ICANN

Moderator: Brenda Brewer
May 28, 2015
10:00 am CT

Coordinator: Recordings have started. You may begin.

Grace Abuhamad: Thank you. This is the 51st meeting of the CWG on the 28th May at 15 UTC. We will do roll call in the Adobe Connect room. And I have Eduardo Diaz on the phone line. Anyone else on the phone?

Cheryl Langdon-Orr: Cheryl here I'm not in (unintelligible) room yet but I will be shortly.

Grace Abuhamad: Hi Cheryl. Thank you. All right I will turn it over to the chairs.

Jonathan Robinson: Okay. Hi everyone. Welcome back. It's Jonathan Robinson speaking here in the office with Lise to run the meeting.

We had a productive meeting earlier. I think most of you were on that meeting. I don't want to bore you with going over it in a lot of detail but is probably worth highlighting a couple of key points.

First of all obviously the overall timeline and milestones which you see in the right-hand portion, the notes there and what we're trying to achieve through a

set of high intensity meetings and some meetings next week at which point we seek to produce a proposal for signoff by this group. Thus we can submit it to the SO and ACs to - in reasonable time I had of the Buenos Aires ICANN face to face meeting on 21 June.

So therefore really our overarching objective from these meetings is to get sufficient closure of key items wherever we possibly can to do an effective job of covering the public comments and to really focus on what I talked about earlier a necessary level of detail for the final proposal.

And particular to be aware that in finding that necessary level of detail one issue might be that we put certain items with appropriate care into a list or a bucket for implementation.

Those of you that were on the previous call will recall that, you know, we really covered some of the critical progress and key decisions we've made to date and the milestones achieved and a highlighting really of an objective not to reopen items where we have dealt with them in the past but to really deal with items that either have not yet been dealt with or are flagged through significant comments via the public comment period.

And to that end we heard from Bernie picking up a presentation which all of you should have highlighting the major trends emanating from the public comment period.

We also have a very useful document which is color-coded comments from the public comment period which seeks to isolate the public comments to those to on a per drafting team level in other words to highlight where the drafting teams can potentially look at these and absorb or address them on a color-coded basis. So the color relates back to the drafting team.

And in fact I think Design Team O and M have already made some or significant progress with dealing with that.

And we also have to as a point here I'm just thinking about this communication of our responses from the public comment oh we talked in some detail towards the end of the call on our response that some of our public comment points in the first pass by staff appear to be better suited to input to the Cross Community Working Group on accountability and input into that group's work.

And so we agreed to publish a note on the public comment on our public comment site drawing attention to the draft responses to our public comment such that commenters to our group would be have it brought to their attention that actually they may be better off or at least supplement their input to us with inputs to the public comment period now open for the group on accountability.

We've tried to chart out an agenda for all of these meetings and we have in particular a current schedule which you see in on the right-hand side in the notes section and a plan to deal with various items over the forthcoming meetings.

I think we are going to have to review that as we go depending on the progress we make in this meeting. And we'll keep you posted as to how that agenda - those series of agendas, interrelated agendas develop.

As far as this meeting is concerned we have a series of action items derived from the review tool. There's is a full list of action items. So that document which is color-coded for that benefit of the drafting teams and the group as a

whole has within it a whole series of action items or areas to respond to from the public comment.

And in reviewing where we go next it seems appropriate for a number of reasons to start to walk through those. In particular we are mindful and it's become apparent that not everyone has had the opportunity to review the public comments in full detail.

Some of you have obviously read them in fine detail and have provided diligent responses. But the combination of the volume of work, other commitments and a holiday weekend mean that members and participants haven't necessarily had that opportunity.

Certainly the design teams haven't had a chance to reconvene and review their respective areas. But that doesn't mean there aren't potential opportunities to deal with many of those items now.

And so what we plan to do now is start to walk through that set of actions that are derived from the public comment period. And really what we've got here is a summary of those actions that are direct from the review tool as have been already captured or and by staff in which you would have already seen.

So this list has been circulated. We have circulated both the color-coded review tool plus the summary of actions derived from that.

And what we've done for the purposes of this call is reordered that list, that's all -- so it's the same list that you've seen before -- to make it practical and logical to walk through it at least from our perspective and hopefully yours.

So in the display period now in the Adobe Connect room you should see that list being prepared.

Can I check who from staff is posting that? Is that that's Marika isn't it?

Marika it's coming through as a screen share. Is it possible is that the reason for that is that because you're going to edit it in line? Yes.

Marika Konings: Yes. This is Marika. I can also share this version or do the PDF version on the screen. But the idea was to try to capture some of the feedback or comments that come in.

But I can do that as well. If you prefer I can do that off-line and then share that document after the meeting as you prefer.

Jonathan Robinson: Thanks Marika. I think it's probably pretty clear. Let's hope it's clear enough. That looks okay to work with. I hope others will find it. You've expanded a little now and that look that helps. There is enough screen real estate there I hope for everyone to work with.

So any comments, questions on where we are, where we're going and what's happening right now? I'll just pause for a moment for any feedback or questions or comments.

Staffan go ahead.

Staffan Jonson: Thank you Jonathan. Well just a consideration or a question rather. What about communicating proposed responses because we do have a set of the concerns within this current paper?

We do need to present some kind of proposal or amendment or at least response. So we have partly to communicate the CWG as a whole group but we also or that's the question actually, should we also communicate the ones consideration the concern in the first place?

So I'm just a little bewildered about that. Thank you.

Jonathan Robinson: Okay Staffan. I'm going to give you an answer. Someone from staff may supplement that answer. And Marika your hand is up anyway. Let me give you a chance to talk and then just if you can just describe the process I think that'll be helpful Marika. Go ahead.

Marika Konings: Marika, so - this is Marika. So the idea I think at least from a staff perspective is that walking through those now and through the notes will be taken it will be easier to formulate and a response to these respective comments that we then subsequently would introduce into the public comment review tool.

So that again would become the record of how the CWG has dealt with the comments and suggestions that have come in.

Of course if design teams have, you know, specific responses that they would like to put forward, or you know, after staff has gone through it you still have concerns or questions about it of course that is no issue at all. And then we can work together.

But the whole idea is that the public review tool would become the record of how the group has dealt with all the comments and how they have as well impacted the proposal.

Where have changes been made, where did the CWG maybe disagree with proposals that have been put forward or issues that had already been considered.

So that is a little bit the idea behind, you know, this exercise and where it eventually it will go.

And then that document would of course be publicly posted and of course for everyone review that have submitted comments hopefully you will take it back as well to your respective groups.

And but if you're referring I know some people have suggested individually responding to commenters but it's rather challenging as for example we don't have access to all the email addresses of people that have submitted comments.

So that is basically I think the way we're suggesting going forward from staff perspective.

Jonathan Robinson: Okay. Thanks Marika.

Okay so really I would capture that in three ways. One, we will publish the public review tool, the public comment review tool on the public comment board.

Two we will update and modify our draft proposal into a final proposal taking account of those public comments.

And three way will having published that final version of our document we will undertake to communicate that through Webinars, through the members

of this group going back to the charting organizations and through any other mechanism we can - we have at our disposal to communicate the outcomes.

And in communicating those outcomes in the final proposal we can make reference to the public comments.

I should say in the - I'm sorry Staffan in the previous meeting I did do a walk-through. And I don't want to labor through that again. But I did do a walk-through of all of the sort of history and some of the key milestones including focusing on the feedback we'd received in public comment one at Singapore and any other mechanisms and how that had influenced our thinking and shaped major outcomes and frankly compromises at times from the group to get to the position we're now in.

Any other - thanks for that question Staffan. I think it's important. Any other questions or comments around where we are right now?

Okay so what we'll do now is we're going to walk through these action items. I think some of them where they are particularly substantial items that we'll come to in a later meeting we are likely to move over.

So for example I mean it's quite clear that PTI board has been something that we flag on numerous occasions. I do need to come to it.

But currently it's scheduled to deal with that in substance in meeting 53. So to the extent that that throws open that issue in these public comments we may defer that - we're likely to defer that to the relevant substantial discussion.

But for the most part this - the purpose of reviewing these public comment or action items serves two purposes.

It educates all of us as to the scope of the public comments and gives an opportunity for some provisional input and possibly even just removing these off the list as we deal with them.

So I'm going to work through them together with Lise and yourselves and we'll go through and deal with them on a case-by-case basis.

Section 1 is on general comments. And here we - the - oh, I lost it.

Woman: Sorry, Word crash.

Jonathan Robinson: Just waiting for that to - it appears that the program - right, there we go, right. So general comments, three of them under the section of general comments on first of all the clarity of roles needed and clarity and where accountability lies is required.

Well I think that's evident that there's more work needed.

And I'm going to work through these reasonably fast but please put up your hand if you want to make a comment or any points. So that was from Nominet and Martin I see your hand is up so go ahead Martin.

Martin Boyle: Thanks Jonathan, Martin Boyle here. Yes it's very much a general comment. But it is actually associated quite clearly with the separate roles of the PTI in the PTI board compared with the role of the ICANN board.

And it's also then associated with the escalation processes of where responsibility lies. And that in its own right is linked with the second

comment there which is that when there is a substantive decision then that needs to be validated to an open consultation.

So that again I think links quite closely with CSC output, escalation processes and the IFR or perhaps more specifically the special IFR and processes and decisions. I hope that sort of clarifies it a bit. Thanks.

Jonathan Robinson: Yes that's helpful Martin. And I would play that back to you in one sense is that if we do our work properly as we intend to do in fine-tuning the relevant detail I think we respond adequately to these comments is my impression.

It's reminding us...

((Crosstalk))

Jonathan Robinson: ...that today the proposal is not yet complete but we know from within the group that it is our intention to complete it and I would think to the satisfaction of those comments.

Martin Boyle: I would agree with you Jonathan.

Jonathan Robinson: Okay great. Thanks Martin.

The third one under general comment highlights - this is from (Sienick), that the proposal should embody the principle of geographic diversity.

That's more challenging. I'm not 100% sure what the commentor means there, what specific reference that's making.

Does anyone have any comment or response? Grace I see your hand is up. Go ahead.

Grace Abuhamad: I'll yield the floor to Bernie.

Bernie Turcotte: Okay. Don't have a mic. Oh, okay. Yes I believe they were speaking to the composition of various committees such as the CSC and the IFRT to make sure that the principles of geographic diversity are a primary concern for those groups.

Jonathan Robinson: Okay. So that's helpful. So I would imagine our response should be then that CWG will be mindful of such issues in the composition of any relevant groups.

And that should - that could come through in our proposal. Alan?

Alan Greenberg: Thank you. In most cases we are specifying that individual groups contribute members. So the best we can do if that doesn't change is request that when groups propose people to various committees, groups whatever then that they consider geographic diversity.

It's not really under our control if at the same time we are saying individual groups can unilaterally identify who it is that they are going to pick.

So I think we need to be very careful in our answer because otherwise we're setting expectations that we can't really deliver on. Thank you.

Jonathan Robinson: Good points. Thanks Alan. Go ahead Chuck.

Chuck Gomes: Thanks Jonathan and thanks Alan. Alan's right. I think we have to be careful in our response here.

And it's probably more of an issue on an organization like the CSC than the IFRT because if we follow what a lot of people are suggesting that the CSC be very small that of course makes it really hard to ensure geographic diversity.

And in that particular area we need people with the right skill sets as a first priority. So I just think we should be responsive here that we will do our best to reflect this.

But I think Alan's comment is really good that a lot of that responsibility will fall to the individual stakeholders that are feeding into these groups. And I think that may be a good way to put it.

Jonathan Robinson: Well thanks Chuck. That's right. And I see Donna's comment there relating to the charter of the CSC in this particular case.

And I am certainly - well Alan you go ahead and I will remark if there's anything else to mop up after that. Go ahead Alan.

Alan Greenberg: As Chuck was talking it dawned to me we can use -- and forgive the description that I'm going to use -- the weasel words that the - are used for instance in GNSO composition saying a given stakeholder group if they name more than one person should to the extent possible try to name them from different regions. That's about as good as you can get I think though.

Jonathan Robinson: Yes thanks Alan. And that is pretty much where I was going to come from. And I don't think those are weasel words. I mean I work in the GNSO as a Registry Stakeholder Group appointee to the GNSO Council and the

Registry Stakeholder Group is diligent about trying to ensure that its members come from three diverse regions.

And so I think we can recommend that proposers to the different groups consider geographic diversity when making them. As it appears the CSC already does. So that's reasonable. And I don't - I understand it's not binding but I don't consider it weasel words either.

All right so next section we come to the community's use of IANA. And the first comment says relates to .int. And it says neither ICANN nor the IANA functions operator should be involved in running a TLD. And that's from the NTSG.

Any comments or thoughts on that? Martin go ahead.

Martin Boyle: Yes. I have serious concerns with this. I do not see what the justification for putting such a requirement on to the situation at this stage.

It seems to me very much to be inventing policy on the fly. And I think the probably needs to be a preliminary process that considers this in the wider perspective of what that might mean for our TLD policy. And that that could be started before transition.

But my understanding that is that there should be a process following transition that would consider how to move this particular one forward. Thanks.

Jonathan Robinson: Thanks Martin. I've got Lise next. We'll go straight to her.

Lise Fuhr: Thank you Jonathan. Actually we as a group agreed on this on the last intensive working days. And we agreed that this was an issue that could be dealt with after - first it was going to be dealt with by the GAC and the GAC advised us to - it has to be dealt with after the transition.

So there is no - so the answer here is that it's been decided to deal with this after the transition and not during this group. Thank you.

Jonathan Robinson: Okay. Thanks Lise. Jaap

Jaap Akkerhuis: This is Jaap I'm hope my mic works now. Yes I think I am echoing Lise here. I mean I guess what this bullet point actually means is that IANA too must be involved as an entity in running a TLD.

I mean this will always be involved because they do the delegation stuff. And what I understand from talk to people with IANA people and other people that the only thing why they are running now is the caretaker and not doing any policy development or whatever.

They're just (unintelligible) until something new is found so and finally the caretaker probably not in scope for this transition.

Thanks Jaap. Chuck?

Chuck Gomes: Thanks Jonathan. And as you know and everyone else knows there's been a lot of discussion on this on the CWG list. And I think it's been very constructive discussion. And a lot of others have contributed to a lot more than I have.

But if we're in agreement that this should be the work on .int in all respects should be deferred until after the transition actually happens and that a cross community process should be put in place then and certainly involving the GAC.

Then I think the response to this bullet is just that, that even issues like this which I personally tend to agree with that the NCSG comment.

But I don't think we should try to answer that question until that process is implemented and the community is involved in coming up with a recommendation with regard to the issue that they cite.

Thanks.

Jonathan Robinson: Thanks Chuck. So I see there's a couple of others in the queue and by all means come in with those comments.

But to the extent that if you're happy with that as we have previously proposed then I think we can potentially move on so go ahead Alan.

Alan Greenberg: Thank you very much. I think we need to be careful on using terminology that is understood. The term running a TLD has two different meanings in general connotation. I think there are more precise words.

One is being responsible for the TLD, having it delegated to you setting the policy and one is being a backend operator.

For all intents and purposes we right now we are the backend operator. We do not attempt to set policy. We're just doing the mechanics.

And I personally don't see a lot of problem with IANA continuing to do it as long as they don't bypass their formal rules of how a registry backend operator communicates with IANA.

You know, they don't slip their own changes in a different path. Then I don't see anywhere near an immediate problem that we need to address at this point.

There is a longer term problem, a longer term issue on whether we want to be the backend operator for .int.

I think it's quite reasonable to say we should never be the front of the operation that is setting policy on a TLD but we're not doing that today so I'm not sure why it's relevant in today's discussion. Thank you.

Jonathan Robinson: So it feels clear that we've considered this. We have a position. That position may be tweaked but it's - we seem to be essentially aligned on that view that it can carry on for now. It should be the subject of some future work, but it's post-transition work.

The next bullet deals with the fact that it's unclear whether the IETF is competent to reserve or designate the TLDs as recognized.

Sure I understand the point completely. Bernie?

Bernie Turcotte: Thank you sir. That from Peter Couch of the (Nic) I believe. I guess technically he is referring in detail to RFC 6761. And that's creating a bit of an issue because of what 6761 is. And the community is working on that.

So I don't think we want to get necessarily in the middle of this. I don't think the community has a really clear view on what it means. And as such I would

just say that we've noted it and we are looking at what the community is going to try to come up with for us on this one.

Jonathan Robinson: Okay. Jaap?

Jaap Akkerhuis: I'm echoing Bernie here. And during this discussion he refers to remarks have been made that (IAB) should take all the (calls) for the time being or that - or the ITF should do it. And so that's the connection should be .int please.

But yes the whole discussion of about special (unintelligible) is still going on and it's very early that's all. And I am not sure whether we want to go to there but anybody can join the discussion anyway.

But in relation to .int it is because sometimes indiscretion INT pops up and then people say why don't do the IRB why doesn't IRB to address it. So that's a guess the link.

Jonathan Robinson: Okay. Thanks Jaap. Chuck?

Chuck Gomes: Thanks Jonathan and comments by others as well. It seems to me that this is an issue very much like .int in the sense that I think it can be dealt with and will need to be dealt with after the transition not that it can't be worked in the meantime.

But correct me if I'm wrong but I don't think that this issue being resolved is a prerequisite to the transition happening.

But it will need to be resolved afterwards because the whole reserve name issue will come up in future TLD delegations. So it is an important one but I

think one they can be deferred until the finalization of it until after the transition. Correct me if I'm wrong on that.

Jonathan Robinson: So thanks Chuck and others who've contributed before you. I just encourage you to - I mean clearly we're working real-time here and the draft responses are being prepared for you.

So ideally you're reading them on the screen in front of you. And to the extent that there are no objections these will become at least our draft response if not our final response. So please be aware of that the sort of real-time generation of our responses, very efficient way of working, we discuss it, the response is prepared and providing there isn't an objection or a point so please check that carefully.

Jaap I think that's your previous hand up but I'll just wait and check.

Okay thank you. All right so existing free transition arrangements. There's a comment - there's some suggested edits for readability from the registries and Registrars Stakeholder Groups or contracted parties.

I - we don't see those edits in front of us so it's hard to respond. Marika go ahead.

Marika Konings: Yes this is Marika. I think it's a common note and most of those comments were more for readability purposes. So to my suggestion here would be that staff basically goes ahead and incorporates...

Jonathan Robinson: Yes.

Marika Konings: ...those unless we see any significant issues and then we can take them back to group (review).

Jonathan Robinson: Okay great. Thank you. I think that makes sense and obviously thanks to those groups for providing that. Thanks Marika.

So we come now on to proposed post-transition oversight and accountability IANA statement of work. And here is a single comment from (Auda) indicating that instead of a contractual arrangement which is what we currently and - propose between ICANN and PTI that a statement of work could also exist under amended ICANN bylaws.

Any comments or responses to this? Chuck go ahead.

Chuck Gomes: Thanks. And I'm going to maybe jump the gun a little bit in terms of CWG conclusions.

But I think this is a place where we accept the input, we considered it, but the majority or I don't - probably not the best word to use but the consensus of the - or the developing consensus of the working group is that the affiliate approach is the one that is most preferred.

And I don't like my wording on that but other people can do a better job on that.

But I think that's what one like this is like we observed in our earlier meeting today that the trend really is towards pretty good support not only in the working group but in the public comments for a different approach than what (Auda) is suggesting here.

Jonathan Robinson: So I think the affiliate Chuck and the entity with which and the ability to contract with the affiliate is not only evidently relatively well supported but also represents a carefully worked position that came out of a combination of considered input and compromise.

So I think we could respond but to indicate that the current structure is - exists on the basis of carefully considered input including expert input and compromise.

Martin Boyle go ahead.

Martin Boyle: Thanks Jonathan, Martin Boyle here. Yes I see that. But in fact I had a slightly broader question on this. Because putting these statement of work in the ICANN bylaws rather freezes the statements of work.

And that I think would give me cause for concern. Statement of works need to be reviewed and brought up to date at least every few years so at least every five years and might also need to be brought up to date in-between those following recommendations that have been excepted that have come from the CSA.

But that sent me thinking as to whether it would be possible to look at there being a reference in the ICANN bylaws to regular updating of statements of work.

So this actually sort of takes the (Auda) idea which I recognize is specifically targeted at replacing the contractual relationship and saying well actually the idea in its own right could be one way of trying to make sure that we do build in a requirement for a regular amendments, regular review would be a better word of the statements of work. Thank you.

Jonathan Robinson: Thanks Martin. I'll note that we -- and this may be something for you and others who have this you to think about -- that we do have the regular periodic review which is not limited in scope.

So I guess if it's not limited in scope - and that will be instituted institutionalized in the bylaws. So it may be that satisfactory or a variant could be that we somehow call that out in one or more key items that the review at minimum should look at. Greg?

Greg Shatan: Thanks Jonathan, Greg Shatan for the record. First comment is that a statement of work is virtually always an agreement between two legal - legally recognized parties, a buyer and a seller, a vendor and a contractor or, you know, a vendor and a contracting party and the like.

So what would be here, you know, could be I guess have the name of a statement of work but in substance and form at least it's not going to be a statement of work that we've been messing around with terms like statement of work and memorandum of understanding and things like that.

But they're all - those are all really still just binding, you know, binding agreement between parties. And if we're eliminating if we have only one party what's going to exist might look like a statement of work, it could be drafted like a statement of work but in fact it's not really, you know, is not fully functioning as a statement of work in - to the extent that, you know, one party is performing and the other party is kind of overseeing and holding the other party accountable for a performance.

So it's kind of a perversion of the term statement of work. I'm not sure exactly how to put that into words but it's really, you know, the basic point is that it

statement of work is a contract and that it's just another name for a type of contract or an addendum to a contract and therefore we're not really getting away from the concept of a contract and that a statement of work is really a bylaw is not an appropriate place for a statement of work.

Bylaws are intended to be kind of the rules and operating manual at a very high and kind of, you know, semi-permanent level for the organization, not the kind of day to day operational level and the like.

It's really, you know, an appropriate use of the term statement of work and an appropriate place to put a statement of work.

So, you know, it's a nice attempt to try to support (Auda)'s overall contention that there shouldn't be a PT I and there shouldn't be an enforceable relationship between any parties here.

And but I think this is something to reject in the sense I just don't - I think that saying that this is something that could live in the bylaws promises too much. Maybe it doesn't promise anything at all.

But I feel very queasy, you know, having spent a lot of time over the years dealing with company bylaws to think that this is anything that would be in any company's bylaws.

And I've spent a lot of time drafting statements of works and technology transaction agreements and the idea that this would be, you know, part of a bylaw and not part of any agreement between two parties also just makes me very queasy.

It's just it's very - these are weasel words or dog whistle words. They're intended to sound like, you know, we're using normal concepts but they're not normally uses of those concepts.

Jonathan Robinson: Okay thanks Greg. That's helpful. So I would encourage everyone -- and I'll come to Alan in a moment -- just to check the words and see whether the comments - I mean it feels like we - there's a pretty consistent theme emerging here.

Check the words in front of you. We don't need to wordsmith them in fine detail. They can be edited. But providing they capture the sense of what the group would like to deal with than that makes sense. Alan?

Alan Greenberg: Thank you very much. I admit to not having legal education and never practiced as a lawyer. But in a number of my past lives I've used the expression and my organization has used the expression a statement of work where it was not a legally binding contract between separate legal entities but simply a statement of work that one department committed to do or used to describe something.

So maybe in legal terms it is a well-defined term that is exactly as Greg suggested but that's not necessarily how it's used in the common vernacular in all cases. That's number one.

Number two, I don't know whether this what is on the screen is an accurate rendition of what is in the recommendation but it doesn't say the statement of work should be in the bylaws. It said it should exist under the bylaws.

There are lots of things that are referenced in the bylaws, the GNSO operating procedures. The ALAC rules of procedure are referenced in the bylaws as a

document but they're not in the bylaws. And I believe that was what the indication is here.

I think the answer to this statement is yes it is true, that is a viable way of doing it. It is not the way that the community has opted for at this point.

Jonathan Robinson: Thanks Alan. I think we've essentially captured that in the response saying we've considered it but a number of factors CWG prefers the affiliate approach and the further detail so that I hope we've captured that adequately in response there.

So propose post transition oversight and accountability escalation mechanisms.

I - so the first of which is that the CSC should escalate to the PTI board who may ask for a review from the IFR or any other action.

I'm not sure that's what we had previously envisaged and I see Donna's hand is up so go ahead Donna.

Donna Austin: Yes this is Don Austin. I just wanted to make a point which addresses all three of these points and that is that the CSC charter and the work that we did was largely done before we had good discussions around PTI board.

And in my mind we're still not clear about who that is or what the composition is or what their role is.

Escalation to the GNSO and ccNSO similarly there was not - whatever the review team is that work wasn't finalized before we put the charter together.

And we did note that the GNSO and the ccNSO was the default until we understood what other options were available.

And definitely there probably are in consistencies between the CSC and the IFR because those two pieces of work was done separately and there was no kind of calibration against those.

So I just wanted to make the point that, you know, a lot of that work was done prior to other work being finalized within the CSC.

So it's probably work that the Design Team 3 should go back in considered before we can think about what a response looks like. Thanks.

Jonathan Robinson: Thanks Donna. Just a quick check, I mean you were sort of - I think you were responding as much to either Bullet 2 or 3 under that section of three comments there just to confirm.

Donna Austin: Jonathan sorry, it was kind of a - just an observation that relates to all three. I did make the point that, you know, in relation to Point 2 we did identify the GNSO and ccNSO as our default absent any other place for escalation.

But I think when we did the - Sidley had a question about this in the a punch list that we addressed. And I think we said that we still wanted the CSC escalation to go through the GNSO and ccNSO before it actually went to the IANA Function Review Team because we felt that there was a possibility that the ccNSO and GNSO might actually want to go and discuss some of the performance issues with the board and see if they could resolve issues that way rather than bringing into account the IANA Function Review Team.

So apologies for mixed messages but what I was trying to do initially was address all three points but I was a little bit more specific about number two.

Jonathan Robinson: Yes thanks Donna. And one final point there when you said the board you meant the PTI board?

Donna Austin: Well this is another area of discussion I guess. I meant the ICANN board because...

Jonathan Robinson: Fine.

Donna Austin: ...the time that we did the work the escalation point would have been to the ICANN board. And that still may hold. In my mind it does hold because I think the final escalation point in terms of the way that we had scaled it out I would be the ICANN board.

Jonathan Robinson: Great, that's helpful thanks. I'm going to offer Chuck the opportunity to jump the queue here because he has chair DTM and I know they've actually done some - well I believe they might have even done some initial thinking about this.

So Chuck you have the option to come in and perhaps clarify any thoughts here if you would like to or you can wait to hear what others say whichever you prefer.

Chuck Gomes: Let me wait till what others say comes across because for one thing Staffan is on both Design Team M and C so I think it would be good to give him opportunity. But I will come in when you'd like.

Jonathan Robinson: Thanks. Okay. Let's hear from Staffan and then possibly Chuck and then continue with the queue in the current order.

Staffan Jonson: Okay thank you Jonathan. Yes there are three points and I've tried to keep them apart. Donna beat me to the first one and I agree it's premature to decide any changes at this point.

And I also tend to agree on that the CSC should continue to escalate issues to the ccNSO and the GNSO.

On the second point where it is mentioned - oops it's disappeared, was sent for the more (unintelligible) technologies say that this is adding a layer of escalation.

I'm not sure that is really true because my view at least or what we have been discussing before different issues actually being addressed by the different organizations whereas the CSG and the CSC address some issues and the other one to address quite different issues. So I don't see this as a problem.

And the third one if there is an inconsistency between CSC and the responsibility of the IFR I mean that is the same issue actually because the inconsistency relates to a very theoretical process whereas CSC address some issues and the IFR address quite different issues.

And yes there might in some terms be overlap but I don't see that as a problem. Thank you.

Jonathan Robinson: Thanks Stephan. Let me offer you the chance to come in now Chuck.

Chuck Gomes: Okay thanks Jonathan, I will. And as I indicated I think in our earlier meeting today Design Team M is discussing all three of his issues on our list with the intent very shortly to involve, you know, send our observations and early thoughts to Design Team C.

And if necessary I think we can try and schedule a design team combined Design Team C Design Team M meeting next week.

But we'll determine that as we see the need because some of this I think might be able to be resolved on the list.

So work is being done hopefully at least before the second CWG meeting next week. There will be some recommendations in terms of how to handle these three issues coming from the two design teams. Thanks.

Jonathan Robinson: Thanks Chuck. Let me see if - there's obviously some draft answer starting to form based on the inputs here and we'll wait those from Design Team M as well. Alan?

Alan Greenberg: Thank you very much. Although we're not mentioned here the ALAC made what might be it's only really strong statement in our whole response on this specific subject. And we raised a number of what we believe very serious reasons why it should not be the ccNSO and the GNSO.

I won't go into those right now in full detail but, you know, it includes things like we're supposed to be keeping policy separate from operations and escalating to the policy group that was wrong to begin with.

It also preferentially treats some multi-stakeholders over others because not everyone is involved in the GNSO.

So this I think is something I'm encouraged with Donna saying this is going to be re-looked at. And I certainly from a ALAC point of view this is something which we consider must be looked at because it does threaten the whole, not only not viability but the credibility of the process. Thank you.

Grace Abuhamad: Hi. This is Grace, just a clarification. We didn't miss the ALAC comment but it's categorized under the discussion for the CSG section and I think that is where it was raised. But we didn't miss it. It'll be...

Alan Greenberg: Yes no, no...

Grace Abuhamad: ...that Alan raised.

Alan Greenberg: Grace I didn't think you missed it but it falls almost directly on the same subject matter as this so yes.

Grace Abuhamad: Okay. Thanks.

Jonathan Robinson: Okay. Go ahead Martin.

Martin Boyle: Thanks Jonathan, Martin Boyle here. I'd like - just like to sort of add a little bit to what Donna said because the discussion we had in DTC was rather focused on the concerns that would exist if it were a very small group that then has the authority to escalate action directly to the creation of a special IFR. And so the general feeling was that no that would go rather beyond the role of the CSC.

The reason why we then looked at the ccNSO and GNSO or more correctly to probably to the Registry Stakeholder Group of the GNSO was to very

specifically because the CSC will have escalated something that is to do and only to do with the performance, the technical performance of the IANA.

And that both the ccNSO and the Registry Subgroup Stakeholder Group have then got access to the wider community to understand what the real concerns of that failure are. And then it would be their decision.

And then I'd add the other bit that the comment that I made earlier about the need for significant decisions to go out to public comment.

And I think there are two points here. The first is the CSC being quite small. I think you'd rather be daunted by the process of going through an open consultation process.

And the concept then of the wider community of registry operators would if something was seriously urgent could then organize a short consultation period to try and make sure that we were getting a proper understanding of the real impact.

So there was a whole lot of stuff sitting underneath all of this that I think make it or will help explain why we went down the route we actually went down. Thank you.

Jonathan Robinson: Okay thanks Martin. I've got noise on the line.

But I got a noisy mic if you could just try - thank you. That's great.

Just to - but thanks Martin. That's very insightful and it's insightful to me personally because it helps to explain. And I hope that will explain to

generally and including that specific commentor so that could be very helpful. Greg?

Greg Shatan: Great Shatan again. In response specifically to the second bullet point about adding a layer of escalation I think I would want to clarify that the GNSO, ccNSO is I think being seen as an approval layer rather than a full escalation layer in the sense that the GNSO and ccNSO would then try to take a go at solving the problem.

So I think we would want to clarify that it's merely, you know, merely is a - maybe too small a word but that, you know, this is narrowly an approval and, you know, indicating that the CSC on its own, you know, probably should not embark ICANN on such a significant journey as a special IFR would indicate.

So, you know, as much as the CSC is kind of close as to the situation, it is a small group. It is relatively narrowly cast.

And it should, you know, be able - it should not have the kind of broad powers to kind of open up, you know, new - the new functions operator, you know, review kind of on its own.

You know, I hear Alan's point. And I guess the question is whether we would want to add other organizations to the list in terms of approval just as we have kind of all the chartering organizations arrayed around this group. But that's, you know, a possibility.

But I think the main thrust of what I'm saying is that we're not suggesting that this escalate and sit at the GNSO and ccNSO for kind of, you know, an attempt at a solution.

This is, you know, just basically a check and balance against the CSC pulling the trigger on a major, you know, exercise that will involve many, you know, months and hundreds of person hours. Thanks.

Jonathan Robinson: Okay. I'm not sure how much of that was your view Greg or how much of that - actually it seems to be consistent with at least Staffan and Martin so therefore consistent with elements of those who did work in the group.

But Chuck go ahead. Chuck come in.

Chuck Gomes: Sorry about that. I was on mute as you guessed. The - with regard to Alan's question on does anybody else have a problem with the group is a policy body as Alan knows I'm a firm believer that the GNSO is a policy development body.

And the problem here or the difficulty we have is do you create some new body that's multi-stakeholder or do you use an existing body that's multi-stakeholder?

Because I think the belief is that at this particular stage in the escalation process you need more than just the CSC which is more limited in its membership. You need the multi-stakeholder perspective.

And I'm not going to try to speak for Design Team C because I wasn't on that. But I believe their intent was to okay we know at this stage of the escalation process we need broader input. And how do we do that without creating a new body?

All what the GNSO and ccNSO are being asked to do here is to see if it needs to go to a further step and to provide a vehicle by which most stakeholders if not all can have some input.

So Alan I get the point the ALAC is making on this. It's just kind of it's a compromise to use an existing multi-stakeholder mechanism rather than creating a new one before going on to other processes. And then I'll stop there.

Jonathan Robinson: Thanks Chuck and Alan I see your hand is up again so go ahead.

Alan Greenberg: Thank you. I believe the description in the CSC section says it goes to the ccNSO and the GNSO and then should they decide there's a problem that they escalate with the rest of the multi-stakeholder community. And I don't think there was any very specific words as to how that was done.

If this had been worded saying it goes to the ccNSO and the Registry Stakeholder Group to make sure the larger body of registries supports what the CSC is recommending and then goes to a multi-stakeholder group I have no problem with that whatsoever.

But to say it goes to the GNSO and the ccNSO, but I'm looking mainly at the GNSO, and saying that that says the intellectual property community has a say in this but not the ALAC or the GAC I have a real problem with that.

And moreover we have been using words in this discussion that the GNSO will see if they can fix the problem which makes into a really operational body.

So I think we need to be consistent in how we're doing things. And if the GNSO and ccNSO can then simply have to go and get the support of the rest of the community that implies essentially a multi-stakeholder action and we're simply saying say that explicitly. Thank you.

Jonathan Robinson: Okay thanks Alan. Chuck picked up that there's some different wording that I'm just not quite sure what different wording Alan - of Alan's that Chuck is referring to. So I wouldn't mind a clarification on that where that different wording exists.

Chuck Gomes: This is Chuck Jonathan and I'm referring to what he just suggested that if it was worded so that the ccNSO and the Registry Stakeholder Group would at this stage decide whether it's significant enough to escalate to for example an IFR or whatever to me -- and please understand I can't speak for to the rest of the registries or Design Team C or even Design Team M on this -- so I just found it kind of interesting what he suggested there and wonder if it's something that Design Team C and M should think about. But again that's just my own personal thoughts. And I see Donna has got her hand up as well as Staffan so I'll let them talk.

Jonathan Robinson: Yes okay interesting discussion. All right Donna go ahead.

Donna Austin: Thanks Jonathan, Donna Austin. So personally I don't think I don't want to speak on behalf of the Design Team but I don't think any of them would have any problem with saying ccNSO and Registry Stakeholder Group be the point of escalation.

You know some of the challenges that we had was trying to, you know, be inclusive in this. And as I said previously we didn't have an IANA function Review Team to go to so we were trying to be inclusive.

But I don't know that now that we have some of those other mechanisms available to us that we wouldn't necessarily have a problem with changing it out to ccNSO and Registry Stakeholder Group although the IPC might have some concerns with that.

So I just wanted to address so one of the challenges here is putting all the pieces together. And Sidley had a punch list that they developed and the DTC actually responded to that.

And this was about the IANA that was Number 16 on their original list. And it was about the IANA problem resolution process.

And (Al) - and this was in relation to developing, you know, what are the great consultation escalation processes. And our response was the ccNSO and GNSO will be responsible for developing their own procedures which will be done post-transition.

It is easy - excuse me, it is envisioned that the special review will not be the only possible escalation path available. For example the ccNSO and GNSO could seek a meeting with the ICANN board as a mechanism to resolve issues.

So there's other documents that we need to take into account when we're looking at these comments I think. Thanks Jonathan.

Jonathan Robinson: All right. This is interesting. Because if it - it all seems to swing one way if it's one thing and another if it's another. And it - in other words if we have it as work proposed some feel left out. If we have a revised version to accommodate those that are left out it then leaves out others and causes complications. Staffan?

Staffan Jonson: Sorry, I was on mute. Just to redirect the idea about the CSC so the bylaws are crafted or intended to limit the function to a mere minimal overview of SLAs and SLEs.

That is the main function of a CSC. It's a technical overview and it's never supposed to be anything else. It's maybe a starting point for something else.

So I would argue that there are a multitude of initiatives to escalate inside the CSC as well to a wider and multi-stakeholder function if there is an issue arising.

And there is also parallel to this the CCWG will - that where issues may arisen. So CC is at least in my mind it is merely technical overview of SLAs and SLEs and suppose - and hopefully there is no policy within that whatsoever.

And I think it's - that's part of the idea that the sign of the institution per se to actually make this difference. So I think it's a value because technical overview is one thing and multi-stakeholder representation is something different.

And they should both be there but maybe not in the same body because of economic reasons for practical reasons, et cetera. Thank you.

Jonathan Robinson: Thanks Staffan. I'm going to invite Greg to speak since he has his hand up. But then I'm going to close the queue at that point and try and put a pin in this for the moment and see if we can't move on for now. Go ahead Greg.

Grace Abuhamad: Thanks Jonathan. I'll try to be brief. First in direct response to Staffan I think the CSC is a little bit more than that in that it is intended to be the first line of problem resolution as well, not merely review of metrics on monthly reports.

If the CSC could not engage in problem resolution having it go directly to a special IFR would be scary since that would indicate essentially there was no escalation between noticing a problem importing and putting an IFR together.

So I would - I think that's not quite the correct characterization of the CSC's role when it sees that a deficiency is occurring.

Secondly I would cast my lot with those suggesting a broader rather than a narrower check and balance above the CSC as we could do it in two steps, you know, with the first step being the ccNSO and the Registry Stakeholder Group and then a second step being the broader multi-stakeholder community including other SOs and ACs and the like that are involved or we could flatten it to a single multi-stakeholder review without that kind of intermediate broader registry step and think that the CSC could informally communicate with through its members to the ccNSO and registries to make sure that they're kind of on the right page before calling on a multi-stakeholder approval.

You know, last I would suggest and it seems to be a little bit of variance with what we suggested in our report that this multi-stakeholder approval should be an approval and not another attempt at problem solving.

Those - but again those are my views. Thanks.

Jonathan Robinson: Thanks Greg. Donna asked to reply and she's obviously had a major part in this being the lead Design Team C so let me give her the opportunity to reply then.

Donna Austin: Thank you Jonathan, Donna Austin. I think what we really need to do here and I don't want to put Design Team D on the spot but I really think we need to go back and review our work and compare it against what's going after us.

So have a look at the IFR and the special review and just see where we think we can make changes to the charter to bring it more in line with the rest of the work that's come after us.

I think that would be particularly valuable to do. And I think it would potentially help resolve some of these issues that we're having at the moment. Thanks Jonathan.

Jonathan Robinson: Thanks Donna. That's constructive. And that's helpful so appreciate that. And just encourage everyone to be mindful of our job to drive towards, you know, essentially pragmatic solutions that we can live with. And I understand there's some strongly held views about participation at the different levels.

But bear in mind your willingness to accept variations for the sake of a workable solution. You know, one trend of this conversation looks at pulling an additional layers which does sound like it could potentially overcomplicate things.

So let's see what the Design Team can come up with and just encourage you all to, you know, we've probably given them good food for thought through this conversation and to approach that output with an open mind.

Okay thanks all. That's some substantial input there. Let's keep things moving on.

All right so I think this one is something that's still a work in progress. I'm not sure whether we want to go into this at this point or whether we come onto this at a later stage.

Lise do you have a view? Is this something we should - I mean it talks about mechanisms to accomplish separate ability should be explicitly included. Well that's been a work in progress and clearly it wasn't at the time. So...

Lise Fuhr: And that's going to be a subject for later discussion too I think so please include it.

Jonathan Robinson: Okay. So I think we put a pin in that for now and come back to that as we deal with specifically any further work we do on separate ability. Avri go ahead.

Avri Doria: Yes I just wanted to ask a question on this one because at times I had - I have difficulty differentiating between those that were the sort of act of making decisions about having a separation function and then the deciding to separate and the framework for transitioning and how that was done.

And I don't know whether this one was referring to one or the other but we do mind both of those showing up.

Sometimes it's how do we actually do it and sometimes how do we decide to do it? And I'm not clear which one this is at the moment. Thanks.

Jonathan Robinson: Yes. So that's a good point Avri. And as I reread it I noticed that that you're right. This is - and this may be as much a lack of clarity on the part of the commentor which of course means that our proposing isn't as clear as it could or should be because this is the framework for transition to success IFO, in other words the work that was done on the more on you phrased it very well (Ali) that the checklist, the (James Gannon) group that looked at so disaster recovery, the emergency change and what - the checklist as opposed to the mechanism to decide that.

And so I think it's labeled here as DTX SR but in many ways it should be - can someone from staff, anyone else remind me what that design team was?

Grace Abuhamad: Oh it was - this is Grace. It was Design Team L. But I think what - we labeled it that way because we thought it had implications for a DTSR as well.

Jonathan Robinson: Look I think it certainly - that's why I say it's not 100% clear what the respondent to the public comment which but they're referring to so okay.

Okay Avri go ahead.

Avri Doria: Yes. And just to point out that I do believe they are two separate things. But of course the separation review at the end of that in terms of how a decision is implemented it would have to feed into this work that was done with that checklist and it would have to be a decision is that checklist the correct checklist also for intentional moving as opposed to just disaster recovery? And is there - are those two lists the same?

And I'm not saying that they are but certainly the implementation of what comes out of the separation review would build upon that checklist. Thanks.

Jonathan Robinson: Yes thanks Avri, that's a good point. And again just my language is slightly loose with disaster recovery. It was more that that was a technique used but to identify the mechanics.

So I think (James) has left this particular call but it was the detailed mechanics of transition. In any event Marika you have a point?

Marika Konings: Yes this is Marika. And just to note that this I think this was one of the comments where we struggled a bit of, you know, where to allocate it as it basically touched upon both the DTL as well as the DTSR conversation.

They basically literally say we're deeply concerned that portions of the proposal and separation review and framework for transition to success, IANA function operation are insufficiently developed or postponed to be developed post IANA stewardship transition.

So I think it's basically a comment for both groups that they believe that it should actually be - more details should be in place as part of the proposal.

Jonathan Robinson: Okay which arguably they are for DTL but certainly not at the time of the proposal for...

Marika Konings: Well this is Marika. Just to clarify on that I think DTL in its proposal actually suggests that post transition within two years a detailed plan is developed that is the community is consulted on that they outline what the principle should be but the actual plan as I understand it -- and someone can correct me if I'm wrong -- would be developed post transition in a certain time period with certain I think criteria.

Jonathan Robinson: Grace?

Grace Abuhamad: This is Grace yes. And the reason that was because there are some security considerations and a few other things that limit the work of DTL because DTL cannot continue - go into detail at this time.

So it was one of those things where they had to establish the framework and then the idea is that post transition that group could work whatever group whether that be the CSC or some other group would - could work on making up - making that framework, putting that framework in place into an actual recovery plan.

Jonathan Robinson: Okay. So I'd like to - I'm just waiting to see what Marika notes say but certainly I'd like to cover that that security considerations limit the detail at this point for confidentiality and or status security.

Lise Fuhr: Hi. It's Lise for the record. I just want to notice that Avri in the chat writes that the detailed type of plan would be referenced in an SR initiated transition and that makes sense, so noted.

Jonathan Robinson: Yes. Okay the next item highlights the fact that there should be a cost estimate for the successor IFO which should be benchmarked against current costs.

Well I think that's an interesting point. Chuck your hand's up, go ahead.

Chuck Gomes: Thanks Jonathan. And what I sent to the CWG list just before this meeting started in the responses to DTO action items from the review tool Item Number 280 - this particular item is Item Number 283 in the review tool. And we suggested a response there. It's only two sentences if you want me to read it.

Design team is always of the view that benchmarking should be done against the cost estimates that ICANN finance is expected to provide as requested by the CWG chairs, not the $2.3 million as suggested by the commentor.

Please also refer to the recommendations made by the CWG in Annex Q of the proposal which I think go hand in hand. I'm adding this commentary now, go hand in hand with what the intent of I think it was the ISPs the made this comment.

And so I think assuming the working group is okay with the response that we recommended and sent to the list just before this meeting started this one should be covered.

Jonathan Robinson: Great. Thanks Chuck. And I'll just note for the record that Lise and I did have a follow-up conversation with (Xavier) from ICANN finance yesterday where he sought to clarify elements of our questions and what we were looking for in terms of post-transition IANA costings.

And he highlighted where he gave an initial indication of where he thought he might be able to give exact costs and where he might be able to indicate where costs would shift in a certain direction up or down based on the PTI versus current arrangements. Alan?

Alan Greenberg: Thank you very much. I think this is another case where we need to be careful on the wording to set expectations properly.

There are likely to be some costs in PTI that should have been incurred already and even if we were to stay in the current environment will be occurring.

I speak specifically to things like the recommendation to separate physical infrastructures between ICANN and IANA to ensure security and integrity in isolation of it.

And that's going to add some significant cost if we do it properly but we probably should have been doing it regardless. So we need to be careful that it's not viewed as a cost of the transition even though it may occur in a similar time frame. Thank you.

Jonathan Robinson: Thanks Alan. Can you remind me where that recommendation is made just for the record? That would be useful to know where that recommendation is made...

Alan Greenberg: I don't think we have made such a recommendation. DTF has recommended that post transition we do a significant review. And that is one of the items that is covered there. I think it's listed explicitly. I'm not 100% sure but it's the physical integrity and physical security and separation is one of the issues that has to be looked at.

Because with the penetrations that we've had of ICANN physical infrastructure the question has been brought up to what extent does that affect and potentially impact IANA?

And there's been no agreement but a general belief that we at least have to look at that and the outcome may well be some significant cost expenses. But that's not really associated with the transition. The timing is just unfortunate.

So that's an interesting point because we could flag that under the implication section of the document as well. And we could flag specifically that one of the

implications might be that there be formal consideration given to separate infrastructure. And indeed we might recommend that and would recommend that as potentially and act of good practice regardless.

So I think we could probably find a form of wording that deals with at least recommending that the operators of the IANA function give full consideration to separate physical infrastructure in order to ensure the integrity of the operation in isolation from the parent.

Alan Greenberg: Yes. The reason I brought it up now is that's not a cost we necessarily foresee because the study hasn't been done.

But it might be a cost that after the fact someone will wave and say hey but it costs an extra million dollars that you didn't forecast or we don't want to be put in that situation because of that kind of expense so I just said careful wording. Thank you.

Jonathan Robinson: Okay, thanks, got it. So our next section deals with post-transition oversight and accountability with regard to the root zone maintainer function.

And there are a series of comments here, six of them which requires some form of response or action and the - see if the staff will assess these.

And the first is it's really more of a wording point. We need to be consistent when referring to. So this is about editing and documentation and to be consistent when referring to the NTIA authorization function came from center.

I think it's noted and we need to - and the document will be reviewed accordingly. The document has been reviewed accordingly so (unintelligible) has been - it will be reviewed accordingly.

The next one talks about treating frivolous re-delegation requests with care. I would think that goes without saying and so noted in the - go-ahead Martin.

Martin Boyle: Thanks Jonathan. Yes it obviously it is. But the specific concern here is that there are - have been cases of people putting in requests of re-delegations and affecting quite seriously the reputation of the registry that's being targeted.

So essentially I think what Center is looking for here is a recognition that you've got to be a little bit careful about exactly what is published because somebody can use the fact that it is going to be published to impact the credibility of the registry that is coming under attack. Thanks.

Jonathan Robinson: Yes which clearly then has potential reputational and/or financial consequences. So that's a good point.

And so some content needs to be - I think the CWG could note and I mean there - the - Marika's notes capture the fact of the motivation. And I think that the content could therefore say that the CWG will review the proposal and revise content to reflect this point.

Okay. We move on then to the next point. And just to remind you if you we're obviously trying to move through this.

If you have an objection to the written responses that are being developed by all means say so. I think we're having a productive yet we're moving through

this so by all means flag something if you're not happy with it. But it's great to not flag things for the sake of it.

Principles of accountability including oversight by the community should apply to the same principle should apply to the root zone manager and should be reflected in the current proposal.

Any major change in software and new steps from the automation should be reviewed by the CSC. Comments or thoughts or responses to that input from (Athnic)?

Could we check on something the CSC is likely to propose or has proposed? Bernie?

Bernie Turcotte: In detail if probably - oh sorry, mic was off. This probably refers more to along the lines of the work of DTF for approving changes to the root zone environment.

If there's significant changes there's a whole significant approval. So I think we're meeting the requirement there.

For non-significant changes I think if we keep with the common practice now for IANA that any changes which can affect users will be published and consulted on before they are implemented so that seems to be what I get out of this.

Jonathan Robinson: So material changes will be reviewed consistent with the proposal of that Design Team F. Minor changes continue with current practice. Donna?

Donna Austin: Thanks Jonathan. So I'm not sure I'm on target here with the issue that we're talking about. But there is provision within the CSC charter for the CSC to work with - in conjunction with registry operators to work with IANA to develop new software or requirements to have more efficiencies within the service that IANA provides and any changes that need to be made in terms of security and stability.

So it is captured within the CSC charter but I note that there was also some other (unintelligible) DTF but that was never resolved. So I'm not sure if I'm hitting the point here but I think I am. Thanks.

Jonathan Robinson: Thanks Donna. It sounds like your adjacent and it's connected whilst it's not a kind of bull's-eye as far as the target's concerned. It's an adjacent point. It's that being in position to review and work with the IANA functions operator on architectural or operational changes.

Go ahead Alan.

Alan Greenberg: Thank you very much. One of the difficulties is in the current environment everything goes to the NTIA. So you don't have to have a definition of significant.

In a new environment if we're giving some discretion to the IANA functions operator directly to decide when consultation is necessary we're going to have to be a little bit more specific.

And the current feeling of DTF which will come out in the next version is that we should probably err on the side of consultation versus not consultation.

The example that was raised before a quote frivolous re-delegation request falls into that category that yes it sounds like a simple publication the people have been asking for a long time but we need to make sure we understand the implications and do it properly.

So there's going to be some careful wording here but I think what comes out of DTF will work with what is in the CSC charter right now but you can judge that itself yourself when it comes out. So certainly that's the intent.

Jonathan Robinson: Okay thanks. Bernie?

Bernie Turcotte: Thank you. Maybe just to help bridge the gap between these two things the DTF approval is for changes to the root zone environment, the architecture, the environment in which the root zone operates.

I believe the changes for software for customers is more along the lines of what Donna was speaking about. So I don't see overlap. I see exactly what Jonathan said. They basically touch but they don't overlap and its nice coverage as far as I can see.

Jonathan Robinson: Thanks. Donna's copied the language from the CSC charter into the chat. Alan go ahead.

Alan Greenberg: Yes. I don't think it's quite as clean as what Bernie is staying in my mind anyway. I think major changes in the software environment and the process.

The root zone environment includes a process that is used. And if there's going to be major changes there may well - we may well need to go the approval route. So it's not quite as clean. But again I think we're looking at opting for safety and security, not brashness.

Jonathan Robinson: Okay thanks Alan, noted. And there's cause for provision for major changes in place. So Donna just double checking if that's an old hand? I think it is. Thanks, all right.

So next point, IFO should check the accuracy of proposed changes. The study should be carried out between IFO and direct customers. Martin?

Martin Boyle: Thanks Jonathan. This is actually a munging of two separate points from the Nominet input.

The first point was that they IANA functions operator should before it makes the final changes go back to the registry that is asking for the changes to make sure that it is carrying out wishes properly. And this is obviously predominantly in cases where people still are using things like faxes or pigeon post or whatever.

The second point though is specifically a reference to 3A3A1C I think. Of course the numbering of this document is scary where it determined if additional checks bounce is verifications are required post transition.

And the CWG stewardship recommends that a formal study be undertaken post transition to investigate whether there is a need to increase the robustness of the operational arrangements for making changes to the root zone content.

And the suggestion, the comment was that that study should be carried out between the IANA functions operator and the direct customers bearing in mind that it is directly related to the provision of this service after that - so the two separate comments don't really belong quite closely linked. Thanks.

Jonathan Robinson: Thanks Martin. So one of them feels like it could go into our post transition implementation list which is the latter point and we can flag that there.

So but transition implementation is in Section 4 of the document. And I think the former is really...

Man: Need something to confirm that.

Jonathan Robinson: ...an issue around manual changes rather than any automatic changes.

This is - this pertains to manual changes right?

And I mean I don't know what others feel. Is this something we should be recommending in the document and confirming with IANA or I mean I just wonder how we handle the response to this? Alan did you have a point you wanted to make?

Alan Greenberg: Well first a question and then I think I have a point. What does a manual change mean?

Jonathan Robinson: I'll defer to Bernie here. Bernie go ahead.

Bernie Turcotte: Thank you. A manual change is a change request that does use the automated system.

Currently IANA is still supports email-based and fax-based and even in emergencies phone-based.

So if it's not use an automatic system it's considered a manual request because the IANA staff have to physically document it and look at it. So A that's the definition.

B, I've been playing in this area very recently with the DTA sub team. And for manual requests there is automatically in the process a secondary verification with the client that this is what has been requested.

Now I'm unsure if the request from what Martin was talking about was a third verification just prior to implementation or if that was simply a, the second - confirming that the second verification actually takes place back with the client.

Alan Greenberg: Okay thank you. My understanding and I may be wrong, is that the changes that come in through these older paths get entered into the system but by IANA staff and then go through the normal checks.

And I would suspect the IANA would say they do do verification and accuracy, check accuracy of proposed changes.

And I believe it also as you just said was back to the original requester through the normal confirmation path to verify that it is indeed correct. I think that is the case.

Jonathan Robinson: So I'll draw your attention to Marika's note as they stand at the moment. For manual requests there already exists a secondary verification or at least we understand there exists a secondary verification that is carried out by IANA which the CWG expects to continue post transition.

Alan Greenberg: I think that's accurate.

Jonathan Robinson: Okay. Martin?

Martin Boyle: Thanks Jonathan. Yes that's fine with me. The main reason for flagging this was I didn't want or we didn't want to see that step being dropped being considered to be part of the authorization process. So I just wanted to make sure that it was still on the record that good housekeeping checks should remain in place. Thank you.

Jonathan Robinson: Yes great. So it is that serves the purpose and I think Martin that's great so that's recorded and in place. So Bernie?

Bernie Turcotte: Thank you sir. Just as a reference because I have been working with IANA on these types of things recently there is a ferocious determination on IANA's part to change as little in the operational procedures that they follow for their customers without clear indications that they have to or there is a need because of their transition. And I think that they've been very good about that.

                     This is not to say that they're fighting things that need to be done for the transition in no way. But they are very, very careful about understanding and maintaining what is there right now. Thank you.

Jonathan Robinson: Great, thank you Bernie. All right a replacement of the approval function for changes to root zone management architecture is needed.

                     A new advisory committee which consists of experts should be created to deal with these. Any comments or thoughts? That's from (JP Nick).

                     Staffan go ahead.

Staffan Jonson: Thank you Jonathan. Well it would be unfortunate if there would actually need to be a new advisory committee doing this because of costs if no other reason. Thank you.

Jonathan Robinson: Okay. Jaap?

Jaap Akkerhuis: Yes. I viewed DTF that this is probably on case by case basis. And these committees are - I mean done on kind of an ad hoc base and then argue about things like having IP6 in the root or got DNSSEC signing or what's happening now in the moment is how to do the (intersect) offer special committee with specifically currently to advise and (unintelligible) advise the community how to do that and doing so preliminary speeches.

And that's what's so it kind of depends on a bit having the standard committee might create more bureaucracy than it's worth for the time for actually what it (unintelligible) it's (unintelligible) be.

So I am a bit wary about I mean having a (unintelligible) committee but...

Jonathan Robinson: Okay. Alan go ahead. This is related to Design Team F in any event.

Alan Greenberg: Thank you. At this point DTF is recommending that a new group be created. It will not necessarily be the group that does the technical evaluation. But it oversees it and will make a recommendation to the ICANN board who will have the official approval stamp seal of approval.

So this is going - is likely at this point the current proposal is a standing committee. That doesn't mean they meet regularly. They may never meet at all in person but it's some entity that is put together to advise the board. Thank you.

Jonathan Robinson: Okay.

Alan Greenberg: And that is documented in the DTF report.

Jonathan Robinson: Thanks. So that's likely to find its way in here.

All right next its point. It's not clear what is meant with proposed entity?

Alan Greenberg: It's Alan. If someone could read out what the whole sentence is. I have a memorized everything that we wrote.

Jonathan Robinson: Marika go ahead.

Marika Konings: Yes this is Marika. I think it relates to a specific section in the current proposal that talks about the entity responsible for such approvals will establish a process which allows for consultation with impacted bodies.

And the comment is that it's clearly not clear from that document if that is the ICANN or VeriSign. So I think that the commentor is basically asking to be explicit in that.

And I don't know if it may already be something that DTF has fixed in its latest draft or maybe - if not it may be something...

Alan Greenberg: Marika if you can point me to which section it is privately I will look and come back with an answer.

Marika Konings: Okay.

Jonathan Robinson: Okay. Let's just come back to that so the CWG will clarify this point.

Okay so the next item is some general comments and various comments in and around the budget.

And the first one is an outer comment that a similar level of clarity could be delivered through ICANN internal divisions. There seems to be - yes okay go ahead Chuck.

Chuck Gomes: Well I think the simple answer is we agree. If we want to be a little bit - what's the word I want? A little bit sarcastic. We could also say how come it hasn't been done? I'm not necessarily advocating that but I throw that out.

I don't think we need to go back into the reason we're doing the model that we did. We've already responded with regard to that.

Jonathan Robinson: Yes. Well we could say the CWG agrees but notes that this has - notes that this has not happened to date. And it - and moreover is not a fundamental reason for the current architecture for the proposed architecture, perhaps a useful byproduct but not the fundamental reason. Avri?

Avri Doria: Thanks. This is Avri speaking. I would just add that if in terms of the notes a clause saying although it was requested.

Jonathan Robinson: Okay, thanks. I think that's captured now. How would IANA functions be paid for if one of the operational communities decided to end the relationship with ICANN? Avri?

Avri Doria: It's - I'm sorry. If only ICANN is paying I don't see the problem at this point.

Jonathan Robinson: Just waiting for the catch-up on the notes here. Donna go ahead. So what does he mean by operational communities sitting in the RARs IETF or registry operators?

I would think so. It's with one of the - one of those three decided to end the relationship with ICANN. Well that's quite different.

Donna Austin: Yes. So I mean registries can't - gTLD registries can't because they have a contract with ICANN. RIRs could certainly choose to take their 800,000 or whatever away I guess if they walked away.

But I think the situation for registry operators is much more difficult. And that is where the base of the funding would come from anyway I would suspect.

And the registries, registrar comments, you know, like it would be good to have a percentage of (unintelligible) sort of set aside to make sure that our budget for IANA is properly covered. Thanks.

Jonathan Robinson: Thanks Donna. And that's effectively being captured I think in the notes. It may be worth even making a reference to the extent to which those gTLD registry operators underpin the budget of ICANN. Stephanie?

Stephanie Duchesneau: Yes just a couple of other comments to follow-up on what Donna said. We've discussed that some length in the Registry Stakeholder Group and we feel two things.

First while PTI's remaining within ICANN we understand that the float - those functions continues to flow through ICANN would have to be separately funded.

But to the extent that it's moved outside we feel quite strongly that additional fees should not be leveraged from the registry operator community beyond what is currently being paid to ICANN.

Because there's an understanding that if ICANN is no longer the entity - ICANN is already being paid to carry out the IANA functions and if ICANN is no longer that entity a certain part should be able to be proportioned to the new entity, the new IANA functions operator.

But I think it's important that this be addressed there's is some structure and agreement to put around this before transition because otherwise I think separation is really just notional as we don't know how it's going to be funded thereafter and if registries are opposed to additional funds being leveraged to pay a new entity beyond the base of what is already being paid to ICANN.

Jonathan Robinson: Thanks. That's a good point and its I must say I've been sufficiently interested in the discussion so far that for once I've lost track of the time a little bit. So I see we're getting very close to the top of the hour here.

It does feel like there might be a point here to note based on that last comment that the CWG notes that in the event of any separation of the current activities appropriate financial arrangements will need to be made.

I was wondering how we capture that, that do not result in further fees being charged to contracted parties and through them to end-users.

Alan?

Alan Greenberg: Thank you. I read this question differently. I read it with respect - in respect not to the names community but to the address or parameter communities.

And my answer was if they choose to move away from ICANN where they're getting services for free that's their problem how to fund it.

The concept of the names community moving away from ICANN when ICANN is going to be the de facto permanent steward of the process I don't think it's a question that makes a lot of sense. At least I don't understand it.

So I read this as being the other two communities they were talking about.

Jonathan Robinson: So that's a really interesting question and I'm not sure is something we can opine on. It's what - I mean I guess what we could say is this is the decision of a - an operating community other than names to remove themselves from - to separate from the IANA function is not within the purview of the CWG.

Alan Greenberg: I mean they could certainly negotiate with ICANN and see if they could extract the money but that's a different - that's not our responsibility at this point.

Jonathan Robinson: I note there's a point in the chat there's some discussion about who gets what for free or not. And there's a point of made about the numbers community paying $800,000 per year. So I'm not sure - I'm close to the facts but I trust that the commentor is. And so...

Lise Fuhr: Yes. It's Lise for the record. We need to be mindful of time. It's...

Jonathan Robinson: Yes.

Lise Fuhr: ...top of the hour.

Jonathan Robinson: I think we're close to a wrap here.

Lise Fuhr: Yes.

Jonathan Robinson: I mean so I'll - I think Alan is an old hand and so I'll go straight to Chuck and then we'll try and wrap things up at this point.

Chuck Gomes: Just think you Jonathan, just a really quick suggestion. The next three items are all related to Design Team O. And so my suggestion is maybe before our next meeting that we - that the suggestions from Design Team O be put into this for the full CWG consideration.

Jonathan Robinson: Great Chuck, very helpful. And we'll make sure that happens and bring those to the next meeting which as we currently stands looks like we will continue with this.

And so I hope this was useful. I certainly think it served the purposes it was intended to which does - which is twofold just to remind you before we close off.

One to make everyone aware of the extents and substance of the comments and particulars as they - as actions for this group are derived from them and two to give us the opportunity to give them due consideration and discussion.

So thanks for your contributions. It feels like we've had a balanced set of contributions and combated in a good spirit and resolved a number of them so good.

Thank you everyone and we'll take a break between now and the next call and then continue with the work in the not too distant future.

Look forward to meeting up with you all then and see you then. Thanks.

Man: Adios. Bye.

END