

**ICANN**

**Moderator: Brenda Brewer  
May 29, 2015  
9:00 am CT**

Coordinator: Excuse me, recordings have been started.

Grace Abuhamad: Thank you very much. Everyone this is the sixth meeting and final meeting of our High Intensity Sessions. It is the 29 of May at 1403 UTC. We will do attendance in the Adobe Connect Room as always. I have Eduardo Diaz on audio only. Is there anyone else who is only on audio?

Okay, turning it over to the Chairs. Thanks you.

Jonathan Robinson: Thanks Grace. Welcome everyone to the final and sixth session of our High Intensity set of meetings. It has been a bit of a marathon and I know some of you have worked hard and stayed up late, woken up early to be with us through the course of things and much appreciated.

So I think we will start off with - you will see the agenda up in the top right here. We intend to make a recap of the prior meeting, look at any requirements from the Design Teams, check off the outstanding sections in the draft proposal, deal with any items for the Client Committee and touch on some other outstanding or potential open issues.

Just in case any of you have a heart attack we don't intend on the Item 7 to sign off on the final proposal, we intend to talk about how we might sign off, what process we will go through to do so.

You can see in the - beneath that agenda the plan, the timeline. We have a couple of meetings next week where we with continued full effort we should be in a position to see a draft of the final proposal on the 2nd of June and to see it for a second time on the 4th of June such that we could potentially submit it to the SO and ACs the following week and we do have a meeting on the day after on the 9th of June.

So that is the plan which gets us with our publication to the SO and ACs ahead of the Buenos Aires meeting. Are there any questions or comments on the agenda or issues raised by that at this stage? Okay, just then a quick recap of some of the key points coming out of the last meeting. We really want to do a recap and continuation of the previous meeting where we worked with the outputs from Design Team N and Design Team SR. That is on the IANA Functions Review Team and the Separation Review.

I am just check we had a lot of help from particularly Stephane and Avri but of course others also assisted there and I am just checking if we have either Stephanie and we have Avri still here. I don't know that Stephane ha continued with us but I am sure we can manage with or without her.

So we had a useful summary to work from and in doing so we went through the work of those groups on the IFRT and we - there is a couple - there is a few key takeaways that I think that are worth being reminded of. There was a strong recommendation to make it clear and apparent that the work of the IFRT would be open and transparent and conducted in a way along the lines

of the ATRT which is really a model review process I think but that is my understanding, for the IFRT and I think the intention there was to make it explicit that the open and transparent mechanics would be similar in the case of the IFRT, if not identical.

We had some discussions around making sure that there were at least recommendations on geographic diversity to the extent that that was possible for the participants in the IFRT and also that we included a definition of skill sets such that the participants in the team or the members of the IFRT were fit for purpose and we talked about including that as an additional recommendation.

And finally we had a proposal that was provisionally agreed to was to add a - an additional member from the CC&SO to that group to make a total of two CC&SO members in that group. Are there any questions or issues - well we - are there any questions or issues on that recap or the points from that meeting in respect to the IFRT? In any case I will come on to the Separation Review Working Group.

Okay. Well that follows - following on from the - all right have I missed a hand, I am sorry. Alan go ahead.

Alan Greenburg: Yes, no sorry I put it up late. I was just going to say that the comment I made earlier about alternates for any group that meets with - for expected meeting of seven months or eight months or whatever we are talking about for this group. We really need alternates to make sure we have continuity from each of the supporting groups because with only one person there are always going to be gaps for people's lives or such that they can't always devote all their time to ICANN.

Jonathan Robinson: Thanks Alan that is a good point and I think from memory that was recognized and absorbed in to the respective revised draft but go ahead Avri.

Avri Doria: Thank you, Avri speaking. Well actually we had posed two possibilities there and we had (unintelligible). The problem with alternates is you double the size of the group. The other possibility had been mentioned is that as they are, you know, coming out of a particular group that they would have the right to name an alternate to participate in their stead at any meeting they couldn't follow.

So it was a slightly different approach being thought of so there is really - in response to that two approaches are being thought of. One that doubles the committee and one that just allows a substitution for any member of that committee from their SOAC Stakeholder Group what have you. Thanks.

Jonathan Robinson: Good point, Avri; thanks for that clarification. I think I understood the latter Alan could you comment on that?

Alan Greenburg: Yes, having a substitute half way through a group that has been meeting intensely for several months and that person - the other person has not been present at the meetings and has not been allowed to even be listened in to the meetings - that is really close to useless, at least from my perspective.

Having, you know, I - although I don't like the concept, having a second there that isn't allowed to speak but is at least allowed to listen on the conference is at, you know, at face to face meetings. Maybe you only fund one of them but first for an alternate to be useful they really have to have been representing - not representing, they have to have been participating actively. I mean I have been an alternate several times on this group, I am not a member formally but I couldn't have done that effectively if I wasn't already there anyway.

Jonathan Robinson: Avri, do you have a thought on that?

Avri Doria: Yes, I have a couple issues. One, I think there is an assumption here of facts that aren't in evidence, that they wouldn't be able to list in - that there would be no way to know what is going on. We talked about the transparency, the ability of all things to be listened to and as for alternates, I have had an alternate for several years in a group that has never attended. An alternate does not give you what you are wanting. A person that has paid attention does.

Obviously, we need to talk about this more but I know in the small team there is certainly a resistance to doubling the size and so - we are going to need to talk about this one some more (unintelligible).

Jonathan Robinson: Well to be clear though there is no - there is nothing to preclude the - it - the alternate listening in and being clear on all of the proceedings so in a way shouldn't we leave it up to the discretion of the group how they manage their alternate but it might - we might want to make it clear that by the permission or the acceptance of alternates it is for the purposes of continuity of service and in no way presupposes that should travel funding or rather other costs be incurred that they would be duplicated by virtue of the alternative.

I am sure we can do something like that that covers it.

Alan Greenburg: And in addition we also have several groups that have more than one person. You don't need an alternate for every one of the people if you have multiple attendees and there are some groups who probably won't bother with an attend - with an alternate anyway so I think the doubling is, you know, is showing the absolute worst case, not what is going to really happen. I have made my statement.

Jonathan Robinson: Thanks Alan, thanks very much - something that may be able to be tidied up. Personally it doesn't seem to be a big issue to me if it can be managed tidily so let's hope we can sort that out.

Okay, so that is the issue on the IFRT with respect to the Separation Working Group. We - as I recall it and again, correct me if there is any misunderstanding from this, we agreed that we would like this to be similarly open and transparent and really to have similar recommendations on Geo Diversity where possible and certainly a definition and an expectation that groups would appoint appointees with - or members with appropriate skill sets.

So I think those three were uncontroversial but then we had an expansion proposed that we didn't settle on and I think this is important. We got - essentially as I understood it, the Registry Groups, the - were proposing an increase in membership in each case up to something like five members in total from each and an expansion of the group to accommodate that with concern that there was a specific implication of the work of this group and so I think we need to see where we can get to with that because there was clearly - was an expansion proposed but we - I don't believe we settled on that.

Any strong views on expanding the group to accommodate the registry's request that for the purposes of this - notwithstanding the other changes of transparency, skill set and so on that there was - they - any strong views on the expansion proposals for or against? Avri.

Avri Dora: Yes, this is Avri speaking. As I had mentioned in a previous call there already are more for the registry than others because this is expanding it even further. I am certainly resistant to it. I think at a certain point we have to keep thinking about the balance between the registries and the others. I think skill set is the

more important consideration. We could get lots of people from registry that were accountants in customer service and people that wrote documentation and that would not necessarily give us the skill set we want.

So I think it is much more important to focus on skill set than on doubling and tripling various representations so I would certainly be strongly argumentative in a different direction. Thank you.

Jonathan Robinson: Thanks, Avri. Alan.

Alan Greenburg: Yes, I tend to take the same position. Yes, registries are the direct customers but pretty much this whole ecosystem depends on IANA working properly. There are people all over the ecosystem that understand it. Certainly from some of the technical groups and other parts of the root system there are lots of people who understand it and can help identify problems. I don't think the registries are in that unique of position and they are certainly not the unique position about passionately caring about making sure it is done right. So I don't think the argument is a strong one - thank you.

Jonathan Robinson: Anyone else want to make a point here strongly in either direction. I note Martin disagrees in the chat and I think he was clearly one of the proponents in the previous call and Donna highlights it of course the registries day to day operations depends on this and Chuck's no surprise there. The registry representatives have a different view.

Donna go ahead.

Donna Austin: Thanks Jonathan. So confirming that we currently have two from each side so two GTLD registries and two CCTLD registries; is that correct?

Jonathan Robinson: I think it is - from memory it is - someone else give me the facts because I am not that close enough and I would like to make sure we are right.

Woman: One GTLD, one GNSO Registries Group and two CCNSO and one CCTLD non CCNSO so three.

Donna Austin: Okay, so that is three CCTLDs and two GTLDs registries. So for the purposes of the review is it possible to bring it up to an additional GTLD registry so we have three and three and within that combined six there must be regional diversity so we must cover between this or among us the five ICANN designated regions in order to cover diversity - geographic diversity. So we are increasing the review - the separation review by one additional registry but there has to be a requirement that across the six that they had geographic diversity and it is just a suggestion.

Jonathan Robinson: So Donna let me make it. Just I would like to be very clear on what the proposal is because on the IANA Functions Review - previously the two teams mirrored one another. In the previous call we had the proposal which was largely unopposed to have an additional CC&SO representative on the IANA Functions Review Team. I am taking that as red for the moment.

At present we are now talking about the Separation Working Group and your proposal is to add one GTLD representative to that Separation Working Group and in addition to insure that all registries are geographically diverse - represent - geographically represents is geographically diverse?

Donna Austin: Right, so the combination of CCTLD and GTLD registries must have the five ICANN regions.



Jonathan Robinson: Okay, I am still not sure but just to make sure we are agreed Donna on the same page. Your proposal is to add a single additional registry representative just one - or is it two to what was the previous composition of the Separation Working Group. I get the bit about the fact that they would self-insure, that they would geographically representative. It is just a question of what numbers are being added to the original proposal.

Donna Austin: So as a total with the separation review you would have three GTLD registries coming through the Registry Stakeholder Group and you would have three CCTLD representatives either non-CC&SO or CC&SO so it will be a total of six registry representatives.

Jonathan Robinson: Okay. So in effect it is one additional registry representative?

Donna Austin: Yes.

Jonathan Robinson: Yes, okay - any strong takes on that? So in effect we would be walking out - it doesn't seem like a massive change but it may - people may feel strongly on this. We would be walking away from today's meeting - that is the previous meeting and this one with essentially one addition of a registry representative to both of the review groups.

Can - look - I mean it is one of the things where I would love us to move on. I don't want to preemptively close this but it doesn't feel like a massive change. I know people have said it is one addition here, one addition there but actually it is one in each case. It is not massive and if people can live with it - it might be neat to just bank it and move on.

Alan go ahead.

Alan Greenburg: Yes, thank you Jonathan. I know you want to close off each individual part one by one but they are not all independent. If we look at the total picture and there is a significantly - a significant unbalance in these groups and we look at the total number of registries, both CC and T - and G, compared to the total number of other people, if we end up with the escalation process again not having any multi-stakeholder component in it, it all starts adding up. So, you know, maybe I am willing to walk away from this one but depending on the next suggestions it may get reopened again.

We can't just chip away at the multi-stakeholder component in this one by one and pretend they are not interrelated. You know, I for one am certainly willing to give up and I think it is for the good of the group. Not everyone agrees to put - take out a multi-stake - take a multi stakeholder component out of the PTI Board but if you do it one - everywhere one by one they may all be acceptable but all together we may end up with a very unbalanced picture and that is certainly a concern. Thank you.

Jonathan Robinson: Okay. So it is a fair point Alan and I have certainly advocated the holistic approach so you do make a very good point. We need to look at this in the whole - in the round and I appreciate that point. It is a good one but I should say that in this particular context whereas we might be modifying the balance we are not taking away the multi-stakeholder component of this but I agree it is tweaking the balance and with your overarching point it is a valid point. We need to look at how we modify things in the round, not in isolation so that is a fair point. Martin go ahead.

Martin Sutton: Thanks, Jonathan. Just picking up quickly on Alan's point I thought just a moment we had actually agreed that the - at the structure of the IFRT and that is the body that is doing the overruled review of the process and therefore is I guess very much more something that is exposing the IANA to the review of

the multi-stakeholder communities, in other words the multi-stakeholder community oversight of the IANA.

This is the key element to it but certainly the way I understood the SCWG is that it actually has got quite a substantially different role because this is the organization that is going to sit down and try and work out what the technical requirements are going to be, what actually has to be delivered by the new contractor for the IANA function and with the proposal that Donna put forward unless my sums have gone wrong, I think even in enhanced states the registry, the customers, the people who are actually going to rely on the service that is then delivered against that RFP make up under 50% of the total participation, excluding liaisons.

So that doesn't actually seem to me to be either that the registries are dominating this particular discussion but they have got - they are in a position to bring to the rest of the group the things that they see as fundamental in what is now going to be delivered.

So I think yes, we have maintained a multi-stakeholder environment in this process with a rather modest addition that Donna has suggested but that Donna's proposal I think actually does help substantially in insuring that we have got a bit of the diversity of CCTLD, of GTLDs and that we have also got the possibility of guessing in representation from areas that quite often are just completely not heard within ICANN and I think that is very, very important too. Thank you.

Jonathan Robinson: Thanks, Martin. I will pass the mike straight to Donna who is next in the queue.

Donna Austin: Thanks Jonathan. I - based on (unintelligible) conversation we just had there might have been some confusion about what I actually requested. I wasn't requesting any additional GTLD representation on the IANA Function Review Team.

I was only requesting an additional GTLD registry for the (unintelligible) Review Team because once - in my mind once it gets to that point if we have been through all the escalation processes this is obviously a pretty serious issue and it will directly impact the day to day operations of the registry operators who ultimately provide the service to the registrars. I understand that IANA is for the benefit of all but it is true the (unintelligible) of the registry operators at the registrant gets this service.

So I think it is important that the registry operators do have increase say during that separation review because it is their businesses at the end of the day that have that relation - that direct relationship with IANA and understands the requirements in terms of service that they need to keep their business operating on a day to day basis. Thanks.

Jonathan Robinson: Okay, thanks Donna so I had understood your point. I have reconfirmed she had the proposal is simply in addition to the SWG or SGWG, whatever you like to call it, with no additional representation on the IFRT save for the previously proposed addition of a CCNSO member. Alan?

Alan Greenburg: The arguments that are being presented are all valid and as I said I'm probably willing to accept what we're talking about but it all comes as part of an overall package. And for the record, I think it would be absolutely foolish to have this group, the separation group, make a recommendation which doesn't have the support of the registries. Regardless of the numbers, if it doesn't have the support of the registries it doesn't make a lot of sense. But that doesn't mean -

necessarily mean that they have to be the majority of the group or something like that. But that was notwithstanding. As I said, I'm willing to accept this but it comes as part of an overall package and people have to remember that.  
Thank you.

Jonathan Robinson: Okay thanks Alan for that and I acknowledge your point about the overall package previously. I don't know who else is opposing this. I wonder if Avri this is something you can live with. I'll put that question to you. As I said, I know this is a delicate one because clearly people will see me as a registries person but at face value it feels like from a kind of chair's point of view a tweak to something we were all more or less happy with.

I know Alan's point is every incremental change, add up all the incremental changes and there's a picture. But we do have good multi-stakeholder representation here and it feels like from - like I say from a chair's point of view something I'd like just to nudge forward on if we could possibly live with it. Thanks. Avri?

Avri Doria: Yes. I had been arguing more for keeping it small in the list. I don't really see - I haven't been strongly objecting personally. I've been looking more at as someone that's putting together the overall thing haven't gotten to happen. I do believe it's half of this not counting liaisons. But in any case, just being very worried that as we start to lose balance there starts to be more and more push for rebalancing and that makes it bigger.

And one of the constraints that I'm holding quite strongly in mind is we have to not let it creep bigger. And so that has been my primary concern but, you know, I haven't been arguing against this particular one.

Jonathan Robinson: Thanks Avri. I don't want to open a door which is I realize there's a very strong risk of doing so but I have not yet heard an additional push. I've heard what seems to be a relatively minor ask for one additional position with a concession to ensure geographic diversity which seems attractive. And so I put it to the group that perhaps we should bank this and get onto the next point.

Okay. Martin what I suggested banking to be clear was this one additional representative. That's what I'm talking about when I mean that. And so we make the change and move onto the next point. All right thank you those that are prepared to and I realize there's a concession from various of you. So and like I say this particular one is probably uniquely sensitive from my point of view. But you - I think there's the direction. Make the one addition. Ensure that there's geographic diversity and we have a good position there. Thank you.

So I note that (Jeff), that Greg says I tend to prefer soft commitment to diversity. We can tweak that wording in - on the mailing list if I mean I if - I've heard that that's the concession. So I think we'll have to be careful there but we may want to just think about what's the right form of wording to get what we want without putting ourselves in a position where we don't get the right expertise because there was quite a strong case made for skill set as well.

And Avri says there immediately counter that she prefers a hard one. And I think my feeling is that that was the essence of the proposal from Donna and the part of the compromise we've worked to. I mean I understand there's a potential concern there. Let's see if we can find the right form of wording there that works.

The - there was a concern from Donna and I don't want to open this up too wide right now but it was at least Donna and perhaps some others at the tail end of the last meeting about the various states of escalation that this goes through and the speed with which the job gets done. I think we've got a really delicate line to tread here because if we are seen to undermine security and stability via this separation process this is going to be scrutinized in the transition. I have no doubt.

So I would encourage us to find a form of words that says that when and if we come to this separation working groups work that we proceed with deliberative care but appropriate expedience. In other words, we recognize the need to do things as expediently as possible with the sort of reasonable speed but also with full care.

And so I think that's maybe the way to handle it is to ensure that that - I think cutting out steps might cause us some issues. So that's my suggestion there that we work along those lines for the moment rather than we didn't seem to find agreement on cutting out any particular steps in the process. James?

James Gannon: All right so I just want one concern about the speed of which the SCWG was able to work. I think I accept your point but we need to be careful that we don't make this seem like it's an easy option. But I think on the flipside I would argue for the purposes of stability you need to ensure that the SCWG is not going to be a long drawn out process. So the SCWG is going to come at the end of a series of reviews and escalations and will be the result of an acceptance within multiple areas of the community that there is something wrong and something needs to be done to fix it.

And I think when we've reached that point, I think we need to be able to move at a certain pace. I think that that pace should not be a slow pace. I think it

needs to be a well prepared or extremely expedient pace that allows the issue or issues that have been identified through the various review mechanisms and escalations. I think if we reach the point of having the SCWG and we're looking to possibly move to a new IFO, then I believe that at that point we need to be able to move at a certain speed. Because if we don't then I believe we're actually going to be threatening the stability of the DNS. I think that at that point we're at such a level of escalation that that group needs to be empowered and enabled to move at a high speed.

Jonathan Robinson: So that's a really good point James and maybe we can add then a form of wording which says recognizing that at the time the SWG is invoked this will be at the end of a substantial and, you know, substantial process. The CWG will need - will be required to move forward with appropriate expediency and diligence or something like that. So it's at least flagged as an issue that this should not - that time may be of the essence at this point.

So I would recommend we put at minimum that kind of language in. Yes and you may say in order to maintain stability - operational stability so that speed is in fact linked to stability rather than the other way around in this case. So let's encourage staff to put together a draft form of wording to have that kind of thing in place, that kind of language in place.

Right so that seems to help to deal with that one and then moving on from there we end up with an outstanding section that we didn't touch on which is - deals with separation costs. So I don't know if that document we can re-publish that document to the Adobe room which is where we were last. And then if I could call on I suspect Avri to talk to that particular point perhaps since I don't think that (Stephanie) is on and just see what if anything just to set the scene for that point so we can pick it up.



Avri Doria: Okay. This is Avri speaking. We did not specifically answer that just like we did not specifically answer the technical details of what would need to be looked for in the RFP building on the work of DTL. So the IANNA senses would be dealt with. I mean I - following this separation IANNA would - or the function would still have to be supported by ICANN as they would still be the one contracting it.

Now what sort of contractual arrangement that made for that after that kind of separation is something that would be part of the RFP. Would the RFP include the language that included with NCIA of no cost for this, no cost for that? Or would it be a different agreement? Those things could all be talked about in the RFP. That's why the RFP is slightly wider than just technical if we're going to get down into it. So it's very difficult but the presumption is the customer always pays for the service. How exactly that's structured depends on the contract at that time.

Jonathan Robinson: Thanks Avri. Chuck I see your hand is up in relation to this point. So go ahead.

Chuck Gomes: Thank you Jonathan. I'm going to express a registry bias again in this case. The registry comments suggest that a sufficient portion of registry fees be devoted to funding the IANNA services. And that that would carry over if there's any ever separation. One thing that the registries do not support is if there was a separation or some other thing that impacted fees that ICANN just doesn't raise fees to cover the new cost. They should use the fees that are already set aside for IANNA services. Now that's a registry comment.

We haven't had time to consult with the CCTLDs in that regard. But both of us pay fees to ICANN and contribute quite a lot. And so our suggestion is and

obviously there would be some work to work out the details in this but the registries support an approach like that to deal with the fees. Thank you.

Jonathan Robinson: So that Chuck to be clear that would be some - in some way a pro rata portion or some continuation of the existing IANNA funding would then be channeled to the new provider on an ongoing basis.

Chuck Gomes: Right Jonathan. This is Chuck again. And that probably would have to be evaluated periodically to correspond to any change of IANNA costs.

Jonathan Robinson: Thanks Chuck. Alan?

Alan Greenburg: Thank you. Perhaps I read this differently. I read this as the costs associated with the separation with changing provider. I'm assuming that the current status quo that ICANN collects money from various people, perhaps disproportionately to the services, perhaps not, and it uses that money or part of that money to fund the IANNA operation. I'm presuming post separation that will continue.

As I think Chuck implied, should sometime in the unforeseeable future those money in and money out not balance maybe the terms have to be changed. That's as true with IANNA inside ICANN as if separation is necessary.

So I thought this was talking about the costs associated with issuing an RFP and doing a transition and all the ugliness that will come with it and my take would be that's a cost that ICANN has to bear as the steward. If it's the steward of the service and the current provider is doing a rotten job and it has to be fixed then you have a cost. It's the same as if your furnace blows up and you have to replace the furnace if you want your house to keep on heating.

Every once in awhile you have to replace the furnace. I'm not sure it's more complex than that.

Jonathan Robinson: Well thanks Alan.

Alan Greenburg: I didn't think it was talking about the steady state before or after separation.

Jonathan Robinson: Yes thanks Alan. So you were saying effectively either created or helped us see a nuance here the cost to effect a transition and the ongoing cost of running the transitioned entity. Martin?

Martin Boyle: Thanks Jonathan. Martin Boyle here. Yes I think certainly I assumed that this was much more directly related to the fact that ICANN holds a contract currently with PTI. It has to pay PTI for delivering a service and we, the registries, either through the process in GTLDs of the registrants paying the registrars and creaming it that way or by the contributions from CCTLDs pay for that.

Therefore, certainly when I read the original proposal I'd worked on the basis that when ICANN re-tenders the contract they get a new operator. The new operator will probably want to charge them more money because that's the nature of these things than the old contractor. ICANN takes the best deal that comes forward and then comes round rattling its tin in front of the GTLDs and CCTLDs in due course. And that I think is just a sort of fairly standard, you know, if you're contracting to something you have to dig your hand in your pocket and shell out the money for so doing it.

Perhaps we need to make that bit quite clear in the proposal that in the same way as we're looking separately at the budget that will have to come to PTI when it is the contractor to ICANN.

But Alan raised what for me is actually quite an interesting point and I think the way he put it and the scenario he described was actually quite an accurate one that this is just part of the overhead that ICANN is expected to bear, partly for having screwed up so badly in allowing its subcontractor to fail to deliver and for us to have to go through this process.

But yes again Alan I think is right. We need to state explicitly that ICANN will need to fund that process. So either way we both look back to ICANN as being the source of all funding but actually it's the registries that are the source of all funding. Thanks.

Jonathan Robinson: Thanks, Martin. So I guess it's - they're starting to feel like a couple of things. It was three really. One is ensuring that transition costs are dealt with. Two, ensuring ongoing operation costs are dealt with. Martin your mike is still open. And three, I lost my train of thought. I'll come back to it. Okay go ahead Chuck.

Chuck Gomes: Thanks Jonathan and thanks for this discussion for everybody. You know, first of all let's be clear that registrants pay fees for all of this through registrars and registries. So I don't want to forget that point but I wanted to respond to what Alan said. What I was talking about was both current fees that support IANNA services, which need to be broken out in that sense, and future fees regardless of what the future state might look like.

With regard to the cost of the transition itself, and Alan raises a very good point here, ICANN is already paying for that. We, for example, the legal services. So but again because registries provide about 96% of the fees or 90 - registrars and registries I should say pay about 96% of the fees of the revenue - total revenue that ICANN gets again that's going to come from the same

source, from registrants via registrars and registries whether it be CCTLD or GTLD. So I just wanted to clarify that I was talking about two parts of that. Alan raised the third which is an important one. Thanks.

Jonathan Robinson: Thanks Chuck. Donna?

Donna Austin: Thanks, Chuck and Jonathan. I think Chuck has covered most of what I wanted to cover but just to make a distinction I think what we from the registry stakeholder group perspective are trying to avoid is a situation where if we don't identify where the funding is coming from before a separation event occurs we don't want to be in a position of having to contribute fees to ICANN and then separately having to fund the IANNA service as well.

So why - the reason we're trying to include this within the IANNA proposal is to ensure that ICANN maintains a responsibility for the IANNA function whether it's conducted in house or via third party external to ICANN and that the fees that are currently collected are actually separated in some way so that in the event of a third party operator those fees are sitting there and ready to fund the external operator.

So I think that's the concern from the registries. We don't want to be in a position where if there is a third party entity engaged that there would have to be separate funding come from the registries to pay for that because the registries are the direct customers. So I just wanted to make that point clear. Thanks.

Jonathan Robinson: Thanks, Donna. Alan?

Alan Greenburg: Thank you. I don't think any of our crystal balls are all that good and we don't know what's going to happen five or six years from now in terms of the

revenue to ICANN and the growth of domain name systems and whatever. Moreover the - a transition could happen not because the DI's doing a wrong job, not because they're doing a bad job but because we simply decide a change is made.

We've been talking jurisdiction coming out of our ears sometimes here. Sometime in the future we may decide that the IANNA function must be provided out of Switzerland or the Cayman Islands or something else.

And it may well be that providing that service out of that location costs twice as much and that's a decision that ICANN will make that the stakeholders will make including as we've seen a significant contribution from the registries, contribution not money but in participation in the decision. And it may well come - be that we're in a different world and the money has to flow in a slightly different way.

Well that's going to have to be agreed to by the overall group. And I don't think we want to lock in anything right now to say the model must never change. We're not foreseeing it change but other changes may be forced upon us for one reason or another or we may simply volunteer to change. And that may be for the good of the internet. And I don't think we're in a position to prejudge all of those right now. Thank you.

Jonathan Robinson: Okay. Thanks, Alan. I'm not hearing a lot of disagreement I don't think. Let's close the queue after Greg. Let's hear from Avri and Greg and then we'll try and see if we can't wrap this up.

Avri Doria: Thank you this is Avri speaking. I do believe it's reasonable to make it explicit that ICANN pays for any transition and for the IANNA service ask. I think going beyond that is actually not in scope for us because at that point we're

dealing with the (unintelligible) of ICANN's budget, how it takes in money and where it puts that money out. And it becomes part of a much larger issue in terms of what was so the registries are paying for the names. The money's coming out of that allocation. Or are they paying for the whole IANNA service?

It starts to bring up all kinds of questions in terms of things and also it is a restructuring of ICANN's budget which I believe is probably outside of our scope. We can demand that PTI has a budget. We can demand if there's negotiation about the budget but to tell ICANN how to allocate their money, you know, for paying for this I think is definitely out of scope and would argue it's just such as larger issue. Thank you.

Jonathan Robinson: Okay. Thanks, Avri. And let's note that I recognize that's well said and Alan as well. Greg, go ahead.

Greg Shatan: Thanks. Just one more thing to point out is that the IANA-- presumably would still be operating under contract with ICANN even if PTI is -- or PTI is replaced by a third-party provider. So I don't see that the registries would necessarily be paying for anything directly. Rather it's up to ICANN to -- with community input -- figure out how it then turns around and provides services that it's now giving with the third-party subcontractor to put in place.

So I think that is going to be a tendency for money to kind of flow through. But clearly there's an issue when we have what type can be deemed and some extent a free service but it's certainly there are costs that are being paid somehow so it's not free. It's not like it's being supported by advertising. But those I think are next level points. But I think we just have to keep this in the context of the contract and the structure that we are dealing with and not just look at it as a kind of an abstract financial contract. Thanks.

Jonathan Robinson: Okay. Thanks all. I think I've heard what I think is some critical points here. One is in the event of a future transition -- the funding for such transition would be derived from ICANN. In addition, the ongoing fees for operating the IANA service would be derived from ICANN. I also think I heard that there should be no raise in fees directly associated with that. Those seem to me to be the three key points.

I also do note that generally this would have been very focused and in conjunction with the CWG on ongoing oversight of the appropriateness and relevance of the IANA budget. So it feels to me like we're not in any significant disagreement. We all seem to agree that ICANN would fund the future transition having gone through all the myriad escalation and processes that we've set up in place would be responsible for ongoing funding of the activity and would not raise fees associated with such a transition.

And moreover, that on an ongoing basis we have oversight of the budget. So it feels to me like we're in agreement here. And as long as we can reflect that in our document we should be okay.

Top of the hour on our final call and some important other topics to cover and these include just some key other points that we need to deal with. And that is probably recap of what is expected of the design teams. So what do we expect some -- we ideally like all of those design teams to focus on the color-coded portions of the document which -- I'm going to just check with staff.

Will those be -- are we expecting to update those based -- or have they been updated real-time? No. So it's just -- it's checking that those have been dealt with. Is that right, Marika?



Marika Konings: Yeah. This is Marika. We've updated the summary document and, of course, in the bigger proper common review to importing those responses that the CWG agreed to. When I think about it couple of those in the summary document that I think some of the design teams were going to discuss further or may want to have you look at what was developed and see if there's any further updates responses needed.

Jonathan Robinson: Okay. Thanks. So we have the color-coded document with the original content. We have the summary which is a mirror of that content which has been updated real-time. We ideally want updates from the design teams by Monday. Now, I know some of them are scheduled to meet to tidy up loose ends next week which might make Monday somewhat difficult. But if at all possible we'd like to get updates by Monday so that we can post a draft final proposal to the group ahead of Tuesday's CWG meeting. That's the ambitious plan we are working towards.

Grace, I don't know if you want to address in addition to that work of the design teams and the substance of section three of the document anything on the other sections and how that's going. Would you like to make any comment or point on that?

Grace Abuhamad: Yeah. This is Grace. So for the outstanding sections and basically sections four, five and six - we have some drafts we're working on but we want to incorporate what we received and the public comment. There were a few comments about needing more detail so that's, of course, what we're working on. And then comments from this group about some of the implementation list that need to be included into section four.

So we're going to work on including that in section four as well. And our plan is to deliver these outstanding three sections on basically end of day Monday

US time in time for the call on Tuesday. And that would be incorporated into the latest version of the proposal so that would incorporate DT edits. Drafting team -- design team edits as well as sections four, five, six drafts. And that would be presented to the group on Tuesday -- and sent beforehand, obviously. That's our plan at least for the section.

Jonathan Robinson: Thanks, Grace. Any comments or issues relating to that? So I should've specified Monday first although I think Lise's done that there. So there we are hoping to get that input for Monday first which is why I recognized that next week there was some ongoing design team work.

Now, with respect to legal advice and what else we might require there. Seeing this was covered on our agenda, I think under Item four, Client Committee. So this is one for, obviously for the Client Committee but for the group as whole. And some thoughts here as to what we might need from the legal advisers and I'll welcome any comments or questions before we formalize these for the Client Committee to then work on instructing Sidley to work on.

It strikes me that we never properly nailed down -- and perhaps we have and adjust each to be double checked -- our language relating to the conditionality of the proposal. And the validity of our overall proposal based on its dependence on the CCWG's work.

To my mind this is an absolutely critical point because to the extent that we're going to the chartering organizations and say to them, look, we want you to support this proposal. It's complete and standalone. The most obvious thing they can say to us is, well, it isn't standalone. It doesn't stand outside two feet without the work of the CCWG. And we need to be able to argue back robustly and say, look, for these reasons it does standalone. And a key

component of those reasons will be the strength of language on which we make the proposal conditional on those key criteria.

So I guess what I'm asking for is support from the group to get the flying committee to constructively to help us -- to assist us with this particular component of our work. One and I see the notes will reflect this so you can see under Item four, Client Committee, these points I'm referring to now.

The chairs have spoken with Sidley about our prospective presence in Buenos Aires and we haven't taken any kind of instruction to Sidley through the Client Committee. I understand that Holly and a -- I think a colleague from the other law firm working from Adler who's working with the CCWG will be in Buenos Aires.

But to the extent that we need support for and assistance with any of our work including explaining some of the key decisions we've made. It's our view -- the chair's view -- that it would be helpful to have some form of presence from Sidley in Buenos Aires and Holly can't fully cover both groups. She may be able to assist our group. And so to that extent the second request stroke instruction by the Client Committee that Lise and I are proposing is that we bring Sharon, Holly's colleague from Sidley to Buenos Aires to support her in supporting us in our work and ready to be our key point person, if you like, as their legal advisor in Buenos Aires. So that's a second, if you like, ask if you'd like of the group to support the Client Committee in that way.

The third one is that it feels to me like there is some discussion over the last couple of days in and around how the bylaws might be -- the ICANN bylaws might be adjusted to encapsulate the work of the CWG. I haven't discussed this in any way with Sidley and nor do I understand completely what the

scope of this might be. But we may want to have some initial help there. So that's a third point.

And, finally, a fourth point is that ultimately that that punch list will need to be reviewed and checked for completeness and/or absolute necessity. Now, I think we will do -- from a staff point of view -- the group will be supported by staff in tidying up that punch list and reconciling it with the work to date or the recent work. But ultimately I think we should reflect that back to Sidley to say, can anything be struck off this? How much of this is absolutely necessary in relation to the final proposal? And how much gets moved over onto the implementation list?

So those are four areas where I think we need some work potentially with Sidley and to be directed by the Client Committee next week. And so I'll look for any comments or input on that. And to be clear we're referring to Sharon Flanagan who's a partner from Sidley's West Coast office. I think it's in San Francisco -- who's worked with us who came out to Istanbul and worked very closely with the group and has been invaluable in our work to date. And I see support from a number of you for that proposition.

So Matthew, to answer your question, am I saying that this proposal is not dependent on the country I'm saying it is dependent as I would like Sidley to help us with the tortness of the language to insure that that conditionality or dependency is very accurately and effectively specified. I think that's been the kind of collective commitment we've had since the outset.

You know, it's something that we need to insure takes place. But I think it's -- to my mind -- as I said -- it's vital to insure that the proposal can be standalone or at least reviewed on its own merits because without that some might argue that it's missing a leg and will fall over.

Now, I just got asked about whether to add -- Grace asked me off-line whether to add the ICG -- James (unintelligible) about that ICG. We will come to that.

Brendan - PTI accountability aspects? Well, yes, to the extent that the PTI is bound into ICANN and ICANN's new accountability is all wrapped up in the CCWG work? Yes. These are inextricably bound together which is why I'm so keen to see the type of language and that is why I think we should probably ask for legal help to get this right.

Okay. Any other comments on those suggestive points to deal with Client Committee on Item four? James, go ahead.

James Gannon: (Unintelligible) but I think we need to ask Sidley as well for their opinion on the timeline interaction with the CCWG or what we need to do for timelines for all extents. So there will be a point in the work stream on implementation timeline at which point we can then start implementing the -- sorry. And we can then start implementing our side of the legal and implementation that we need to do. So there will obviously be an interaction there between the two. But we need to work out with the time lines will be from the legal point of view on the interactions.

Lise Fuhr: Thank you, James. It's Lise for the record. Actually, we as chairs are dealing with these issues with the accountability chairs. So we will insure those things are coordinated between us. Thank you.

Jonathan Robinson: Okay. Thanks Lise. And thanks James for flagging that. And Holly also recognizing that interrelationship between the bylaws point which is obviously a point as well. That's the key is just making sure we understand what bylaw changes pertaining to the work in this group will need to be done.

I think it's less at this point about timing of the bylaws point but more about making sure it's clear and know what changes we are proposing to the bylaws to shore up and secure the work of this group independent of anything being done in the CCWG. Well, that's not strictly true. Not independent but related to the work of any changes being proposed by the CCWG. And it's this interconnectedness that I think we really need to make sure we bridge very tightly and work well with.

Okay. I'll move us on from the Client Committee and legal related points unless anyone else has anything to... So James I'm not saying that the timeline isn't important we just have to -- it's a project management point that we have to keep a close eye on. It's just that I don't want to ask Sidley to manage the timeline and do the project management part of it. But they need to be intimately part of the planning. Thank you, James.

All right. So next I think there's a couple of points that Lise wants to raise under Items five and six. So let me hand over to you Lise and leave you to lead those points.

Lise Fuhr: Thank you, Jonathan. The first one is regarding the term sheet. And the Sidley memo from May 18 of this year is the term sheet -- a draft of a term sheet. And the intention is to have this going into the proposal as an appendix to the proposal. So we would like you to look at this. It's been out there for your comments.

Please if you have any comments to submit them to the group before Monday evening. Well, Monday midnight UTC. It's just important. It's going to be one of the appendices to the draft proposal. So please make yourself aware of this document and if you have any questions or comments send them to the group. Any questions or comments regarding this?

Jonathan Robinson: Lise, it's Jonathan. Just one comment just to be clear what that term sheet is. That's a draft set of terms that would have to be finalized as a set of terms and implemented as the contract between ICANN and PTI. And they are as I recall derived from the existing PTI and ICANN contract and modified based on two processes.

Really one -- the early work of this group at or around the turn of the year. And second -- then revisited much more recently by Sidley with recognition of all the current changes. So they represent an up-to-date view of the foundation on which the contract will or could be based.

Lise Fuhr: Thank you. That was a very good clarification. Any questions or remarks? Doesn't look like it. Then we'll go to the CCWG accountability public comment. And this is actually touching a little bit upon what you're asking for James -- the coordination between the CWG and the CCWG. And we received comments from the accountability groups chairs to our draft proposal.

They had some questions that we have touched upon on this call regarding bylaws and some budget specifications. Jonathan and I will as chairs for this group submit our comments to the accountability draft proposal before or at the latest by the third of June

And in those comments we will also answer the questions that were asked from the group. So we will incorporate both our comments and try and get back with our specifications to their questions. So this will go out June 3. Any questions or remarks to this? All right. Seems like everyone is finally worn down after three meetings today. Jonathan, I'll hand it back to you to take the next subject that is final proposal.

Jonathan Robinson: Thanks, Lise. This is an important point. It's one that has been raised previously I think by Chuck, possibly by others. Thanks. We note that not everyone is exhausted. They're just waiting for the right issue. Thank you. I'm really pleased that we got everyone alive and kicking still.

This is an issue just to make sure that there's a common understanding here. I talked about this with Lise and the break between these two meetings and I think it is our understanding so I'll put this to you. But we will bring a final proposal to the group that we'll bring a draft final proposal to the group as early as Tuesday next week. We'll bring a second draft final proposal to the group as early as Thursday next week. And ideally the group would be a position to sign off. Now, the question is what does it take to sign it off by the group?

I think we feel it would be preferable not to be putting that to a vote. But really rather seeking either, of course, comments to the first draft and any refinements as much as possible. And an ideally a process of non-objection or no objection rather than taking it to some kind of vote. And in so doing -- and then it will be the question of language. I mean what we say 'cause this is clearly been compromises.

Some minor -- some significant along the way and trying to nudge us all through a complex and fast-paced and multifaceted process to get to this point. So I think you can just be useful to start the discussion. Get some views as to what it might take to sign off on this. And put it in position so that we as members ideally can go back to our groups and say right.

We fought some tough battles on the way. I know you would've like to see X but we can offer you Y and Zed -- and really advocate that you, our group, our chartering organization office support this at the sign off stage. So I note the



opportunity to consider humming. But Chuck makes a good point. If there are objections to signing off we should seek explanations and, of course, to the extent that we can remedy to those but at least record the explanations.

Any other thoughts or possibilities around how we might effectively sign off on this? Alan, go ahead.

Alan Greenberg: Well not an answer but a question. Do we want to come up with a time - contingency timeline? If for instance next week for the sake of argument I raise my hand and I say, "Such and such and such and such," I suspect the ALAC may not be willing to ratify it with it like that.

Now I can't speak on behalf of the ALAC and the discussion will evolve as it evolves. The ALAC might choose to ratify but it may not and I'm raising the flag.

Do we want a contingency about how do we make adjustments should someone choose not to ratify? The charter calls for a relatively complex process.

We haven't allotted a lot of time to do that. I don't have an answer. I'm asking the question.

Jonathan Robinson: Any thoughts or suggestions on this?

((Crosstalk))

Alan Greenberg: If changes are made we may then have to go back to the other groups to ratify or re-ratify.

Jonathan Robinson: I've got a hand from Chuck and then Greg, so Chuck go ahead.

Chuck Gomes: Thanks. And Alan raises a good point and he understands all this as well or better than I do. But I think it is important for us to distinguish between SO and AC approval and working group participation approval.

What we're doing as working group participants is, you know, agreeing that - I think that what we have done was a legitimate process of trying to work through the issues and come up with solutions that we think can best be supported by the broader working group, understanding that we all didn't get what we want.

So I think we need to separate what we think or what we don't even know about SO and AC approval and decide whether we can support or not object to what's being put forward, not assuming that our SOs and ACs will do the same thing. Thanks.

Jonathan Robinson: Thanks Chuck. That is a very good point that we are referring here to the working group sign off on the proposal for submission to the charting organizations.

And, I mean, I would hope that at that point we would as members of the working group make reasonable efforts and if not best efforts to represent to our respective groups the effort that we've gone to, to produce this, and explain the challenges and compromising issues along the way. Greg.

Greg Shatan: Thanks. Greg Shatan for the record. I think, you know, as we're getting closer here it's important to understand where there are lines in the sand and we should be trying to avoid them.

And this is still the process of trying to build a consensus or - within the group and to find consensus so I think it's imperative especially on the members who are supposed to be the conduits to and from their groups but not only on the members to see if there are, you know, deal killers if you will.

And so if, you know, if we don't get the support of the chartering organizations, you know, this is - we're back to the drawing board again, not an empty drawing board again but a drawing board where we're going to have to make adjustments.

So I think it's incumbent on us to maintain a high level of communication and not to retreat to minority positions but rather to try, you know, to keep massaging issues so that we can meet the greater goal that we have here, a highly, highly significant goal.

And I don't think anyone wants us to fail on parochial concerns unless those concerns are so deeply rooted that we would - that at least, you know, one major group would feel that we were worse off, you know, with that issue in place and that basically would have to, you know, cut off the entire process, you know, for that thing.

So again it kind of comes back to where are the deal killers and where - everyone here is, you know, making adjustments and assuming, you know, and communicating with their groups that those adjustments, you know, should be acceptable.

It's the essence of the multi stakeholder process or the consensus process. Nobody gets everything but everybody should get something and everyone should get those kind of minimum things below with - below the level of which they feel that we - they would be sinking and doing a disservice and,

you know, probably be held accountable by their group if they, you know, kind of let it get this far.

But we'll all be held accountable by the community if we don't have a proposal that's viable across the board. Thank you.

Jonathan Robinson: Thanks, Greg. I mean, for me you raise an important point. That's the kind of individual group responsibility but the - and to our groups that have put us on this group, but in addition our collective responsibility to come together and produce something which I think we've done remarkably well.

And so I - it is important that we balance those two out and I think we have a responsibility to one another in this group and to the process we've been through to recognize that in addition to our obvious responsibilities to the groups we represent. Alan?

Alan Greenberg: Thank you very much. I think we all have a responsibility both to act in - on our own behalf and on behalf of our organizations whether we're a formal member or just a participant.

And I - certainly I know I have my Skype chats going on in the background that sometimes are reinforcing what I'm saying, and sometimes disagreeing with me.

You know, I said clearly that I support an outsider - an insider board. That's probably a minority position within At-Large right now. Whether it will be an important enough decision when the final one comes down to - for a large number of people to say, "That's not acceptable," I don't know.

And if I accept - personally accept a solution I will do my best to try to convince other people that it is - if not perfect it's at least viable. I suspect if - when - if I can characterize At-Large's position the only thing we're likely to refuse the proposal on is if we feel the multi stakeholder component of this whole thing is not sufficient.

And as Greg pointed out the whole concept of a multi stakeholder thing or process is we all are going to have different positions. Somehow we have to come to a unified one and the fear in At-Large certainly has been that we may end up with an IANA oversight process, which is not multi stakeholder.

And that's the fear that we have larger - that's looming the largest, not the specific items but the fact that going forward we may not have a multi stakeholder opportunity to present our case and that's the kind of thing that may well, you know, be an issue sufficient enough to consider not ratifying.

But I wasn't really trying to identify the positions here. I'm just wondering what's our plan going forward if we do end up in that scenario?

Jonathan Robinson: Thanks Alan. Lise did you want to come in at this point?

Lise Fuhr: I have a - I have an answer to Mark Carvell.

((Crosstalk))

Jonathan Robinson: Fine. Go ahead.

Lise Fuhr: Okay. It's just that Mark Carvell asked if we should take into account that - or factor in that the CCWG will have its second public comment period in July/August.

And I think it's a very good question but I think part of the account - part of making our proposal conditional is taking into account that it's not been finalized - the proposal from the Accountability Group and we might be conditional on - that these - the proposal from the Accountability will meet our requirements.

But as the comments from the Accountability Group states it's actually - someone is not muting their mic. And the comments from the Accountability Chairs was that to meet our requirements it's been seen as rather uncontroversial by the group.

So we are in close contact with the Accountability Group and we're following their work so there should be no surprises. Of course you can never be 100% sure but we're trying the best to cover every risk there is of not meeting those requirements we have. Thank you.

Jonathan Robinson: Thanks Lise. So obviously and clearly Step 1 is approval by the group. Step 2 is then a communication exercise whereby we go back to our respective groups and explain how we got to be where they are, and many of them would've followed and tracked to - that to Alan's point both in real-time and not.

And it's incumbent on us to explain the decisions that were made, the compromises that we made, the positions we sought to have fulfilled and so on and work our way through all of that such that we have an education and informed chartering organization group in Buenos Aires ideally of course able to support the proposal.

And I think then there comes a holistic judgment as - in addition, I mean, which is partly what we have collectively made along the way with our commitment to the pace of the work we're doing, which is how sustainable is this on an ongoing basis?

What is the nature of the window of time within which we're working? I don't know how many of you recall Ira Magaziner's talk in Singapore but I certainly took away - one key message from that was that he indicated in all his experience in politics there's a window for something to happen within which there is an opportunity to be seized.

And if this is the opportunity we're working on seizing there is a time to work with so, you know, it is possible through various processes that there could be further iterations and there certainly will be by virtue of the fact that - of the process even if it goes perfectly according to plan it'll be submitted to the ICG.

The ICG may come back with clarifying comments. The ICG will then synthesize the different proposals together and will put that out for public comment.

In parallel the CCWG will do their work and put that out for public comment. With an absolutely good trailing wind the whole lot should come together in Dublin whereby the CCWG's timing produces their proposal for Dublin and perhaps by then, you know, the whole lot synchronizes.

But of course as Avri points out it's a narrow window. It's tight and that's another responsibility we have. It's like, you know, do you speak further iterations based on your view that there is time or - and what's your judgment?

What's our judgment about what time window we have to work within? So, you know, and we've, I mean, notably over the last six sessions unbelievable some of the hours some of you have worked both in terms of time commitment and time of day, and we've all given up nice family occasions and all sorts of weird and wonderful things.

So - but I think one looks at it holistically from the personal up to the geopolitical and tries to make assessments of all of this. So I won't wax too much on this but I do think - and just implore all of you to recognize the hard work we've done to get here and make sure that we don't use, you know, we aren't in any sense of the word - I don't know what the right word is - small-minded perhaps or just narrow in our focus in how we assess this and how we educate and work with our groups.

Look it's - we're probably all relatively tired now. We - I'm just going to make sure that I - yes and see if there's any other points that we need to cover off, because it just may be we let everyone go a little earlier than we might otherwise have done.

I think I'm at the end of my to do list. Maybe someone from Staff or Lise might remind me. Chuck, go ahead.

Chuck Gomes: Thanks. And I'm sure you didn't want to hear this but in our first meeting today we left one issue unresolved. And Holly requested more time to think about the inside member issue with regard to board directors, and it seemed like that particular issue could lead to a possible compromise where we had a difference.



I don't know if Holly's had enough time to think through that or not and if not that's fine. But I thought I would just raise that because that's a fairly significant issue that is still - we still have some divergence on.

Jonathan Robinson: Yes a good point Chuck. I don't know if Holly has had sufficient time to think about that yet or to even research it. I suspect not but let's hear if she has. Go ahead Holly.

Holly Gregory: I've done some thinking about it. I am at a point where I just want to have a chance to reflect with two other lawyers in my firm, and so I should be able to have a firmer viewpoint on this by the end of the day.

Chuck Gomes: Thanks.

Holly Gregory: You're welcome.

Jonathan Robinson: Thanks Holly. So draft timeline for implementation to the ICG. James this is a portion of the work that's going on in Section 4 as we think through the implications and what may or may not be part of implementation so I - it's very firmly on the to do list.

I think it's work in progress at this stage but we have a deadline I think from the email from Lise, who was asking for - by the 9th of June was it? That's my memory so it's something we have to - certainly to work on. James go ahead.

James Gannon: And I had a second thought, and so the other thing I think particularly for the Client Committee and Sidley to understand as well is that they might not be overly aware of the way that the ICG timeline looks.

So we need to remember that this is a testing period in the ICG's timeline unless they're looking at possibly changing that. But as of their current timeline we have a testing period of three months where there's a test plan put in place, and our proposal is supposed to be ran in parallel with the current way of doing things.

So we need to look at what we can do to help the ICG with regards to what can we do that's possibly reversible, so we need to take that into account as well because that's part of the ICG's timeline.

But I would assume and I'm making an assumption here that they will possibly come back to us and ask, "Okay well what can be implementable? What is reversible in the case that the testing goes through, which we have to remember it's before the NTIA approves the final ICG proposal?" So we have to have an element of reversibility there.

Grace Abuhamad: Jonathan, this is Grace. Just coming in for a minute here I think - so James there's a - I guess there's a delicate balance with sort of - Avri was having this conversation earlier in the chat but there's a possibility that ICG sends things back to the CWG, right.

There's always that possibility so I think in putting together the implementation timeline, as you had noted on a previous call what we'll look to do is look at things that are implementable by the CWG from like the CWG perspective, and things that are implementable from the - sort of await broader ICG thinking.

And I think some of those are related and there's a - sort of a delicate balance in putting that letter to the ICG and sort of assessing what can be done when and how.

And I think that's the point of the implementation letter that Lise's requesting, but it's not necessarily the CWG's job to assess how things are done within that testing period, but rather provide what needs to be implemented and then some suggestions on timelines that we know of, but some cases we might not and other things may influence those timelines. I think that's how at least Staff is understanding it at this point.

James Gannon: Yes if I can just have a quick follow up I think we'd be doing ourselves a disservice at the same time - is if we don't recognize that that is - the ICG's current plan is to for example do a testing period.

And we need to - them an informed response understanding that for example there is going to be a testing period. And I'll note that Holly said in the chat, you know, she needs - that it's useful for her for example to have the heads up that there is a testing period.

And we need to be able to give the ICG enough information on what can be done during that testing period for example because we know it's there so I don't think - I think we'd be doing ourselves a disservice if we don't recognize things like that and incorporate those into our timelines and our responses to the ICG instead of waiting for them to come back to us.

Jonathan Robinson: Okay. Thanks James. You also touched on quite an important point here, which is something we've yet to deal with. And I think we'll probably pick this up back end of next week or either the following week when we scoop up the loose ends such as the communication issues.

We also have to work out and work with ICANN and work with Sidley as to what Sidley's ongoing relationship with this work is because we've - we -

they - we - and we need to revisit our original scope of work which - the purpose of which was to assist us with producing a legally advised and sound plan.

Well, you know, sooner or later we will have produced that plan and submitted it and then the question is what does - what is required from any external legal advice in terms of ensuring that that plan is adequately implemented?

And I don't think we've had that conversation properly. There's some implicit thoughts or some assumptions but at some - it's a bridge we have to cross and we probably have to cross it fairly soon or at least start talking about it.

But that's something to bear in mind and perhaps that's food for thought for all of us as to where this might go, and our role in specifying and ensuring that the plan is implemented or does that get handed over to the ICG at that stage?  
James?

James Gannon: So I note Avri's point in the chat that, you know, it's not likely that we will get to a stage where we have went into the testing period and we've possibly drawn points on the legal separation course and the NTIA reject, which I think out of an abundance of caution and prudent risk management we should account for that possibility however minor it may be.

That's, you know, one of the things we're tasked with here is preserving the stability. So I think number one, I would make the suggestion that I think it'd be very useful for the group and for ICANN and, you know, stakeholders at large to have Sidley around in case that possibility does recur and we do need to possibly reverse some of the legal separation that we've done with regards to the PTI.

But I think we need to be very cautious on that point and not work on assumptions that the NTIA is going to approve this after the testing period and possibly after we've implemented some of these prior things in our proposal.

We need to be very, very cautious with that point and we need to have a message to work backwards.

Jonathan Robinson: Well, I mean, I think the really critical point is that we are responding to an RFP from the ICG, and we need to make sure we work within scope in our response to that RFP.

And the reference documents for us are the RFP and the charter and our job is to - certainly to deliver according to those documents and let's make sure that we do do that and we keep competently within scope of all of those issues.

Lise Fuhr: Sorry. It's Lise Fuhr. I'd like to add that the letter from NTIA that we have to answer to the ICG don't change anything regarding this. It's still that we have to deliver within - in the scope of the RFP. Thank you.

Jonathan Robinson: Okay. I think that brings us to the end of our formal agenda. And so we are - having worked more or less up to the top of the hour in each of the previous meetings and we've got a very generous ten minutes of time that we haven't previously - that we had previously committed to and I'm sure you'll all be very grateful to be given back that ten minutes.

I guess it remains for me and Lise - both of us to thank you all for tremendously good participation, commitment, unbelievable at times and also to - in particular excellent support from ICANN Staff and also our professional advisors, Sidley Austin, so thank you all very much.

It's been a grueling six meetings but tremendously productive and major steps forward on the route to producing the necessary response to the RFP. Thank you all and we'll look forward to responding to our various items and bringing this all to the next step.

Alan Greenberg: Thank you all.

END