**ICANN**

**Moderator: Brenda Brewer**
**June 4, 2015**
**6:00 am CT**

Coordinator:          Recordings are started.

Grace Abuhamad: Thank you very much. Hi everyone, this is 57th meeting of the CWG on June 4 at 11:03 UTC. We will do a roll call through the Adobe Connect room, as per usual, but we will also pause for anyone who is on audio only and would like to speak up now. Okay I don't hear anyone so I think we will proceed. I'll turn it over to the chairs.

Jonathan Robinson:     Thank you, Grace. Hi, everyone, and welcome to our meetings. We will clearly focus the majority of this meeting on item four, trying to make sure we go through the detail of the reading of the proposal and in particular focusing in on all the recent edits and changes and developments that have taken place.

I think in doing so, I'd encourage you as much as possible to highlight if there are details on the words that need changing but not necessarily try to create those words in the document now. We can rely on staff to do that. But the critical thing to do is to be sure as to whether or not the essence is captured effectively.

So I think it makes sense to really not spend a lot of time with preamble on this meeting. We have a substantial item to work on, and it makes no sense, at least in my mind and discussing it with Lise, that we move towards that as soon as possible.

Before doing so though clearly one of the key drivers of this latest version and our attempt to get to the final version are driven by all of the public comments we received and how we've managed to process and absorb those. So I think it would be useful to get an update on - as to where we are in that and remind you of the process and the methods we've been using and get an update on that. And for that I will turn under item two to Marika from ICANN staff.

Marika Konings: Yes thanks. Hi, Jonathan. Hi all, this is Marika. And as you can hear there's wonderful drilling in the Brussels office again today. Just a very brief update on the public comment process. As I think Grace already explained in detail, I think you all know how we've been dealing with the comments. We've categorized all of them according to the different sections of the report and broken them out in the public comment review tool and suggested responses for those, based on conversations last week and as well work that's ongoing in the different design teams. And we're updating that now with that feedback.

We're still working on that. We do hope to finalize that as soon as we can share that with the group for your review. Just one thing to note, what we are doing is of course, you know, things are still moving and changing and we are basing on our responses basically on the state of affairs as they were at the end of Friday, as otherwise it would become very unwieldy to try and keep the document up to date, and we probably need to start looking at all the other responses that we've provided as well.

So our proposal there is that we just focus indeed our responses on the state of affairs as they were on Friday at the end of day and then use other communication around the final proposal, such as chairs communication or statement, as a means as well to highlight what changes and updates were made from a high level perspective in response to the public comments.

I think once we're able to finalize that and as you can imagine our main focus at the moment is to focus on finalizing the draft proposal itself, but once we're able to finalize the public comment review tool we'll of course circulate that to the group and everyone will have a chance to review that and provide input, and probably just need to see how much time people need to do that, as that of course is also a lengthy document. I think we're 250 pages as such. And I think that's it.

Jonathan Robinson:    Thanks, Marika. And I know that you've prioritized making sure that the draft final document is updated as much as possible and that's been the primary focus over the last 24, 48 hours. But that's important to note that update in effect for the responses to public comments.

Are there any questions or issues arising with regard to either the mechanics or content of the work on the public comments? I suspect most of you are focused in on the actual proposal itself, but if there any questions or comments, fire away.

Okay. Item three, which is an update on the questions to ICANN Finance and Legal, I'm afraid there isn't much to report, if anything, since Tuesday. As I said on Tuesday, we did receive - we had a conversation with (Xavier) from ICANN Finance in which we set the context of the questions and gave some detailed responses to some Q&A he had, some questions he had.

And on the back of that, he came back to us with some summary of what we discussed and was expecting to produce a final copy, including all of his answers, and we've yet to receive that. So I'm afraid that is our standing on the responses to the key questions from ICANN Finance. And we have heard nothing from ICANN Legal at this stage, in spite of following that up.

So I can't give you much more than that really. There's not been any significant development since Tuesday. Any questions or comments in relation to item three? Okay we'll be sure to pass anything onto the list as soon as we receive it and share that with you as soon as anything appears, see if it any significant impact.

So now turning to item four, which gives us an opportunity to make further reading of the final proposal, and let me give an opportunity to - Marika and Grace have worked all the hours that they have possibly been able to do and have been doing shift work on ensuring these -- or at least different time based work -- on ensuring that the comments are absorbed.

But the document has become unwieldy, and I know there've been some technical issues in terms of getting all of that absorbed. So let me give over to Marika and possibly Grace to just comment on where we are exactly in terms of the absorption of the comments and input to date.

Marika Konings: So this is Marika. Where we're currently at and what you see on the screen is version three. And as Jonathan noted, we had a little bit of a crisis earlier this morning with basically the document crashing on us and basically cutting off most of the pages. So we have managed to recover most of the work, but the problem is we're not able to show it in this version at the moment the earlier changes that we've made.

So what this - what I've been able to do is basically show the changes compared to version two and this version three, so basically the track changes that you see highlighted here basically demonstrate what has changed since the version we circulated earlier this week. Just a note, what this version currently includes, as I think several of you have seen the number of comments and edits have come in overnight for most of us, so this includes currently the edits that were sent by Avri, Greg and most of Sidley's edits and comments.

And I do have to point out that a number of those comments or the edits were overlapping or made changes to the same section. So I've done my best to, you know, bring those different changes together. So for those who have made that edits, they may look different as you originally proposed, but that's been the result of indeed the trying of the uniting of similar edits to the same sections.

So what it does not include yet but we'll be able to pull up those documents when we get there to look at those comments and edits is that the edits and comments that Lise submitted on section four and as well the Sidley comments from Page 64 onwards, as that was the moment where we had our fun IT incident. So again we can then switch this - when we get to that stage, we can switch to the document they had sent and look at those specific comment from that part onward.

The document also doesn't include yet the edits that have been suggested by (Andrew Sullivan). We still need to get to those as well. I did note that there were quite a few emails that have been going back and forth this morning, and if there were any edits in there or any suggested changes, those are not captured yet either. And obviously we're still waiting as well for input from some of the design teams with regards to the sections, most notably DTC,

DTA and there's as well one unresolved item from DTM that needs to be addressed.

So I think that's where we're currently at. And instead of probably sharing this version, which I said doesn't have all those changes in there yet, I think what we'll try to work on getting this version into a state that is has all the edits that have been suggested, also then taking into account any feedback that we receive on today's meeting so we have a complete, final version for you hopefully later today.

And as I said, it probably will be difficult to go back to incorporating all the track changes, so I'm hoping that people feel that it's sufficient at this stage to basically see the changes that have been made compared to version two as, you know, in all honesty, and I think it's probably one of the reasons as well why we had the IT issues is that there were so many track changes and colors and comments in there that it probably would have become quite difficult anyway for people to review or quite clearly see what had been changed. So I think that's where we're currently at.

Jonathan Robinson:    Thanks, Marika. You have my sympathy for a challenging morning. It sounds like you've had - and I'm sure others would join me in recognizing the work that Grace and yourself have done. In a peculiar moment of empathy, I seem to have background construction drilling going on as well, but it doesn't sound like it's quite as bad as yours. So I don't have to deal with the document but a bit of drilling in the background.

So what I suggest for this group them is that we take that suggestion by Marika and work through. Anyone from DTC? A and M may wish to comment on those points that Marika made perhaps later once we've seen where we are and highlight any information there. In the meantime I suggest

we work through it up to Page 64 and then we probably switch to the Sidley version at Page 64 and have a look at that and also make sure we cover the section four edits provided by Lise.

So in some ways we do it in parts but as Marika said, she should be able to synthesize the various versions together with Grace later on during the course of today.

All right as I see the document in my screen, it seems a little smaller - small. I'm not sure it's possible to raise the size of the display. Thank you that's helpful. I'm not sure if that's something I could have done anyway or if that was affecting everyone, but thank you that's helpful.

So to be clear, we're looking at track changes from the version we saw on Tuesday up until now, so the most recent set of changes. And I will do as I did Tuesday is to work through and try and stop and perhaps lead a little on where there are material changes, but of course anyone should feel free to stop if there's a particular area they want to highlight and make sure it's adequately covered or clarified as necessary. And thanks for raising the size one more notch as well. That's helpful.

So here we go. I've got the glossary, and I see that that is now ordered alphabetically with some minor changes as required. And I note the offer to send a copy directly if you need to work locally with this particular version.

So I'm not going to pause on all the detail links. If you do want to stop me, by all means do so but I'll just make sure that these are - where things like this are edits from the kind of visual or typographical point of view I won't necessarily pause on each of those. We're really looking for substantive changes.

So here we come to a point where there's been some discussion about policy development. And it looks like this - I'm going to assume that these edits - some of these look familiar to me from Tuesday, but I'm going to assume that the edits are indeed recent additions. And here you've got a reference to GNSO policy development process. My recollection is that this wording was in there on Tuesday. And again on dispute resolution policies.

(Unintelligible) there of binding arbitration. So, Marika, I noticed in the preamble you've highlighted that you hadn't included (Andrew Sullivan)'s comment. Presumably this reference here is -- in Paragraph 97 -- is to a previous comment, or is that just one you managed to catch and clarify that?

Marika Konings:   Yes this is Marika. I think this is an earlier comment from Andrew in relation to clarifying that all functions, not just the naming functions, would be transferred to PTI. So this is a previous comment that he had made, not the ones that came in I think overnight.

Jonathan Robinson:    Thank you. And I notice that was also picked up in a little more detail or additional detail by the Sidley review of the document. Alan, go ahead. Alan Greenberg.

Alan Greenberg:  Thank you. Could we go back to - sorry, maybe we're not there yet. Looking at IIIa, IIa, I thought we were past it but we seem to have gone back at this point.

Jonathan Robinson:    All right, let's hold on till we get there.

Alan Greenberg:  Okay sorry. I may have seen it as things were flying by.

Jonathan Robinson:     No problem, Alan. And ask me to slow down, anyone, if you'd like to. I was paging relatively fast in those earlier sections as clearly you'll need more substance in sections three and four. And also remind you, Alan, and everyone else that there is helpful paragraph numbering down the left-hand margin, so that enables you to refer to specific paragraphs and, if necessary, sentences in those paragraphs.

So much of the changes here minor word change, but it's probably worth - the last bulletin in paragraph 105, results of the IFR are not prescribed or restricted in putting clear recommendations to initiate a separation process as described below, which could result in termination or non-renewal of the ICANN due to IANA functions contract. And deleted section. Avri?

Avri Doria:     Thanks. This is Avri. I'm having trouble still keeping track of everything and actually seeing the numbers. In 104, I had a question and I guess 105. We just went by it. I'm trying to look at the list of things that I sent in. In bullet, what was it, 104 - no I don't see it there.

Grace Abuhamad: It's possible, Avri -- this is Grace -- it's possible that if you're looking at a previous version, the paragraph numbers have changed.

Avri Doria:     Oh okay. So never mind. I have no idea what I'm talking about.

Grace Abuhamad: If you'd like, if you let me know what version you're looking at, I can find it for you.

Avri Doria:     I was looking at the version I had sent comment in on. So I guess it was V2.

Grace Abuhamad: Okay I'll find that and get back to you.

Avri Doria:       I'm sorry. I've asked Marika to send me a copy, because I just can't read it on the screen. I'm just so sorry.

Jonathan Robinson:   No problem, Avri. It's not a perfect process as so. By all means, do come in -- you and others -- if you feel you need to raise things. (Unintelligible)

Avri Doria:       I'll put my hand down.

Jonathan Robinson:   Go ahead, Avri, and raise it when you need to. All right. Thanks.

          In paragraph 112, there's some further detail, including some track changes, on the PTI board, which has clearly been the subject of a lot of discussion, revision and development as we've gone. And this looks to me to include Sidley's revisions, but it's not absolutely clear that that does include the last revisions. Yes it does actually. It does look like it includes because I noticed some wording there that was developed. Thanks, Sharon. Thanks for confirming that in the chat.

          And I found -- just a comment, for what it's worth -- is that I found Sidley's review and tightening up the language, in particular in areas such as this, and just making it sharper and clearer in both meaning and intent, that that was useful as a legal proofread, if you like, or legally-oriented proofread.

          Yes and this covers quite a bit of our discussion from earlier in the week. Thanks, Sharon. Go ahead, Avri.

Avri Doria:       Yes thank you. Strangely enough, that point that I had -- and it's a point that shows up a couple of times and I think it's a decision not fully made -- was indeed in 105 which we were at when I was trying to push us back to 104.

And it has to do with actually it's a footnote and it's an indication that shows up, and it's the location of the CSC, a couple times in the document.

And so it was (unintelligible) - it was a actually the footnote on bullet three that sent me into the question, which is whether it was the DTM's discretion the other day in this document, there seems to be an ambiguity about where the CSC sits. Is it part - is a committee within ICANN? Is it something completely independent? And that later gets mixed up in the issue of if the CSC secretariat function in the V2 at least were defined as being done by the PTI. I'm sorry, I haven't had coffee yet so it's really hard to speak. I just made it.

And - but if it - but we had had a discussion about if it's in ICANN, not in the PTI, then why is the PTI providing it secretariat support. And there was a whole lot of reasons, both pros and cons. And then there's the issue that came up yesterday was in the DTM meeting, it came up in another one - are not good, that indicated that there were those were thinking of it as independent entity.

And (unintelligible) that ambiguity still exists, and the first place it exists is in, you know, this bullet and the - and its footnote. So I just wanted to make sure that we had that issue on the table. It's something that I think we need to resolve.

Jonathan Robinson:    Thanks, Avri. That's an important point. And it was the instructions that went via the client committee in part that relates to this is ensuring to the extent that the ICANN bylaws were required - were going to be required to cover any particular area that was dealt with.

Just a very practical point, because there's been a scratchiness on your microphone so I'm not sure what's causing it. It might be a trailing lead or something.

So I think you've got some comment in the chat explaining of the views of - the fact that is seems to have solidified as a committee recognized within the bylaws of ICANN by (Donna). And Sharon's agreed that certainly in Sidley latest revision envisages that being the case and covers that as one of the points.

Let me let others speak and see if they are satisfied with the clarity or it this is something we need to open up and make sure it is clear or concern, including any readers of this document outside the group. Alan, go ahead.

Alan Greenberg:     Thank you. I thought I understood what was going on until I just saw the comment from Sharon, you know, saying it is still independent though. My understanding is the CSC is a construct of ICANN. It is independent in that no one else in ICANN other than CSC itself tells the CSC what to do or what to say, but that is true of any of the parts of ICANN. The ALAC, the GNSO are independent in that they follow their own drummers, so to speak, but they're constructs of ICANN. And I thought that the CSC was the same.

I mean I've always thought it was anomalous that the secretariat services are provided by PTI effectively under contract to ICANN, but, you know, if that makes sense just because that's where the knowledge and skill is that's fine. But it's very much in my mind a body of ICANN who has a particular charter and responsibilities to do certain things.

The comment that it is independent though sends a different message to me. So I think if nothing else, we need some clarity in the proposal. But I would like to have that understood.

Jonathan Robinson:     Thanks, Alan. I'm seeing others in the chat seemingly finding your interpretation consistent with theirs, but let's run through the queue then and hear from Lise, Sharon, and Greg, and that may resolve or refine things. Go ahead.

Lise Fuhr:     Jonathan, I think you should let Sharon have a go at it first. My information is more practical. Thank you.

Jonathan Robinson:     Go ahead, Sharon. Thanks, Lise.

Sharon Flanagan:  Thanks, Jonathan. So, Alan, I think what you described is right. I think maybe the word independent is what's causing confusion. When I say independent I mean not physically independent. I mean it will sit within ICANN, but what I mean is independent in the sense that ICANN isn't controlling the CSC. The CSC will be created as a fundamental bylaw, it will have a charter, and it will be in control of its own mandate. And so I mean - when I say independent I mean politically independent in the sense that it will control its own fate.

Alan Greenberg:   I do have a question for that but I'll wait my turn. Jonathan, up to you.

Jonathan Robinson:     Thanks, Alan. Let's come back to you then and just make sure we work our way. Ask the question so we'll keep the flow. Ask the question now and let's make sure we try and bottom this out.

Alan Greenberg:   Well the question other than PTI being - or CSC being defined by a fundamental bylaw and the ALAC or GNSO not being, and maybe that puts

into question for the accountability group whether they should be or not, that - other than that there is no other difference. I mean none of us or most of us do not take explicit orders from other parts of ICANN. The GNSO has a particular clause that saying it must do a PDP if the board asks, but, you know, largely it is independent to the extent that it does whatever it believes should be done at a given moment and issue statements that follow the GNSO intent.

So I'm not quite sure why that is different other than it's harder to get rid of because of the fundamental bylaw defining it. So I just think we need to be consistent with the terminology we use throughout the rest of ICANN. Thank you.

Jonathan Robinson:    Isn't that a problem for us. Either use of the word independent is perhaps valuable here but in a sense what you're suggesting is that we might want to emphasize in that in other documents, and that's not necessarily for this group. Let me let Greg have a word, Alan, and then come back if it still needs more work.

Greg Shatan:    Thanks. Greg Shatan for the record. I'm not experiencing the same kind of dissonance as Alan but I do agree that the independence of CSC seems no different than the independence of a number of other groups in they are supported by ICANN and created by ICANN bylaws. So maybe we're making much out of nothing in this - in declaring it independent. That's not so unique.

The issue that I wanted to bring up directly was the idea of PTI providing secretariat. It seems to me that maybe that's a - I think that also may be a detail that really is not necessary, and given that PTI is largely going to be just the current IANA staff, as far as I can tell, to the extent that their secretariat

services, you know, likely they'd actually be somebody who's employed by ICANN.

And if we want to get into what services PTI that's from ICANN and gives to others, you know, pursue some sort of services contract, which we haven't actually discussed, but which I think is implementation.

And not necessarily this just now that the - it's just fine for a CSE to be an ICANN created body. Independent in its deliberation and to receive secretariat services from ICANN without having to sort of, you know, root it on paper through PTIs. It's getting kind of silly to do so. That's another thing. Thanks.

Jonathan Robinson:     Thank Greg. Donna.

Donna Austin:     (Unintelligible).

Jonathan Robinson:     It's muffled Donna. Something's not quite right with it.

Donna Austin:     (Unintelligible).

Jonathan Robinson:     It seems okay now.

Donna Austin:     Okay. Greg just to re-stress the question about why secretariat (connects) with ATI. ATC had quite a bit of conversation around this. And the reason we felt - why we specified that the secretariat came from PTI was because we felt that the expertise that was housed within IANA would be well-suited to provide the secretariat.

Now I take your point that that can come from ICANN. And I don't know that that's a (down the ditch) issue, certainly not for me. But we did have some lengthy discussions around where we felt the secretariats should come from.

And we did, you know, discuss an independent one but didn't see any value in that. But we did specify that it came from IANA because of the expertise that we felt would be housed within IANA itself. Thanks.

Jonathan Robinson:     Thanks Donna. Martin you're next.

Martin Boyle:     Thanks Jonathan. Martin Boyle here. Yes, I fully concur with Donna. But I'd also like to add that by using a PTI based secretariat, we make sure that the CSC then is very firmly in discussion and communication with the PTI staff.

And so that things don't get lost because, you know, this was an issue with an ICANN secretariat who know the people in ICANN but don't necessarily have such close links with the people in the PTI.

And as the CSC is focused on the performance of the PTI, that certainly to me seemed to be a particular advantage of a PTI based secretariat. Thank you.

Jonathan Robinson:     Thanks. I think I understand and get that. Greg is that a new hand? In any event, to Greg's point in the chat, that was the one concern I had was if, you know, there was sufficient resource and capacity within IANA primarily providing a technical customer service function, I'll be adding another layer on there.

But not withstanding that the rationalization for it does seem sensible for the secretariat to derive from within the PTI. Alan.

Alan Greenberg:     Sorry, I'm back on the original subject, not on secretariat. So you might want to close up that one.

Jonathan Robinson:     I think we need to close up both independent. There's been some wording suggested there to tidy that up. And I think we need to get it right. And also this does seem very detailed as Greg said. So let's try to just close both of these points off as soon as possible.

Alan Greenberg:     Okay I was just commenting on Grace's wording that she used an expression saying it's independent with respect to mandates. And it's not. It's very independent (with recommending) that associated with monitoring PTI and follow on activities or PTI with regard to naming and follow on activities. But it's very constrained. So if we use Grace's wording that has to be somewhat modified. Thank you.

Jonathan Robinson:     Sharon go ahead.

Sharon Flanagan:   I think on this - I think what we should just do is in Footnote 3 where this comes up, we just delete the first sentence. And then we leave the second sentence as it is.

It would be authorized by the ICANN government document - governance documents. The language independence was something I introduced in the chat, which I think led to some confusion.

It's not in the proposal. I think the charter and mandate are clear from the CSE charter documents. I think we should just let that document speak for itself.

Jonathan Robinson:     That's great. We can drop that. And it sounds like you have some support from at least the two Alan's in the chat. So that's great. And I mean that's a sensible suggestion if it's causing us to get stuck on this.

Are we going to be firm on the PTI sector at deriving from the IANA function? Or are we going to suggest that it's - are we going to opt this optimal? How firm do you want to be on this?

Donna, originally from in her individual capacity said she wasn't very firm on it. So Donna suggests we go with the optimal language. In other words, we suggest that it comes from within the IANA function. But regardless, I think the key point is that we have a secretariat to support the work of the CSC; however, so provided.

And mindful then of Martin's point that that mustn't get in the way of direct communication, effective communication with the IANA start. So we can make a strong preference for that secretariat originating from the IANA function. And that makes it clear that that's what our intent is. And (unintelligible).

All right, so I'm reminding you again, as I said in the chat to refer to paragraphs or footnote numbers so we can try and keep close and I can bring them up in front of you if we need to.

So I'm going to take us back down where we were moving on past the PTI board with (Sidley)'s latest updates to the wording there. And I'll keep us moving on beyond that unless you draw me back to other points if it needs further work.

Under the IANA function review there's this typing up the wording for interpreting limited to evaluation as a statement of work and the policy concern that we had was the subject of some discussion. And also developments like the scope in work. There's some there. Avri.

Avri Doria: Trying to use a different microphone now. I had a question - God, I'm really doing the wrong thing, in terms of the every five years. And this may be something be covered (unintelligible) changing microphones was a bad idea.

We say every five years. At one point we had a discussion about wording that was similar to within five years and/or I forgot exactly what we used. No less than every five years.

And one of the reasons for that was because of flexibility in terms of fitting it in this other reviews and would, you know, that be an issue. Although in some ways we've been open to deal with the comments we've got about it should be one or two years, three years, four.

It basically says that we're setting an upper limit of the number of years. But as things are going through with implementation and fitting it into the whole review cycle, if that got adjusted lower, that that's not something that you necessarily would have a problem with. So if it happened every four years for example.

And so I just really wanted to ask about that. I did not remember us having a discussion decision, but I may have slept through it, saying no, no, no, we're sticking with the five years and not doing the softer wording of what was it? No less than every five years.

And if we made a change on that it would be reflected in this paragraph, the next paragraph and F. Thanks.

Jonathan Robinson:     So Avri, we covered this in various ways. My recollection is I'm not 100% clear, but certainly my opinion is that we wanted to be - that we - and what I do recall is we wanted it to be no more than five years, specifically to provide for the fact that it wasn't in some way kicked further down the track.

But I agree with you. And I think it aligns with this sort of the intention of the group to create a degree of flexibility, providing it doesn't extend beyond five years. And there's also another point which we need to come to, and that's the curiosity of the view relative to when and if there has been a special review.

Now we talked on list about that potentially resetting the clock. One - and that's a point. So whether the next review is no more than five years from the last special review.

One thing we may want to consider is whether there is - if there's been a special review, whether that resets the clock including with effect to a two-year review, checking that the special review has been indeed dealt with adequately and fully.

So I see some support in the chat for the softer wording. In other words, five years at most or something along those lines that's tight and makes that sorted out.

I don't know if you want to come back on that Avri or some of the other supplementary points or just respond.

Avri Doria:        Yes I did. And perhaps those edits then are in here. Further on I had made recommendations on wording in a couple places for (unintelligible) the clock. And I did in terms of the (unintelligible) if it did anything. I put in a recommendation in my comment that it would restart the whole cycle of a two-year and then that.

So I don't know about after a (cypher) (delivery) on the two and four. I didn't recommend that. I just recommended language that restarted the clock. But I did recommend the kind of things you were mentioning in one of the possible text changes for the separation cross-community working group. Thanks.

Jonathan Robinson:    Thanks Avri. So it feels like we've got clear agreement that it should be...

((Crosstalk))

Jonathan Robinson:    It is a little. It cut out a couple of times during your talk. And I think we got the essence of that Avri that it's certainly the audio is clear. There's no background noise, but it did cut out a couple of times.

So I just want to make sure I've got it. What I'm hearing is that A, the periodic review takes place - well obviously we know it takes place after two years initially.

It then takes place no more than - at no greater intervals than five years. And the special reviews it seems to be, reviewing the chat that the special reviews are in a sense independent of this.

So the question I'd like to understand is if we have gone through a special review cycle, when is the next regular review? Is it when it was previous? Was it when it was an unscheduled prior to that special review? Or is it two

years after that special review? Or is it no more than five years after that special review? That's the question I'd like to just clarify. Chuck go ahead.

Chuck Gomes: And I think several people in the chat said what I'm going to say and I said as well. I don't think a special review should have an impact on when the periodic review occurs.

Now I think we probably get into some resource problems if they overlap and so forth. So that's another wrinkle we may need to think about a little bit. So maybe as a general principle the special review would not impact the occurrence of a periodic review unless circumstances dictate that for - because of resource constraints. Anyway, I'll stop there and maybe others have a cleaner suggestion there.

Jonathan Robinson: Thanks Chuck. It was my understanding we had moved beyond that. That doesn't mean we can't come back to that point but that somehow the - so it feels new to me the fact that the special reviews occur sort of independent of the regular review cycle. Let's go with Lise next.

Lise Fuhr: Thank you Jonathan. I'm not sure I have a cleaner suggestion or better. But I was wondering if we have a special review that if there's any greater trouble or something really bad happening within the IANA function.

And I think it would be great to have the reset of the clock because then you would have the two-year review after that to ensure that all the things have been sorted out. Thank you.

Jonathan Robinson: I think it feels to me like we have two options. We're very clear on the pure (adversity) of the five-year review cycle. The challenge is what happens if a special review takes place.

And we really seem to have to options here. One is that we insist that a regular review happens no more than two years after that. Effectively resetting the clock as people have said.

Or we stick with looser language which says that regular reviews take place no more than five years after the last review, in which case there's a degree of flexibility based on that.

So that's the guidance we need here. And there's clearly some concern being expressed in the chat. But we're overdoing this and how to deal with it.

Yes, I think that the spirit or the principle of this has been to try and keep things - have a defined and well thought out proposal. But that doesn't take in the absolute finest detail where it's not necessary.

So it feels to me like the balance is that we say periodic reviews should occur no - no more than - at no more than five yearly intervals. And we have a whole provision for special reviews occurring.

And I think we leave it to common sense judgement at this time if a special review happens to occur within a very short period of a regular review, it's possible that we bring forward that regular review to combine with the special review.

So I think leaving the flexibility in there sounds like the way to do it. Periodic reviews are no more than five-year intervals and the capability to run a special review if necessary.

So if we can form wording based on that interpretation, it sounds like that's a reasonable balance of where we are. Thanks everyone.

Let me continue to move, and again just to remind you, call out the paragraph in that visible document on the screen in the Adobe Connect that you're referring to if you would like to refer to something.

And there's more detail of wording that's been into - but there is a call here. And I just want to check with staff and Avri on Comment 16, 17 and 18 in the lower right. I think there's still outstanding required text here, isn't there?

Marika Konings: No this is Marika. The - this should actually include I believe, because Avri did some language. So and Avri can confirm if that is here. So yes, I think I added that (unintelligible) three times the same comment. But this should have the wording as Avri suggested.

Jonathan Robinson: Thanks Marika. And Avri confirmed that with a checkmark by the chat. So this is just an artifact. And we can work beyond that now. Thank you.

And here we now come into some Paragraphs 129 through 134. And on dealing with the service level expectations. And the fact that these may need to be updated.

It's probably an opportunity to comment here on the work of that group and where that's at and whether we're in shape there. In the meantime, Donna you have your hand up, so go ahead.

Donna Austin: May comment related to I think, scroll back up, I think it's Paragraph 123.

Jonathan Robinson: Okay.

Donna Austin:      Yes, 123. So it (unintelligible). It says that special IANA function review could only be treated when following the escalation (unintelligible) methods have exhausted. See remedial action procedures that follow the (unintelligible). Identify deficiency.

So if the remedial actions (file to great) the deficiency, the CSC would escalate that to the ccNSO and GNSO or LYSG. We're still having conversation around that.

So I'm just not 100% sure that that is correct. So I just wanted to flag that because the - it would be the - that would be a reason that the CSC has been unable to correct the deficiency.

But the CSC would actually escalate that to the ccNSO and GNSO (fact), not directly to special review. So I just wanted to slide that. Thanks.

Jonathan Robinson:    So just to make sure I understand that point. The implication of Paragraph 1, 2, 3 is that this gets - would be escalated directly following the failure to correct the (audit) by this deficiency.

Whereas later, maybe below it starts to describe the triggers. So and you think that that's not tightly enough put in Donna?

Donna Austin:      (Unintelligible) the intent was to put our response on this. It's okay.

Jonathan Robinson:    Great. That's fine. Thanks Donna. Avri go ahead.

Avri Doria:         Yes thanks. This is Avri. So there's minor changes made. And I actually got back on the one that made the first one. But I think it's good. It says it could only be triggered after that.

And then it describes in that next paragraph what it takes to actually trigger it, following the triggers above. And perhaps the problem is using the word triggers in two slightly different senses. So that might need to be changed and not called the two things above triggers or not call this.

Then the (namings) for the organizations would be responsible for looking at the stuff the CSC gave them essentially it says. Then after considering it including a comment period, it would then be the one - they would then be the one to actually initiate the special IFR.

So I think the ambiguity is out unless it's been triggered by the word trigger because it's quite specific in the paragraph after those two bullets. Now maybe we just need a bullet for clarity after those two that says and the CSC passes the issue on.

And just to be very specific about it. So that might be a way to make sure that there is no, you know, missing step or possible missing step. Thanks.

Jonathan Robinson:     Thanks. So I feel that we've got the sense of that. Grace have you had a chance to capture that in the notes? It's just a matter of making sure that Paragraph 1, 2, 3 is internally consistent. That's the key point. It's a review of Paragraph 1, 2, 3 to make sure Sub 1, Comment 2, Comment 3, it's 123 to make sure it's self-consistent. Go ahead Alan.

Alan Greenberg:   Thank you. We're wondering into the area that I had put my hand up at the beginning of the meeting when I was confused. I think one of the problems

here is we're talking about the IFR before we talk about the CSC and the escalation processes.

So we're really putting the cart before the horse in terms of the order within the paper. And that makes things somewhat more complex because we almost have to repeat what we're going to say later to have this make sense here.

But let me get to the substance of what I was going to say. And we can either talk about it now or talk about it when we get to the section on the CSC and escalation.

The ALAC put in a very strong comment that we believe that the GNSO in particular should not be the body that things are escalated to. And that passes judgement in conjunction with the ccNSO as to whether to trigger cataclysmic, you know, things that might eventually lead to a separation or to other major changes.

The - we gave a whole bunch of reasons. I can read them out again if you want me to. But I don't want to waste the time of this group. We believe the GNSO is a semi-multi stakeholder group with regard to the overall number of stakeholders.

We are giving a group which is very carefully in the ICANN bylaws defined as a policy group, putting it right in the middle of an operational process. And we believe that is very incorrect.

The GNSO and the extra stakeholders, in addition to the registry group should not be stuck in the middle of that process. Either it's - either it goes to the registry group as we talked about in a previous meeting, the gTLD registry group for ratification that the CSC has not gone off its rocker.

But decisions on how to escalate and where to do things should not be given to the partial multi stakeholder group of the GNSO. There are other stakeholders who have a stake in this and should be involved. Thank you very much. And this may be a dying in the ditch issue for the ALAC by the way.

Jonathan Robinson:     Okay Alan. And there are a couple of things then. Just now I wrote a note on your former point, before we get to a couple of responses. I'm slightly concerned that we're out of order in the document.

Was the first point just to make sure we dealt with - the order in the document. Yes, so I think the reference (then greats) when we deal with Paragraph 1, 2, 3 needs to be internally consistent.

And you can add to that and checked for relevant position in the document. And it may be able to be fixed for example by simply a reference to the fact that the CSC is defined in greater detail later in the document. Or we can consider relocating this content. One way or another that's an editorial point I think.

The second is obviously a point of more substance. I would...

((Crosstalk))

Bernie Turcotte:   The problem is the major sections talk about oversight and accountability before they talk about the actual way we're doing things. So I think that's the source of the order problem.

Jonathan Robinson:     Understood. And we - within the constraints of responding to the RFP, we need to look at the (letter) how it can be managed, the editorial.

Bernie Turcotte:    Just having a pointer to the later sections at the beginning of it, you know, may cover us.

Jonathan Robinson:    Well I was thinking that may deal with it. Okay thank you. Avri.

Avri Doria:    Thank you. This is Avri. I have a very mixed view on what Alan said. I agree with him about the structural difficulties of the paragraph. I have no issue of dealing with ICANN that I'm willing to die in a ditch over. But this is one I'll come close to.  First of all this whole idea of there being an inequality somehow between ccNSO and GNSO in terms of their multi stakeholder nature I think is a false difference.

One does as a local level, one does it at a subsidiary level. But both of them are spanning everything from contract holders to users and registrants.

Now in terms of acknowledging the point that Allen and ALAC made in their comment is specifically the reason why there is a comment period stuck in there to make sure.

But in terms of dealing with many organizations. Also this notion that the GNSO only does policy. Actually that used to be the accusations of what a council does.

The GNSO concerns itself with everything from budgets to strategy to the full gambit of ICANN operations that affect it. So it's almost like we're going back to the old days, the bad old days, where somebody said, "The GNSO council is just policy. The GNSO is something different." That admonition that we used to always get and I think that that's problematic.

So I think there's a good point being made by ALAC is that you need to commentary of everyone. But I think - and also we're not talking about cataclysmic here. We're talking about the SISR. Between the SISR and an SCWG there is a board step because it's a recommendation over reviews and it (unintelligible).

The other point is is that the GNSO, and ccNSO are working (unintelligible) a process that is fully multi stake holder. They are not making decisions other than to kick off a process.

So I think this is cataclysmic is inappropriate for this particular level of the activity. And I think that the semi multi stake holder something that I'm willing to stand on the edge of the dish and fight about. Thanks.

Jonathan Robinson: Okay so your counter is in essence that this is a check in the process not a substantial point in the process. And moreover that what you crafter there is interesting because actually that could be used as a reference to the extent that this point is not complete in responding to the ALAC in the comments. This is, you suggest in effect some content for that.

Chuck, go ahead.

Chuck Gomes: Thanks Jonathan and thanks for the good discussion here. Design Team M spent quite a bit of time talking about the ALAC recommendation, two recommendations actually. One of them was to their concern with regard to using ccNSO and GNSO in the escalation process. And the other one whether it should be the registry stake holder group instead of the GNSO, part of the issue that Avri was talking about.

First of all let me make a general comment. I think all of us in our groups should be super cautious about having die in the ditch issues. And I was surprised that this would be one of those.

Design Team M as you will see later in terms of our responses from a meeting we had yesterday, decided that we would recommend that we leave the GNSO and ccNSO in the escalation process for reasons that Avri just articulated in fact, and that we've been talking right now.

There was obviously a choice between using an existing organization or creating a new one. And we felt the practicality of using existing organizations that are for the most part multi stake holder. And Alan's right, and the ALAC is right that we want to make sure that everybody can participate.

And I think, I know in the case of the GNSO and I'm quite confident it's the case of the ccNSO as well, that anybody can participate. Nobody's excluded. We may have to do some outreach but everybody's included. So for this particular issue we think that's the practical way to go.

And as Avri said the GNSO does get involved in other things instead of policy development. We can super idealistic on that and be really rigid. I don't think it is worth that in this particular case.

So with regard to the registry stakeholder group -- and this is the hot issue for Avri as she just said -- we recommend, I mean Design Team M and those that were involved in our call yesterday, recommend that we leave it and not change it to the Registry Stakeholder group for the reasons cited by Avri in the most part.

And that we involve the full GNSO in that decision. So just wanted to clarify that if that's a die in the ditch issue for the ALAC which would surprise me then the Design Team M is recommending that we do leave it the way it is in the escalation process. Thank you.

Jonathan Robinson:    Thanks Chuck. A couple of thoughts really I think you're right, all of us need to be careful. This is, we often refer to the making of the sausage in the process. And this is a set of various issues and points that are being made along the way. So let's be careful about red lines to the extent that they can be, understanding and respecting that some groups will feel very strongly about particular issues.

I feel that Avri and Chuck provided some good responses to Alan. Alan I see you want to come back in. Do come back in but also do bear in mind that we've got a lot to get through. So come back in I'll listen and let's see if you were satisfied with the responses you got.

Alan Greenberg:  Okay thank you. The die in the ditch expression was one (Donna) used earlier. And I said, "We may." Certainly in our discussions leading up to this point it has been a very serious problem. What decision we may make in Buenos Aires of course will be subject to discussions at that time. So I'm trying to be as clear and blunt as I can. I think that's important.

The ALAC went into this believing that we must not only have a multi stakeholder process to build this proposal, but must be involved in critical decisions. We have, you know, the CSC has been restricted and there has been a comment on email recently that we don't use the term multi stakeholder because the liaisons may try to exert too much power.

So fine we're accepting the CSC as it is being proposed. We're accepting the PTI board as it's being proposed. And there are some people within our community who felt very strongly it should be multi stakeholder. I wasn't one of them, but there are a number of people who felt that very strongly.

And we believe that the critical decision processes within ICANN, not only part of the review function, but the actual decision processes triggering those should be multi stakeholder. And forgive me but when we talk about multi stakeholder it includes us. It should include the GAC. It should include SSAC.

These are all bodies that have a significant part to play in these processes and we felt strongly, and feel strongly that they should not be differed at that point.

And yes Avri on occasion that ALAC has strong voice within the GNSO council, but not being able to make motions and not being able to vote puts us in a very different position. And I have a fair number of years' experience that I can speak to if anyone cared about the details.

So I think this is an important issue. I appreciate what Avri and Chuck have said. I'm not convinced that that's a satisfactory answer. Thank you.

Jonathan Robinson:     Alan you highlight a really important point here. Let me say that honestly I had reservations from the very onset of this idea coming up about inserting the GNSO, and the ccNSO in this pilot process.

I've come to get used to it, and see that perhaps it has a value. And one of the most important things that persuades me is when I hear people as Avri and Chuck both did, are articulating the motivation or the specific description of it.

So I think the reason I say this is an important point is obviously this is clearly important in specific details to you. But far more critically it's an important pointer to all of the members and participants about how critical it is to be able to articulate and the why and the detail.

Because from a distance there are issues for the ALAC, clearly on multi stakeholder, nature of all of this there are. There might be issues about, as you've just highlighted, GNSO and ccNSO in the escalation path and so on.

And that will be the case for each of the different groups. So what's critical, and I would have made this point later, this highlight's it very clearly, is the nature of product the (unintelligible) role, or our responsibility as people who participate in this to try and take the articulation so well presented by people who thought through it, and the design teams and so on.

So I'd encourage you to if you can to absorb those arguments, think about them, and we come back to this, but it maybe that, certainly what I heard was this is a check and balance on the CSC not being able to simply escalate it straight into a multi stakeholder process which has significant ramifications politically and optically, let alone anything else. And it's a way of saying hang on let's just make sure this has been through a filter.

Let me let you have the last word on this since it was your point Alan. But let's be careful not to spend too long on a dialog on this and getting stuck in it. So my encouragement to you -- and I won't say anymore on this -- is to think about what's been said by those, the counterpoints. And go ahead, have the last word and let's move on.

Alan Greenberg: Yes thank you very much Jonathan. Just the point that the reason in the previous meeting we were talking about the Registry Stakeholder group was

just that, to act as the sanity check to make sure that this wasn't being blown out of proportion by the CSC.

And that I thought was completely reasonable. Putting a lot of the stakeholders, but not all of the stakeholders in the decision process. And giving them very substantial voting powers to do that I think is what distorts the multi stakeholder process. And that's where our concern rests. And I'll stop at that point, thank you.

Jonathan Robinson:     Thanks Alan. Let me keep us moving then and that needs to be thought about and perhaps taking up off line amongst others to talk through and think through some more.

Section 129 to 134 we start to touch on the Service Level Expectations group. Bernie I know you've been actively working with that group from a start perspective. Maybe you can just point us as to where this is, where you think this is headed, or whatever the latest information you can give us on this.

Bernie Turcotte:   Thank you sir. The latest news is there is no news because the next meeting of the DTA's sub group follows this meeting. And I think at that point we will have a fairly good idea of where we stand.

Just a quick recap for those that may have missed it. There's been quite a lot of work that's been done by IANA and the DTA representative in developing some significant documentation about what's being looked for.

So it's not just talking, there's been a lot of work going on. And the next meeting in a few hours after this one closes and we'll be able to advice (Paul) and the rest of the DTA of where we stand at that point. I'll be glad to take any questions. Thank you sir.

Jonathan Robinson:     Well Bernie I'll make a comment that my expectations is as a group that we will be expecting that this proposed list submitted with a set of service level expectations that are an update on what exists currently. There may not be, and almost certainly will not be, I don't know if this is the correct wording, but as aggressive, or as far reaching a change, set of changes that they were when we first saw them drop in Istanbul.

But I think it's fair to say the expectation of the group is that the proposal will be submitted with an updated set of service level expectations that have been carefully discussed and worked through with the (unintelligible) as the design team is doing.

So I guess what I would flag is if that's not to be the case we need to know that. If it is to be the case we will leave you to work with that design team to bring that work to its fully affective conclusion. Bernie you responded to that so go ahead.

Bernie Turcotte:     I believe that's exactly what we're, I'm trying to get both sides to work towards. And so far the cooperation has been good. The one point I failed to mention is that the next meeting of DTA and IANA is for Monday next week. Thank you.

Jonathan Robinson:     All right. Well it sounds like you have a reasonable optimism of bring from your perspective any way of looking in on the group. And said it will produce what I've suggested so let's leave that work to be completed and we can make reference to this in the document on the understanding that a revised set of expectations will be able to sit in the appropriate annex to the document.

Bernie Turcotte:     Has the teleconference died?

Sharon Flanagan:  I don't think so.

Jonathan Robinson:     It hasn't died no. My mic got stuck on mute there, sorry. I was just going to say that bottom of paragraph 123 there's the comments relating to limiting policy work. It's covered there again.

Updates on the recommending the type of, not responsible for recommending a type of separation from the (unintelligible) but (unintelligible) it. The points we were just discussing here, the potential implementation of a declaration (unintelligible).

And then the detailed description of the work of the SLE DTA which we just touched on a moment ago in 129 to 134, 136 in fact. And then we bring in reference to ICANN membership and this is where we have a dependency - yes thank you that's 141 is language clean up.

Grace go ahead.

Grace Abuhamad: Hi Jonathan. So I had noticed this point also in one of the annexes yesterday when I was going through the document. And I made a comment that I thought it may be premature for us, and I don't know how the group feels about this, but in assuming the ICANN as a membership organization and we're pointing to the CCWG work.

We're pointing to it in a very early stage. And I was wondering if it made more sense perhaps to keep those references at this stage a little bit more open or vague just because, you know, if we looked at our document in the first public comment in the first draft that we put out, our, you know, second and

final proposal is very different from what we proposed in the first public comment.

And the CCWG is just going into that phase right now so I was a little bit concerned about putting in too detailed of a reference to potential structure changes and things like that within ICANN until that information is more finalized by the CCWG.

So I would suggest taking out of some of the language --

Jonathan Robinson: That's fine Grace we've got that point that's helpful. Thank you. I want to just check this because I thought in a note that I had seen from Sharon over the last 24 hours or so there was, the wording referred to the two possible, two contemplated structural changes rather than just assuming one.

And so it was likely less prescriptive wording than the assuming ICANN becomes a membership organization. Sharon I don't know if you recall that where you said it was kind of, you covered both bases depending on what changes got adopted.

Sharon Flanagan: Yes Jonathan this is Sharon, at one point we had talked about the structure as whether it's a membership structure or a designator structure. And we left it open ended. And then the ultimate CCWG proposal is addressing membership.

I mean I take Grace's point that they may not end there. That's not where they may land. But right now this is just going with what the current proposal states.

So if we wanted to we could, you know, refer instead to designator. But I would refer to Josh as to whether we think that would, you know, create other issues with the proposal.

Josh Hofheimer:  Sorry was trying to get off of mute. Can (unintelligible).

Sharon Flanagan:  Josh we're in 141 where we're talking about the separation process. And we are referring to ICANN membership assuming ICANN becomes a membership organization. And the comment Grace is making is, you know, if CCWG we don't know where they'll ultimately land, and so is this too definitive and does that create issues with the CWG proposal?

Josh Hofheimer:  Yes I mean the final modifier was only intended to say, you know, the IFO, the new IFO would be subject to approval of the ICANN board, and the ICANN membership assuming that there actually are members.

I'm (unintelligible) it's designators only then it would have to be different. But I don't know how, I'm not quite sure what it would look like but it would be different.

Jonathan Robinson:  Suffice it to say Josh and Sharon and members and participates of the CWG, suffice it to say that we could say any new IFO would be subject to the approval of the ICANN board and the ICANN membership assuming ICANN becomes a members organization, or equivalent community mechanism.

Sharon Flanagan:  Jonathan this is Sharon, I think that works.

Josh Hofheimer:  Yes.

Jonathan Robinson:     Okay well let's put that in and or equivalent community mechanism derived from the CCWG accountability process. Because we need to make it fairly clear that this --

Josh Hofheimer:    That helps, yes.

Jonathan Robinson:     Okay, good. Yes and in terms of Avri's points and formatting we can tidy up whether it's bracketed, footnoted or however, but it's capturing that essence. We can only work with what we've got at the moment, but we need to create a little bit of flexibility should the CCWG produce a different outcome.

All right that resolves that. Thanks for raising that point (Grace.) I'm going to go on to example outcomes. So we said there's no prescribed outcome but there are some possible outcomes. And we covered the cost issue there, including the fact that there should be no increase in costs associated with a separation. Avri.

All right let's keep things moving then. (Greg) I'll take your sort of legally technical correct (unintelligible) but only if it becomes a membership organization does it need to approve. But still we would like to cover it, if there's an equivalent mechanic there it would a shame to lose that opportunity to capture that.

We have an open mic to the keyboard. Just letting you know someone's got an open mic on a keyboard.

These changes to 164 this looks like detail points coming in from DTO. Now we go on to the next session which is the implications of the transition, Section 4.

And I think for this purpose we swapped to a different version of the document which contains Lise's inputs. Thank you (Marica). Now I must say I'm less familiar with this part of the document so Lise if I miss something, or you need to nudge me on this please do. Go ahead Lise, go ahead right away.

Lise Fuhr: Well I can do the (unintelligible) it's very difficult to see because it's in, the changes are in yellow against the orange. But in this 160, 167 I was just trying to reflect the points that Andrew made that it was all the year, IANA function's customers.

So I was trying to include them all, but not make it a requirement. But I'm a little unsure what we agreed about if we want to be strong in the wording regarding it should include all the IFO customers. Or as we say it's not a requirement but it would be ideal. Thank you.

Jonathan Robinson: Thanks Lise. I think this is something we've talked around and through and I understand that we had settled on this. And what we have settled on is that we propose in this group that all of the staff, assets, and an ICANN coherent IFO function is transferred to BTI.

This does not make any presumptions or assumptions about the relationships that the other communities have with ICANN and how ICANN manages this. So I'm not sure that that sentence adds clarity as it stands. I think, I'm not sure. Go ahead Andrew.

Andrew Sullivan: Thank you. I sent some comments about this last night so I didn't raise it earlier when it came by. But actually the latest text, the text that we've been going through here does have a little bit of contamination I think of other function.

So I proposed some new texts, a new chunk that would substantially deal with that. And I think, I checked it for consistency, this section. So maybe when that stuff gets integrated people can have a look at it.

Jonathan Robinson:    Thanks Andrew that seems reasonable. So I don't think we should argue over this now. I think we should absorb your, and it was noted (unintelligible) that your edits hadn't been included, so our apologies for that. And these may be even a precedent.

So let's integrate those and make sure that that is then checked for consistency. Lise.

Lise Fuhr:    I think I have only one further comment that we should discuss on this call. The rest is changes that can be discussed when Andrew's is incorporated too. But that is that it's some kind of suggesting that this year's sea is a multi-stakeholder body and it's a little further down I think.

And I'd really like that wording to be changed. That was my only point. Thank you.

Jonathan Robinson:    Thanks. I see you got a check mark from Avri on that. And that it's really just, I understand your concern and I had had a similar concern and I know Alan mentioned this earlier. The issue here is that it's misleading to call it, it's inaccurate.

And so it's, and so that's, that was in the paragraph 170 which is on the screen in front of you. And although in a very technical sense it is passed multi-stake holder. It's not accurate in terms of the perceptions of this community what a true multi-stake holder body means. And, therefore, it's potentially misleading

in this context. So it seems logical to me. And you have various support for that modified wording in the chat and on the check marks that people put up. Avri? Avri, we can't hear you yet.

Avri Doria:     Oh, I didn't know you had called on me yet. Sorry. My comment is on a different one. Not this. Can I go forward with that? It was on an earlier one like 169 it might be the (unintelligible). My comments may help.

Jonathan Robinson:     Go ahead. Okay.

Avri Doria:     Anyhow. Okay. The issue is the bullet point and I've lost it at the moment. But the bullet point that says IANA's responsible for that end. There had been a lot of discussion on the fact that, yes, nothing had to happen here but there probably needed to be some sort of a process later or continuation of the dot process. And we'd never nailed down exactly what. But that this wasn't a in perpetuity comment. But throughout the document - whenever the document is mentioned it is not mentioned in a way that indicates that there's more work to be done on this. That that would need to be done before the transition. And I think -- I don't have a proposal for exactly where that statement goes. It may go on this first mentioned. It may go somewhere else. But I do believe we need to include that openness. Thanks.

Grace Abuhamad: Avri, this is Grace. I believe I have a solve for that. We have footnote but we included it in the annex to Section Two but what we should do is go ahead -- I think, to solve for your point there is include it also as a footnote to this bullet point. Would that make sense? Okay. I see check mark. I'll make that in the notes.

Jonathan Robinson:     Lise, you indicated that you don't have any other points you want to raise in Section Four at this stage. Grace?

Grace Abuhamad: Sorry. That was an old hand responding to Avri.

Jonathan Robinson:    Lise, go ahead.

Lise Fuhr:        Thank you, Jonathan. I was just thinking if we haven't incorporated Andrew's comments and we could as well have those incorporated and then have a look at it again. So that was my point in saying, instead of going through my comment now have Andrew's comments and I think Avri had some too and have a look at it in comparison. Thank you.

Jonathan Robinson:    Perfect. So thanks, Lise. So rationalize the three comments and make sure they aren't in conflict or in contradiction. Yeah. So are you cut out -- from my point, from my sound? So that's why I've talked to Avri last. But I'm sorry. I don't have anything cut out for others or just for me. But you've got the essence of that gift to rationalize the three key points to yourself. Avri and Andrew and make sure that they and then look at it. Okay.

Which then brings us to Section Five. I guess I can ask staff if much has changed here. Grace, go ahead.

Grace Abuhamad: Hi Jonathan. So not much has changed but I'm actually -- if it's okay with you -- I'm going to switch back to the other version because this version only had these as comments on Section Four. So I'm just going to take a quick switch. But there aren't a lot of changes in Section Five.

I can come in here and just say that we added a Section Six for the community process in case people haven't seen it yet. So that is just sort of outlining the process that the CWG went through and where to find mailing list archives

and different things like that. So that's just sort of links to the WIKI and sort of an administrative section.

Jonathan Robinson:     Thank, Grace. Well, to the extent that we can I think that pretty much completes the current reading of the proposal. It seems to me -- frankly disappointingly but not wholly. It's given everything it's got on that we aren't in a position to put this to bed at this stage. There are probably too many open ends. And so it feels to me as though this needs to be worked on further and more detail needs to be done it which means we'll need more time on it.

Before considering that I'll see that with you we do have a couple of other points to look at in changes to the annexes so let's have a quick page turn on those and make sure we have covered any of the points there. But it's going to feel to me like this is going to need a process which requires a few more days for additional edits. A couple more days. Perhaps a cut-off over the end and then a final reading on Tuesday next week which is very tight and we'll come to that in the time lines but just about doable.

Okay. I'm getting a couple of notes indicating that we may have missed comments and this is probably that the document consistency in terms of both edits from Sidley in Section Four that haven't yet been completed. I'm not sure how to deal with this. Marika, do you have a suggestion because we're flipping between different documents. I think in some ways we're better off trying to pull together a single (unintelligible) here in document which reflects all of the recent changes including those from Sidley. Go ahead, Marika.

Marika Konings:   Yeah. This is Marika. It may be worse indeed asking Sidley or I think Avri had some other comment in this section whether there's anything indeed that needs to be called out at this stage or discussed by the CWG. As I said before we're working on incorporating and consolidating all those edits and

comments into one version so people can have a look at it and comment then as well. But if there are any items where people believe it will be good to have a discussion now or be able to resolve some of those issues now that may be helpful. If there are none then you may want to move onto the next section.

Jonathan Robinson:    Okay. Let's clear up that opportunity. The section we're referring to is Section Four. If there is something substantial that should be flagged at this point in Section Four from Marika that either Sidley or Avri would like to raise at this point but aren't visible in the document but were in the edits provided and will be made into the version.

Okay. Let's have a look at -- it's getting tight into the timing for the call now. Let's have a quick page turn on the annexes then and see if anything flags up through that. Well, clearly it's starting to look like there's going to have to be dedicated - sorry - to paragraph 245. There's going to have to be a third reading on that paragraph to deal with any further edits that take place. I would encourage staff at this point to really focus on trying to lock down the changes where appropriate that have been made during the course of these two readings and really make clear where recent changes - subsequent changes take place. So the redline will move us on from this point. If you want to retain, Ryan, a point that you don't feel have been adequately closed. Fair enough. But I think in general it makes sense to close out the redlined comments from Tuesday and from today such that when we come to look at this next which looks like it's likely to be Tuesday next week -- we only deal with things added today and subsequent to today.

I wonder Grace or Marika -- if it would make sense for you to page turn on the annex since you're more familiar with the edits and you could quickly pick them up rather than me doing a mechanical page turn. We don't have time, I don't think, to do that now. And it may be worth capturing the material points

because they've got a lot of grammatical and minor points. Are either of you in a position to do that? Go ahead, Marika.

Marika Konings:     This is Marika. I can give it a try. I think there are - especially the comments to think from Avri --that may warrant discussions. So I think just try to find those if you like. I think in most of the annexes as well just clean-up of language. I know Avri, if you could just clean-up on some of the DT and as our fields...

Grace Abuhamad: ...this is Grace. So I'll come in while Marika's page turning. I added the X plain diagram into one of the annexes but we're getting an updated one. So I'll get that into the document as soon as it's updated.

Marika Konings:     And this is Marika. So I think this is the first comment from Avri. And I see Avri's hand up so she can speak.

Avri Doria:        Yeah. If I can go ahead. This is Avri speaking. This was the issue between how many people were in the IFRT and how many people are in the SCWG. And we had in our discussion added on CCNSO to the IFRT but somehow I believe one registry stake holder group also got added. But that was the main point. The secondary point was we had originally had division between a registry stake holder group and a GTLB registry operator distinction. So that there had been one seat that was possibly available for any non-GNSO, GTLB. And I think as we see things going further that becomes much more likely. And since this is already the case. But the real issue here was the bumping of the registry stake holder group onto pit test three which was something that I thought only happened with the separation cross community working group and not at the point of the IFRT. Thanks.

Jonathan Robinson:     Thanks, Avri. Your recollection is consistent with mine as it is with Donna's. So I think there's a mistake in there that the change was in the case of the cc's on the IFRT and the case of the g's in relation to the separation process -- separation review teams. So I think your memory's correct and that needs to be updated to reflect that. Thanks. We'll tidy that up. Is there another point that we need to go to Marika or Avri?

Marika Konings:  This is Marika. I think this is a comment from Avri. I think that we've already dealt with so unless - Avri. And so I'll just pause here.

Jonathan Robinson:     Avri, your hand is up so just come in on audio if you'd like to come in.

Avri Doria:         Okay. Thanks. Yeah, while the document was being scrolled, I wanted to mention that in L I did make something that may look like more of a change but I think it was a consistency change and the steps that the separation cross community work would go through in Annex L. And I don't know if it made it into this copy. I'm having all kinds of trouble on my local system. But basically -- since we have done the changes earlier about the -- clarify the issue of RSP versus the - I keep thinking of it as spin out but that's not the right term. Okay. No. Those changes didn't make it into this yet. So that's right. You said you hadn't integrated the annexes completely yet.

So basically my changes aren't reflected here yet. But the only thing was basically sort of say the first step is that they figure out how it is they are responding to the issue put on the table by the SIFR. And then at that point their deciding we're doing an RSP. We're doing nothing. We're doing a partition of the PTI. And then for -- if you're doing a RFP then you had these steps. If you're doing something else then figure out how it is you're doing it kind of. So it changes the bullets at least but I think it's consistent with the

discussion we had earlier. I just wanted to point that that was there but then again I noticed it's not there yet. Thanks..

Jonathan Robinson:     Thanks, Avri.

Marika Konings:   Jon, this is Marika.

Andrew Sullivan:  Go ahead since you responded.

Marika Konings:   Yes, sorry about that. This is Marika. Yeah. Just to know that those changes were actually in but I'm seeing here that that for some reason I think in the merge of the document they got deleted again. So I'll reinstate them in the next version and we're just asked to run and have a close look to make sure that we don't have any other inadvertent deletions like that and I'm sure we will do our best as well to pick up on any of those.

Jonathan Robinson:     Okay. Thanks. Andrew?

Andrew Sullivan:  So since you suggested I mention this on the audio I did last night send some comments also about Annex S because I wasn't sure that the sample term sheet was actually fully consistent with the way the rest of the document. So probably we want to make sure that however the funding works out all the way through it's also reflected in here otherwise people are just going to lift this and it won't be consistent.

And there was one other thing that I wanted to mention and that is the text there appears to have been lifted pretty much verbatim from the existing agreement with the NTIA and so there's this restriction on IANA staff in the NTIA agreement that has actually caused us all a lot of grief. I know -- anyway -- in the ITF but also I think it caused some problems with this group

because there was this worry about IANA staff contributing to policy decisions.

So I sent it to the list so it will be better to probably do wordsmithing there. But I suggested some text that allowed PTI staff to make contributions when their expertise is relevant because that has been a pretty consistent problem. I know just -- for instance -- we had a long period where IANA staff couldn't actually say anything in RFC's about IANA procedures which seems like the wrong answer. So it would be good to be able to include their expertise when it is relevant to the thing you're trying to talk about.

Jonathan Robinson: Andrew, that's a really good point and I see you've got some support for that. And by all means let's incorporate that change.

My opinion on the term sheet is that we can make some reasonable efforts to make the kind of changes that you just suggested. But realistically we're not going to get a definitive term sheet sorted out now. And really it feels to me like this group should work with the term sheet according to a principal. I think our principal might be something along these lines. That we would want a term sheet -- we would want a new contract negotiated subject to a term sheet. Some examples of which we provide in an updated version of the NTIA term sheet here.

And that we would expect - this group would expect that that term sheet would be the subject of negotiation between PTI and IANA with PTI having appropriate independent advice or something along those lines because we really need to capture that there is a significant implementation step here that needs to be taken and we cannot realistically cover all of that right now. So we need to mark it up as best we can but state clearly in the document that this is an example of the kind of changes we'd like and at such a term sheet would be

the precursor to a negotiated contract for which we would expect PTI to see appropriate implementation support and independence advice.

And Grace I see you're captioning that and where we should try and fit something along those lines into a form of words in the final proposal such that that can be reviewed in its group - (unintelligible) private group. Josh, go ahead.

Josh Hofheimer: Jonathan, this is Josh. I agree with your suggestion. The only concern or caution that I might raise is that some of the language or the key terms that are set forth in this term sheet may lag behind the current tour of thinking and evolution of the various design terms in their effort. We did obviously try to update them per the (unintelligible) so at least we're in the second draft of the proposal. But that thinking has continued to evolve and I wouldn't want there to be some confusion created by having summary terms stated here that are inconsistent with the work where the proposals of the various design teams that have been incorporated into the final proposal. So perhaps it's a wrong way of saying it but I would encourage sort of a specialist in your respective areas to look at the terms, time permitting, and help make clear. We tried to note for confirmation what the various comments and the bubble comments. And to people that try to take a look at those issues and make sure that the language is consistent with the larger proposal and not to offer some clarifying revisions.

Jonathan Robinson: Thanks, Josh. I think that we're just mindful that we're at the top of the hour now. Those are good points. We need to -- as I said a moment ago -- we cannot realistically expect to complete this term sheet if we are to work in the time we are. So we need to -- you're right along the line of what Andrew just did and others may well be able to update that and refine that. And I note the chat which talks about both attempting to root out the inconsistencies and

covering it for the form of disclaimer. And so I think we need to find a form of wording that introduces this annex that says we've made reasonable attempts. But it's not completely current with the existing one. And we would expect such a term sheet to be dealt with in full and consistent with the proposal at the appropriate time. So we'll spend a little more time on that.

Well, we've run out of time in this session. Clearly, we haven't got as far as we would have liked to for two reasons. One because we're working up against deadlines for comments - all of us. And many came in late in the day with good reason and there's no implied criticism. And two, because we had the technical issues with the document. So I'm going to suggest to you that we have a further reading of this document at our meeting on Tuesday next week. And Grace, if you could capture this please that we have a further reading of the document on Tuesday next week. But there is a deadline for comments and changes. And that feels reasonable to me to make that deadline cut-off on Sunday so that the staff have the whole of Monday to stabilize the document ahead of our call on Tuesday. So that's my proposal to you and we pick up various areas which we need to work on.

Lise, it looks like the last word may have fallen to you. But Chuck, why don't you come in on that and then we'll refer to Lise afterwards. So come in ahead of Lise, Chuck. And then we'll refer it to Lise.

Chuck Gomes:     Thanks Jonathan. Real quickly. When can we expect to see another version of the document for final review over the weekend or even tomorrow? Just an estimate would fine.

Jonathan Robinson:     Marika, go ahead.

Marika Konings:    This is Marika. From my perspective provided that no more IT crashes. I'm hoping to be able to incorporate the delta comments and edits from Sidley and Andrew and Lise within the next couple of hours and to be able to send that. And hopefully as well some of the changes we suggested now as noted. There's still some items that we don't have which is -- for example -- the DTC information but I'm hoping as well that that will get circulated later summarily DTA. So ideally in short later today noting that, of course, there's still some parts that may come in later. And again we'd really like to encourage everyone to closely review the document and also any edits you may have made before just to make sure that we didn't lose them.

Jonathan Robinson:    Marika, I would encourage you to go slightly slower rather than slightly faster and really do a thorough a job. Not that you would ever not do things thoroughly. But to do it as comprehensively as possible so that we can try and capture at the end of the European today a stable document that is available to all or Friday, Saturday and Sunday to comment again so that we're not looking at multiple versions and limit any potential confusion that may cause. So that's my suggestion. Go ahead, Lise.

Lise Fuhr:    Thank you, Jonathan. Since we didn't go through Item Five to Seven, Jonathan and I will send out the written update on these issues. But I'd like to give you a heads up or there would be interpretation on the webinars but there needs to be a sign up for each language. So we would do an interpretation if people sign up for it. If not we will not have it on those webinars. That was a quick walk through of Item Five to Seven. Thank you.

Jonathan Robinson:    Very quick. Thank you, Lise. So, yes, we'll come back on some of the updates that have come out and you would have seen the - regarding Item Seven the work that Sidley did yesterday and that's down to the main list.

Yes. Thank you everyone. I'm sorry that we didn't get things completed today but this is not through any lack of effort on any of our parts. So we if we get this right we can review it on Tuesday and still publish it two weeks ahead of the Buenos Aires meeting over two weeks ahead. And there is also a time line that we'll circulate to you as part of Lise's -- applied to seven. There's something visible.

So thanks everyone. Thanks for your hard work. And thanks for those of you who got up especially early or stayed up especially late to deal with this call. We'll work with you on line in the next few days and meet again on Tuesday.

Lise Fuhr:          Thanks. Bye.

Grace Abuhamad: Bye.

Avri Doria:          Bye.

Andrew Sullivan: Bye.


END