Fuhr: Thank you, Sharon. Donna, your hand is still up, is that an old hand or you still have - okay, thank you. Avri, go ahead.

Avri Doria: Hi. This is Avri speaking. While my question had nothing to do with the interaction between (unintelligible) I wanted to say that I showed one really important part of the connection between the two processes because even in questions that I've been answering now it's almost impossible to explain what we've done and it's accountability without resorting to the CCWG mechanisms. And so at this point we really do see very much that dependency.

What I had raised my hand to say was that I believe - it was mentioned on this morning's CCWG meeting - actually today's, sorry, I shouldn't say this morning - but the recent CCWG meeting that they are preparing a formal communication to this group and its chairs on the connectivity - the relationship. Thanks. And the report they just came out with. Thanks.

Lise Fuhr: Thank you, Avri. And usually we have the calls on Friday with the CCWG chair so I'm looking forward to having that call and see their communication. I see Allan McGillivray had a question, "The CCWG deadline for comments is June 3, whereas originally it was May 20, the same as for the CWG. How might this slippage in the CCWG schedule affect the CWG's timeline?"

I'm not sure what we - how it will affect that yet. We need to - actually we need to have this call and make the plan to have the big overview of where we're going to end up with the CCWG being delayed and how this will affect us.

I don't know if Jonathan will join in or have another view on this.

Jonathan Robinson: Lise, I've got nothing to add at this stage.

Lise Fuhr: No, okay good. Thank you. Okay, but a good question, Allan. And we will look into it. Is there any other questions? Doesn't look like it. Okay, and then we'll move on to Item 3, that's Sidley's punch list. And here I will hand it over to Jonathan who kindly agreed to help me on this issue. Thank you. Jonathan, go ahead.

Jonathan Robinson: Okay, thanks, Lise. And apologies if my voice is a little croaky, I have a head cold so I'm not in great shape. The - it's worth just concluding that one

the discussion - noting the discussion in and around the IFR and Milton, myself, Sharon, comments on the CCWG dependency and the contemplation of that as a - as part of the fundamental bylaw. So that's a key part of the link covered in Agenda Item 2 that we've just moved from.

Moving on then to Agenda Item 3 and the punch list, I guess the first thing to say is that this is a very useful document and should be very helpful in guiding us to deal with the critical loose ends that need to be worked on and appreciate Sidley's help in doing this and the sort of objective and slightly distant view that they've been able to take in analyzing this and helping us get this together.

And in fact it should have a document that we've been working with. And I realize for some of you that aren't tracking the client list, that closely those may have come to you a little shortly before the call. (Peter) did send around the documents prior to the call which is an update of the so-called legal summary or the legal (unintelligible) that legally related issues that this group is dealing with as well as a memo.

And in fact a redline - well as well as a memo on the PTI and then the third document is the work that - with redline and clean the revisions to and work that was done on the CCWG proposal for the dependency.

So we have, through the client committee, asked Sidley to help us in a number of areas. Clearly some of the legal advice relating to things like the setup of the PTI but also issues like ensuring that we are effective in determining and specifying that dependency which we touched on here in this call.

You'll see that this list is broken down into a series of themes and in fact there's also some highlighting of some key themes which are in red indicating that they were perceived to be priority items.

The reason they're priority - and I was discussing this with Sharon very briefly on the list prior to this call is that there's been quite a significant discussion on these and some substantial work needs to be done, for example, the discussion that's gone on on the PTI board.

However, one of the issues there is that that also has some dependencies. So in my mind I think we are best equipped and discussing this with Lise earlier, we felt that we are well equipped to deal with that having filled in some detail in other areas and made sure we are very clear on the detail on other areas.

But the concern with the PTI board in particular in this instance, and it may be in some other areas as well, is that prior to being very clear on for example the role and scope of the CSC and making sure we've refined that down and the IFR, we'll try and put pieces of work that might be being dealt with in other areas into the PTI board.

So as I think I've expressed - I'm open minded to the scope and composition of the PTI board but subject to knowing and understanding what else is being covered elsewhere and understanding the impacts of how we deal with that. So it's certainly an issue that we're going to have to work hard on.

And then as far as this list is concerned what we've tried to do here, and it's this third column that is the critical point that we would like to discuss with the group now is determined really in what Lise said at the outset in the sort of what, who, when. And we might not be able to get to the when here but we can certainly start with this punch list being the what.

And so a key question is, is this all encompassing or are there other significant items that are missing? Who is responsible for getting this - these items sorted

out? Now clearly, ultimately these all come back to the CWG whether they're dealt with in (teams) or not.

But it seems to us that some of these areas of work might be best dealt with on an ongoing basis by the existing design teams. That said, we as chairs were reluctant to either commission new design teams or spread this all out into the design teams given the sort of tightness of the schedule and the need to manage it as coherently as possible.

So we've tried to balance those two by putting some of the items as the ongoing responsibility of the CWG as a whole and some of them being put back into the design teams for completion.

So I guess it would be useful, whilst I'm not sure we'll necessarily work through this in this order, and that certainly - as I said, that's something that's been on my mind is the sequence with which we deal with these items. But also in terms of the critical area is going to be responsibility for working on these.

So currently as far as the first three items are concerned the post-transition IANA entity type, the transfer of naming functions to the PTI and the PTI board I think we feel that that's at least for the time being, best held within the CWG as a whole.

As we move - and feel free to put up a hand and comment or question whether it's about the usefulness or comprehensiveness of this list or the sort of focal point of this particular discussion point which is the assignment of responsibility, I'd very much like comment and feedback.

And it may be that this needs further digestion. I know this is relatively new to the group, although some of you have seen it and had an opportunity to look at it. But not everyone in the group has seen the other Sidley documents which we circulated earlier unless you've been very diligently tracking the client list.

As far as the questions relating to the IFR, the IANA Function Review, this document envisages that those items, which is Items - comprises Item 6-12 - will continue to be dealt with by design team N as was. So whether you view that as continuing the work of design team N or reconstituting design team N it doesn't really matter, that's what's envisaged.

So to the extent that you were a team lead or member of design team N or indeed I guess would like to join in and assist with that work, it's worth being cognizant of that and making it known if you have reservations or hesitations because we will need to push people quite hard to work through these and deal with them in relatively short order.

So there's a (unintelligible) questions (unintelligible) some feedback on these in short order and coming back and making progress - further progress on them.

I'll continue to walk through the document but you may want to pull me back at some point as you digest the implications of these various points. As we then move on questions on the Customer Standing Committee, there is a set - Questions 13-19 which we envisaged putting back onto design team C in the same way as I described previously.

Let me pause and take your input, Milton.

Milton Mueller: Thanks, Jonathan. It does indeed relate to item 12 so before you move on to Customer Standing Committee I'd like to just express an opinion about that without joining (unintelligible). I'm kind of surprised that that question is in (unintelligible) a very bad idea to merge or integrate the Affirmation of Commitments review with IANA functions review.

And I think that they are very, very separate kinds of reviews. One of them is focused on the ICANN board and its overall accountability, the other one is focused on specifically on the IANA functions. I think one of the virtues of separating the two is in fact that we can concentrate on one when we're doing one and when we're doing the other, when we're doing policy and when we're doing IANA.

So I'm unclear about the motivation for that. And would express, unless there's some rationale here that I'm not aware of I would think that we could quickly answer that question in the negative and delete it from the list.

Jonathan Robinson: Yeah thanks, Milton. That's a - interesting and well articulated response to that point. I am not 100% sure that the background to that Point 12 so it's worth perhaps discussing a little. In general our attention here is not to go into these issues but I appreciate you raising it and highlighting that there is a point of substance there that might be worth hearing a couple of points on why we're - why we have the opportunity.

So, Avri, you're next in response to this. You may choose to defer to Sharon or you may wish to make your point known right away. Either way I'm okay.

Avri Doria: Okay I can certainly defer to Sharon, what I was going to speak to was why we put it in that context. But, you know, certainly willing to defer to Sharon on the answer.

Jonathan Robinson: Sharon, would you prefer to hear from Avri first and then answer or would you like to give us an initial response?

Sharon Flanagan: Jonathan, this is Sharon. Let me just give a quick response and then turn it back to Avri. And that is just to say the source of the question was from Sidley and it was only to just ask the question because we noticed there were reviews, two types of reviews happening on slightly different schedules and not knowing really what the purpose or content of the AOC review was, we wanted to understand is there a need to sync them up.

Sounds like the answer may be no but I only wanted to point out that was simply a question coming from Sidley. Thanks.

Jonathan Robinson: Great, that's helpful background. (Unintelligible) so there's not a strong motivation just a need to (unintelligible).

Avri Doria: Yeah, okay so the reason it was done, first of all to call them AOC reviews is actually perhaps a slight misstatement, they're really AOC-like reviews. They're the importation of what was in the AOC reviews to the bylaws. And the way it was done is a lot of stuff was sort of made overhead in terms of how these committees would be picked by the stakeholder groups themselves, how they would be run and various commitments about reports on them and the transparency within them and such. So that was all sort of defined as a single item.

And then there were a number of these AOC type reviews. So the idea was to import this review also or to put this review also under that kind of structure. Had nothing to do with it being one of the NTIA reviews of past, you know, or the AOC reviews, but just submitting it to that same kind of structure as

the, you know, stability and security reviews and the Whois and the transparency and accountability.

It could be moved out if that was feasible. It would then require sort of adding back in all of those other conditions that were, you know, decedent from being an AOC-type review. It isn't specifically an AOC-type review, it's the bylaws where these are imported. Thanks.

Jonathan Robinson: Okay thanks, Avri, Sharon and Milton for the question. That sounds pretty clear and doesn't seem to be a cause of overarching concern. It's just - and it's better understood now what the reference is - why the reference is made there. So, Avri, just that was a post I meant to post to you, your line was just a little loud, it's nothing too serious but just sounds a little loud with background noise meant to be a private posting (unintelligible) post it to the whole list.

Okay, Customer Standing Committee, (unintelligible) little background noise. Customer Standing Committee, Donna, I don't know how much opportunity you've had to look at these or anyone else from the - but, you know, the point here is to be mindful of the intent here which is to push these questions 13-19 back to the design team C for - as rapid as possible further work and then bringing back to the group as a whole.

Go ahead, Donna.

Donna Austin: Yeah, thanks Jonathan. So I did have a quick look at this yesterday and I'm about to send an email to the team to see if we can get the band back together so to speak and try to sort this out. We may also decide that it could be an advantage to have someone from Sidley on the call as well to help us work through this.

So I'll send a note to the team and we'll see how quickly we can pull it back together and get back to the CWG as a whole.

Jonathan Robinson: Okay. Well thank you, Donna. And look forward to the reunion concert. And I see that Sharon is suggesting removing that question on the AOC review from the list since it's effectively been dealt with in group here and in many ways that is really our objective is to strike items from this list. So as we revise and republish this list it would be great to see it get shorter.

I have a feeling in the first couple of iterations there may be some additions and that's also something with - absolutely necessary we should accept those additions potentially. But for now clearly it's meant to be a decent review of what's outstanding and a desire to deal with them.

Donna, I made no material response to your input. Great that you're prepared to pick that up, thank you.

Did you have a new hand, Donna? Let me just pause for that for a moment. Donna, I'll assume that's an old hand unless I hear from you again. So next we start to look at the ICANN and PTI contract statement of work and SLEs.

Clearly, as far as the SLEs and the escalation there has been some ongoing work but there is also some overarching work which we felt would be as best dealt with by the CWG as a whole. So there are implications under Items 20-26 for DTA, DTM and DTC.

So, again, I know DTA is continuing to work in the background. And that's subject to (unintelligible) work. I'm not sure that DTM has been doing anything. We've obviously spoke with DTC so I guess the question is just to check with both Paul and Chuck if they've got any reservations. I don't see

that there's something significant from 23 is - what I understand to be going on already.

And, Chuck, as I think was the lead on DTN. Chuck, your hand is up so go ahead.

Chuck Gomes: Thanks, Jonathan. Yeah, I think it shouldn't be a problem assuming that members of drafting or design team N - M are willing to do a little more work. But that seems like an appropriate place to start.

Jonathan Robinson: Good. Well I envisage - thanks, Chuck - I envisage we'll be coming back to the group with regular revisits of these. And I say with an objective to agree the outcomes and strike them off the list. So that should be the likely objective which may not - may be more set forth in other cases, in some cases than others obviously.

Paul, go ahead.

Paul Kane: Thank you, Jonathan. I had an exchange with (unintelligible) ICANN Legal department (unintelligible).

Jonathan Robinson: Paul, unfortunately we're losing your audio there and it's not just me so if you could just recheck that please?

Paul Kane: Okay how is that, Jonathan, is that better?

Jonathan Robinson: It seems to start good and then fades rapidly. I'm not sure...

((Crosstalk))

Jonathan Robinson: Try again? Unfortunately good enough to hear you, Paul. Let's give you a chance to check settings or anything else and, thank you, we'll take input in writing. But, and/or further input on audio.

Okay now here's an interesting one. This is the - under Items 27-32 we start to look at the issues around the separation review. I'll just note, Chuck and Paul Kane, that your hand is still up so in case if you could just drop those unless you want to reraise them.

So I note from the email that Avri has suggested calling this a separability process or a - possibly even a separation process, the review bit is confusing. I don't feel too strongly but it's really about mechanics and processes that might lead to separation.

We have two options here. And I'm not sure this is 100% clear what the right approach to take here is. Thanks, Milton, I see your support for titling it separation process, not review so we can update that in the next iteration.

We have two options here, really, and this DTX here does not refer to a previous incarnation of DTX (unintelligible) or otherwise, this refers to a to-be-commissioned design team if indeed we are to do that.

So the question is do we try and deal with this as a committee as a whole or do we delegate it to a subgroup? I think my gut feeling is that we probably need to delegate it to a subgroup to make some reasonable progress on it as I believe Avri has already tried to do.

So - but she will need assistance and input from others. I think getting her to do this on her own is not good for the health of the output or possibly Avri herself.

So I am minded, and don't mind any comments on this, but I'm minded to make an exception here and commission a group possibly led by Avri, to work on the mechanics for separation under these exceptional circumstances envisaged by the group.

Any comments or input on the effective commissioning of another group to look at this and to pick up on the work that has already been done or whether others feel that this is something which should be done as a committee as a whole? And my hesitation there is how much progress will we make? And I feel we're sometimes better off with a working draft to work with.

Go ahead, Avri.

Avri Doria: Hi. This is Avri. Hopefully I'm no longer too loud. I just wanted to mention that while doing sort of an ad hoc group design team, (unintelligible) and fill in the template and there were indeed some comments on it at the very end design team N did - people did do some commenting on some of that (unintelligible) but then it essentially stopped while we were making the decision as to whether the work should go on that way or be brought into the committee as a whole.

But the guts of a design team are already there and, you know, just need to be reviewed, commented on and taken further. Thanks. And I see no need for me to facilitate the group but if that's what - the way it comes out I'm more than willing to be a continuing interim ad hoc facilitator. Thank you.

Jonathan Robinson: Thanks, Avri. So in essence we have a group in existence or at least a working draft that people can contribute to and work on. And I'd encourage you to do that. I think, Avri, in the interest of having someone to - a named

person responsible even if it just for the purposes of some form of dissertation coordination and reporting it would be great if we could lean on you unless someone else feels particularly passionately and would like to pick it up.

Paul, I see your comments in the chat and I'll come back to those in a moment. In the meantime we'll continue just on this and see if there's any other points or comments on this. And so I'll turn to Christopher Wilkinson.

Christopher Wilkinson: Hello, good evening everybody. Can you hear me?

((Crosstalk))

Christopher Wilkinson: That's a first. Thank you, ICANN, for fixing the Adobe. Well first of all, Jonathan, I actually think this is sufficiently important that it should be dealt with in the committee as a whole. But if you decide to create a separate working group I would be glad to cooperate with Avri on the work that she has agreed to undertake. Thank you.

Jonathan Robinson: Thanks, Christopher. And I don't think they're necessarily contradictory. The idea behind the design team is to make concrete progress but in the full visibility and view of the CWG and for reference back to the CWG. So I hope it's just a tool to make progress rather than a full delegation. And so hopefully you'll accept that that's not a contradiction.

Alan.

Alan Greenberg: Yeah, I think we're talking nomenclature here whether it's Avri and a few people working as a subset of the overall CWG and bringing it back or calling it a design team is really just nomenclature at that point. It's moderately clear

that if we want to make progress - quick progress - we need a small number of people drafting a document to discuss in my mind anyway.

Jonathan Robinson: Thank you, Alan. Seeing no further hands on this point I'll turn back to Paul's couple of points. And I suppose one way in which we could sort of compromise on this separation process in quote, design team, is to just keep the work on the main mailing list which is then, although there's a group of people working on it we don't (hide it) off the design team but we make it in full visibility and that way others are able to contribute as in when and that may be the need to compromise.

Thanks. And I see a little support for that. So let's try and work with that mechanism where we have a subgroup working on it but in the full glare, if you like, of the visibility of the group.

(Paul) notes his concern and I think we need to note those. He is - feels that he needs the release of documents for Design Team A in order to be able to properly ascertain workflow, current practices and determine and agree I guess with the IANA team, the post-transition expectations of service levels.

So it is a - it is a concern. Certainly there seems to be such a strong commitment to un-table what we've all worked very hard to achieve. So I trust and understand, you know, that there is - that this channel and this understanding that there is pressure to get this done and acknowledge that this will be a necessary condition.

So I guess we just have to encourage you all to keep working with that group and we will do our best to assist you as Chairs and I'm sure staff will make - ICANN staff will assist you there.

And there's a question there, which we can take to Sam Eisner asking where we are on that point. So I think if we could take that as an action to seek an update from Sam Eisner for ICANN legal if she is indeed the point person for updating us on that. Alan.

Alan Greenberg: Thank you very much. I share the frustration of the group on this. And I'd like to - we need to be at the point where either the information is released or we understand what the impediment is to releasing it so we can come up with an innovative way whether it's, you know, a small number of people get it under nondisclosure or whatever it is.

But we can't just keep on putting it off. And I think somehow we need to make - (the message) needs to go to ICANN senior management that either we need to get the information or understand why so we can work around it. But this is just not acceptable. Thank you.

Jonathan Robinson: Well you'll see in the chat that we have support for that view Alan and Sam Eisner is indeed listening in on the call and confirms that she is working to get the documentation out as soon as possible. It would be very helpful if we - pushing this group to commit to timetables and timelines for this - for their work.

It would be very helpful to get some (unintelligible) timeline (expectation) of timeline the work of this group. But also symbolically in terms of our ability to get - our collective ability to get (unintelligible) information and when it's required, so (unintelligible) and then further work for the comment from Avri on the work of the design team on - all the group work on the separation review.

Yes. It's not correct. We need to get better - and your name it's - PTX is not the correct name. It should have a new name even if it's something like SR just to make it clear what that's about.

Let me move us on. And Sam, thank you. I understand that you are working internally (unintelligible) and appreciate the importance of this to the group. So that's useful. (Unintelligible) be expected.

Next touch on this Root Zone Maintainer for which we had a design team called F. And forgive me but I don't recall exactly who was on that one. And I think it - now the hands going up. Alan Greenberg.

Alan Greenberg: Okay. Thank you. Sorry. You just seem to drop out on my side. Yes. I was running Design Team F. These two items I don't think there's anything we can do at this point. They're contingent on what happens with the parallel Root Zone Cooperative Agreement - the Root Zone Maintainer Cooperative Agreement and that's out of our hands at this point.

So yes, there may be work to do post - prior to transition and to insert in our proposal. But until we have any clarity about what's going to happen, and I suspect we won't have clarity prior to the proposal going out, there's not a lot we can do other than note there are some things that will have to happen the details of which we don't know.

There is however another design DTF item that seems to be missing from the list and when you're ready we can go onto that.

Jonathan Robinson: I think there's two points - and Alan, thank you. One, is there any comment as to how we might deal with 33 and 34 other than Alan's response

and two - or in addition to Alan's response. And two, Alan, feel free to go ahead and raise your additional point.

Alan Greenberg: Okay. Thank you. The other point is the issue of what the process mechanism body is to approve substantive changes related to Root Zone Management.

The poster child example was DNSSEC but there's likely to be significant other ones that are perhaps less onerous than that one but nevertheless need to go through a body.

And I believe out of the last meeting or one of the last meetings I was charged with essentially going back to Design Team F and coming up with a proposal. That hasn't happened due to all the other work that's gone on but I'm certainly happy to do that.

There was a mention of the subject in one of the other design teams. I can't remember which one but related to - I think it was CSC one. And we need to make sure that we don't have a specific conflict.

But certainly in the mind of Design Team F we had a very strong statement that we believe there still needs to be an authorization approval function. And that needs to be flushed out.

Jonathan Robinson: (Unintelligible) to that kind of - that specific type of example such as DNSSEC.

Alan Greenberg: Sorry Jonathan, I missed half of what you said.

Jonathan Robinson: You had a strong view that there needed to be an authorization function in relation to the specific type of example that you cited...

Alan Greenberg: That is correct.

Jonathan Robinson: ...(the) example of DNSSEC.

Alan Greenberg: That's correct. Sharon said they'll add it to the list. I guess I'd like to know if I should charge off and reconvene Design Team F and start initiate what I don't think will be a very long discussion but nevertheless initiate the discussion on that. If anyone's speaking, I can't hear them.

((Crosstalk))

Lise Fuhr: Jonathan, are you on mute? It's Lise.

Jonathan Robinson: No. It was - is my audio not working?

Lise Fuhr: Not it is.

Alan Greenberg: If you were talking, we (didn't) hear you.

Jonathan Robinson: Okay. It seems to be a little patchy. I apologize. I'm not quite sure what's going on today. It's not my voice. There's a technical issue. I simply asked was there - my first point was I confirmed to Alan in relation to his question on item, which will be new Item 35. The answer is yes, do go ahead. And second, are there any other comments or points relating to how we deal with 33 and 34 in addition to what Alan has said?

And it may be that the reasonable point is that it does have to be - remain on hold as suggested in the chat. Go ahead Milton.

Milton Mueller: Yes. Just the - if you're talking about the PTI essentially needing some kind of approval authority for making architectural changes to Root Zone Management with DNSSEC being the example of that, this interacts with the questions related to the PTI Board and what it does.

Do we need it? Do we want the Board to be doing that or do we want ICANN's Board to be doing that? And so I just - I wanted to point out the interdependency between those two things.

Jonathan Robinson: That's a good point. Thanks Milton. To the extent that there is a quasi or executive function in the Board, this principle could be a function of such a Board where normally the Board would delegate elements of that to management. But that is a good point that there may be an interdependency there. Alan.

Alan Greenberg: Yes. Thank you. Yes, it's clear. If we knew exactly what the PTI Board was doing, this could perhaps be a function of the PTI Board. My personal feeling is it should not be because I believe it's a wider scope than just post-transition IANA.

It includes the Root Zone - the Root Operators. It could include other parts of the community. And I think it's a much wider function than just IANA itself. So although IANA may - will be the home of organizing the discussion and doing the design work and things like that, I'm not convinced that it's an - it should be an IANA decision as such but a wider community's decision. Thank you.

Jonathan Robinson: Thanks Alan. That's helpful...

Alan Greenberg: But that's the discussion that does need to...

((Crosstalk))

Alan Greenberg: ...need to happen.

Jonathan Robinson: Yes. Got it. Okay. It may be that that's enough for now. It's raised. So that's (synergy) urgent but it's not going to drop off the list until we find a way to deal with it. So let's perhaps not try and force any further outcome from that now but be aware of the issues there.

(Unintelligible). This is an interesting point because it sort of goes back to the point made - the question made at the beginning of the call around the synchronization of the timeline between the CCWG and the CWG and also ultimately our ability to depend work and outcomes of the working of the CCWG.

Conceptually my personal view is that we will create the dependencies and it is my hope that the work of the CCWG will be sufficiently refined that we will have a high degree of trust in the outcomes.

But nevertheless ultimately our proposal will flag that we are reliant on certain critical outputs and we will have to phrase that very carefully how we depend on and rely on those outputs from the CCWG.

So I don't know how much we can say more about that now but if anyone would like to comment in relation to 35 as it is phrased or points that I just made. Go ahead Sharon.

Sharon Flanagan: Thanks Jonathan. I would agree with that and I think that also applies equally to the remainder of the list 36 to 42. Those are really - it's really more

monitoring to ensure that the CCWG work continues to line up with the expectations on the CWG side.

And so far I think that's all - there is good synchronicity between them but it's something that needs to continue to be monitored. But I don't think there's anything to do right now other than just to keep it on our list.

Jonathan Robinson: Thanks Sharon. That's helpful. And it's also important to remind others that that responsibility is sitting of course with the Chairs and our coordination with the CCWG Chairs.

But this is and will be a key benefit of our work with you at Sidley and your joint work with both groups. And that was proved to be so when - during the drafting of the CCWG's work and will continue to be so I expect as these two work in parallel. So I'm okay with that. That feels right and useful for the time being.

So that's a whistle stop tour of the sort of who - what, who and when of this list. And very useful to have a bit of input on the substance as well. That's been a very constructive discussion actually and perhaps sets the scene for how we might deal with this in future as we take this as a punch list to drive our work to its natural and logical conclusion.

And I think that probably concludes my work on Section 3 or Item 3 of the agenda. Let me just pause in case there are any other points or comments anyone would like to make before I hand back to Lise to deal with Item 4 and Section 4 of the proposal.

Four flags. An item has been running on email relating to ensuring that ccTLDs do not look to ICANN for policy - that do not look to ICANN for

policy are not impacted by ICANN post this process. And that's an important point that needs to be kept an eye on. And I'm sure you (Paul) and we will keep an eye on that point. Thanks.

Okay, Lise, let me hand back to you for Item 4 of the agenda and dealing with Section 4 of the proposal.

Lise Fuhr: Thank you Jonathan. And I hope a pause will help your voice. I'm very impressed how you're keeping up having a cold.

Section 4 is the actual implication of our proposal. And it's very important to understand that we've all been doing some work with the things that will implicate - have some implications on design teams and the group as a whole.

And we also have the SSAC report to help us with recommendations on what to ensure while we're looking at the implication of the draft.

((Crosstalk))

Lise Fuhr: Hello. Okay. Thank you. So while this part has not - it's in the draft and it's been taken care of by staff and we had some - a group taking care of it in the beginning of our work.

And Jonathan and I as Chairs have - we have discussed the way forward regarding this section. And we actually surprisingly have a plan for it. But first I would like to hand over to staff and have their update on where we are regarding the Section 4 at the moment. And I'll continue on how we discuss the way forward. Grace, go ahead.

Grace Abuhamad: Thank you Lise. As of today Section 4 stands the same as it is in the draft. We haven't updated any of Section 4 yet. But we would like to suggest to do so and possibly also address Sections 5 and 6. So as a reminder for the group, Section 5 is the NTIA requirements. And Section 6 is the community process.

And both of those sections, Sections 5 and 6, we think that we can - staff can compile some information for the group on this because essentially we have a lot of it already. The group has done a great job with outreach to the broader community and we've tracked a lot of that on the Wiki and on our mailing list. So that's Section 6 on the community process.

And then in terms of NTIA requirements, it's sort of fulfilling the five requirements that were put forth by NTIA. And that also is something that staff things, you know, we think we can compile for you and sort of get you at least a sort of a draft. But that's in our suggestion. Of course we don't know how you feel about that. So I'll turn it back over to you Lise.

Lise Fuhr: Thank you Grace. And well, the co-Chairs have discussed this way forward. And here again, it's important that we decide on what, who and when that we started with in the call.

And actually we together with staff have the plan that we think it would be great to have the staff continue drafting on the session that you've been going through the punch list with Jonathan earlier. There are a lot of work that still needs to be done on the issues that this design team has been taking care of.

But having staff helping us to draft meeting the deadline we still would encourage and like the design teams and the participants of this CWG to post their input on the list with their input of the implications. We know a lot of the

design teams have of course some knowledge of their specific implication of their part.

So it would be good to have this cooperation between staff being responsible for the actual drafting. And while they do this, we could take input into account that comes from the list. And we would have the opportunity to go through the draft during the call to give critique on the call and change whatever is in the draft.

So this is not to take the drafting away from the group. It's more to have the staff being responsible for doing the drafting and collecting input that might come from you the group. And I see that (Cheryl) is happy to assist staff with Section 5. That's very good.

So this is not to keep people out of helping. It's more to ensure that we do progress on this and have your input. And during the calls we will go through every section and discuss it. So it will a process that everyone can participate in and it will be transparent.

So as Grace said, we have this plan for Section 4 but also for Sections 5 and 6. So I'd like to hear if there's any questions or remarks or comments on this. Because what we're planning to do is to have this outstanding Sections 4, 5 and 6 a recurring item on the agenda so we ensure to discuss it on every call and discuss the progress until we have to finalize the proposal and deliver.

So I will pause and see if there's any questions. No. Doesn't seem like it. I know everyone has - actually we still have quite a lot of talk to finalize as we've seen on the list.

And the practical way to do this would be to - if you have - if you have input to Section 4 or some of the other sections, just put this in the headline and this is Section 4 implication on DTF or Section 5, any remarks on that.

So I think it would be good to have your input on the list for the whole list as we do with the design team that Avri's going to be leading. And as Grace is mentoring in the chat, Sections were delivered as separate documents until drafts are final enough to be included in the full CWG draft. That's also very helpful and makes it easier to read.

Okay. Any questions? Doesn't seem like it. Thank you. And thank you staff for taking on this task. Then I'll go on to Item Number 5, public comments. And (Bernie) has promised to give an update and summary of the public comments. So (Bernie), will you go ahead and give an update?

Bernie Turcotte: Yes ma'am. Thank you. There have been three responses so far; two of them quite brief; one of them a little longer. We've looked at if there are any common points within the three responses.

And there is one theme that is - seems to be overarching is people have issues with PTI being a separate company. Some don't think it goes far enough and some don't see what the added value is.

That's an initial assessment. Staff will be getting together to design a mechanism to formally classify and evaluate the responses so they can be presented to the CWG for consideration. That's my update ma'am. Thank you.

Lise Fuhr: Thank you Bernie. I find it very interesting that having a PTI as a separate legal entity is not perceived as useful. And I think that's something that we -

Jonathan and I need to focus on during our Webinars, not the sole focus but just to address it and try to explain why the legal entity could be helpful.

Having said that, any questions or remarks for any - me regarding the public comment. Milton, go ahead.

Milton Mueller: Yes. I've gotten similar comments. And the point is not so much that where people don't see the point of separation such that we are in this middle ground where we are creating a separate entity but so it appears to people as it is, you know, with ICANN as the sole member and possibly ICANN controlling its Board or appointed Board, people are wondering what is the point of separation.

So I think - I haven't heard anybody necessarily say they were against it both in those public comments that are up there and in my own multiple conversations with various people at these meetings.

What I'm hearing is that we - either we're in a place where we are, you know, neither - one place or the other neither separated enough or integrated enough or we are not making clear enough the rationale for the specific form of separation that we have adopted.

And I think it's more the latter. I think we do have a good rationale but it's - particularly the initial (loss) being given. It's just an entity that ICANN is the only (unintelligible) controls completely. I think we're not making clear why this is being done.

It does have to be made clear because I don't think we can go back to square one and start debating internal external again. I really think that would be

something we'd - there's not (kill) the transition. Start doing it to the point where we really - we get into trouble.

Lise Fuhr: Thank you Milton. And I agree. I don't think it would be helpful to go back to square one and discuss internal external. Having said that, I think, and I agree that it's not as - only the legal separation issue. But I think a lot of the issues that are discussed, the PTI Board, et cetera, we haven't really defined that completely yet. And that's, as we've seen on the punch list today.

So some of the issues that are being questioned here hasn't been concluded completely or finalized enough. But I'll hand it over to - Jonathan, your hand is up.

Jonathan Robinson: Yes. This Lise. And thanks Milton. I mean I think this is actually a useful point to just - never does any harm because Lise and I will be in the dark so to speak on the podium answering questions.

And so the way I would answer this question I would think about three points. I would say this enhances and improves the status quo of the current functional separation. It makes it really clear. More clear but currently as perhaps almost certainly.

Through the work with the accountability group, and this is Point Number 2, we layer on significant new accountability mechanisms. And so we substitute for any perceived or actual loss of accountability via the withdrawal of the NTIA stewardship by introducing significant new accountability through the CCWG.

And then third, we lay the groundwork, we do the pre-preparation work for eventual separation should such an (equality) become a necessity, which we

hope it won't with those (relative) points that I mentioned a moment ago being in place.

So for me that's how I would articulate it. And it's - but it's helpful for me to, you know, test that and sharpen that with the group and share those thoughts. Thanks Lise.

Lise Fuhr: Thank you Jonathan. Alan.

Alan Greenberg: Thank you. I think it's rather premature to be having this discussion with only three comments and as (Bernie) pointed out that they're - they don't - they say things in opposite directions.

Unlike Milton, I certainly have had people say to me (unintelligible).

Woman: Go ahead Alan. I'm sorry for the disruption.

Chuck Gomes: Did we lose Alan?

Lise Fuhr: It seems like it. Alan. We can't hear you. Are you on mute?

Alan Greenberg: Hello.

Lise Fuhr: Hello Alan. Go ahead.

Alan Greenberg: Okay. Sorry, I said what I was going to but maybe I didn't - maybe it didn't get through. I think this conversation is premature at this point given that we have only three comments and they're in opposite - they're in various different directions.

Unlike Milton, I have had people comment to me they don't see the need for separation at all and it's costly and not getting us anything. But we need to wait until we get more comments in. This is going to be an issue of contention among the commenters I suspect. And we have better things to do with our time right now than to have short-term discussions. That being said, I have to drop off this call for another one. So thank you all.

Lise Fuhr: Okay. Thank you Alan. And this was not meant to have any discussion on but it's just meant that Jonathan and I can use those three comments in our Webinar on Wednesday and Thursday. But Chuck, go ahead.

Chuck Gomes: Thanks Lise. And sorry that Alan had to drop off because I'm going to disagree with him. I don't think it's premature to do this. There are specific reasons. Quite a few of them as to how we got to this point. And I think those should be communicated to the community.

And obviously as several have pointed out, how we got here is not clear to a lot of people or why. And so - and I think it would be good if we started off very early in these next Webinars stating a list of reasons, not with a lot of verbiage, just a bullet list of how we got to where we are and why.

And Jonathan, with regard to the list you started, I agree with the first and third but I think the accountability measures would apply whatever model we go to. So I'm not sure that's a particular reason - I mean they're critical to what we're doing. I say that strongly.

But I think even if we went with a purely internal model we would need those as well. So I'm not sure that particular one - I think that's a good point to make that we're doing that to complement what is being proposed. But I'm not sure that's a list of why we're proposing the PTI model.

Now I think some of the other ones - I think your - I think it was your third one Jonathan, the one that A, we had two extremes before; the Contract Co and the purely internal. And I'm not sure why my audio's going in and out. Sorry about that.

But the - this is a compromise to try and bring people together. And I think that's a good point to make. Obviously the policy is - as Jonathan said, it's a way to strengthen policy versus separation.

But I think one of the biggest reasons for going this route is it provides the opportunity for a clearly defined contract. And you need two parties for a contract. And I think the turning point for me personally was the contract issue. And I think that's a really big one in terms of defining service level expectations and consequences and accountability for the various parties and so forth.

So and I'm not trying to be comprehensive. I think there are several others that can be added to the list and I absolutely think it's good to communicate those as early as possible. Thanks.

Lise Fuhr: Thank you Chuck. And I see Milton's hand got up again. Milton, go ahead. Milton, can't hear you.

Milton Mueller: (Unintelligible). Can you hear me?

Lise Fuhr: Now we can. Thank you.

Milton Mueller: Okay. So I circulated the link that we're asking for comments. And then of course I had the document that we were circulating with our proposal. But

when I went to that link, I actually spent almost five minutes staring at that page before I could figure out where the actual proposal was.

And I'm afraid that some people are going to read this very brief summary that's provided and I certainly understand why we want to give a simpler summary but I think we want people to read the actual proposal; if not the first two sections, certainly the third section and that they're aware that link is.

So I would appreciate it if the link could be made a little more prominent at the beginning. You know, this is where the proposal is right here.

Lise Fuhr:

Okay. Thank you Milton. That's a good point. Of course it would be preferable if people read the whole proposal. But we also know that for some people it's a lot of reading to do. So it's better to have read the short form proposal than the whole with appendix than nothing. So it was in order not to discourage people to have both. And I think having both is good.

Your hand is still up Milton. Do you - did I cut you off or do you want to say something more? Okay. Any other questions or comments on public comments? No. Then I'll ask if there's anything under any other business. No. Well your hand is lowered now Milton. So there's some latency and I can't lower it.

Okay. Doesn't seem that there is any issues under AOB. So I would like to thank you all for participating in this very constructive call. And I - you all know which issues you have to deal with. It's quite important that we get moving on the last outstanding issues. So please - I know you've been working hard but we need you to do one last effort on getting this finished for the deadline, so.

Thank you for joining and thank you for participating. And I hope you will have a good morning, afternoon, night, evening wherever you are. And Grace helpfully put in the chat, the next call will be on Thursday at 1100 UTC. Thank you again and goodbye.

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