

ICANN

**Moderator: Brenda Brewer
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4:00 pm CT**

Jordan Carter: The recording is started. Good morning, afternoon everyone. My name is Jordan Carter, the rapporteur for Work Party 1 in the CCWG on accountability and welcome to our meeting today and thank you for joining on relatively short notice.

The thing that we're trying to get out of this call today is a process call. It's not a substance call. So we're not going to be discussing any of the issues before us. We're going to be looking at what it is that we need to do in the next four weeks or so by wrapping up time (unintelligible) the public comments report.

And the only documents that might be necessary for this call are to look at the - what's called the tracker documents circulated in the email calling the meeting. And I can put a link to that in the chat in a moment.

And the other document that you might need to look at or should look at is Steve DelBianco's thing that he's done. I just want to correct because we're we've got four weeks of work to do because our next revision on the public

comment report is going out at the end of July about two weeks until the cutoff of the Paris meeting.

So with that I think it might be worth doing a brief recap on exactly what it is that we need to do at a high level before we get into some nitty-gritty stuff about a number of calls in the work approach.

And the simplest thing we need to do by the end of July is have new content ready for our parts of the report. And an example of the scorecard is in the screen in front of you. And we will work through the WP1 sections of that.

And when we've gone through this overview I'll get Steve DelBianco through an example of what he's already done for one of the next steps of this in terms of the AOC reviews being incorporated in the bylaws.

So Steve I think you're already forewarned about that so hopefully you'll be ready to speak about that shortly.

And the other thing we need to do so we need to provide by the end of July we need content refresh content that takes into account both the public comments we've received and any decisions/conclusions that we reached at the Paris meeting in a couple of weeks into the next version of our public comment report.

And the preferred style of this point in doing that work is not to present issues papers in Paris but it's to get as far as we can in terms of new drafting. The next version of the reports and looking at that at the Paris meeting where required.

And the implication there is that we need to do some more difficult and controversial areas first not and last the (growth) of it. So we need to have the conversation about it in Paris.

Yes Kavouss makes a good point in the chat. It's not just the public comments it's also the discussion dialogue at the Buenos Aires meeting that's just finished.

Another thing that we need to do by the end of July is to be ready to reply towards the public comments that were received from the first public comment.

And we've done quite a lot of that in our tool in terms of objecting replies to people comments. And but we will need to have completed that work. I think that's a subsidiary and easier job to worry about.

And so there are two - there's a natural breakpoint in some of this work and it is our Paris meeting. And we've got a cutoff if you like in terms of a freeze on the 14th July to have anything that's ready for there.

And then after Paris we've got the headlong rush to that comment report itself finalized.

So I guess that's the two kind of key things that we need to do from my point of view. And I like to take a pause there and invite people to raise their hands to say if I've missed any significant pieces of work that we need to do or to add anything to that?

Does anyone have any comments on that? Kavouss please go ahead.

Kavouss Arasteh: Yes good time to everyone. I wish to suggest that if we take if possible similar approach of CWG in the sense that we group issues that there are connected to each other and establish some sort of a little group for design team to study those because we cannot deal with everything at the meeting at this meeting.

I'm sorry we don't have four weeks. We have two weeks. In the 17th, 18th of July we should have more or less preliminary final for you on the teams in order to discuss at the CCWG meeting.

So we have little time and we have to find out what is the best approach to proceed with the issues and not to have everything activating here. They're having some people being volunteers to work on various issues and bring the response back to the meeting. Thank you.

Jordan Carter: Thanks Kavouss. I describe that as a CWG working method. I think it's exactly the method that we did in our first comment report which is that we will get individuals to volunteer three pieces of work and they will report back.

But it might be one individual, it might be a group of people. And they will come back to this group kind of first reading on their conclusions and then I will create staff to send to Paris.

My point about making sure that people realize it's four weeks is to be clear that we don't need most of the tasks I've described by the time of Paris.

That is we don't have to draft all of our replies to all of the public comments by Paris. But we do need to make sure that we've got at least for the more contentious parts of our work new text that incorporates all the feedback

we've got in Buenos Aires from the written comments from either banks and BA on that time.

So I would like to just re-ask the question. And Steve I'm looking at you in particular because I missed the last CCWG call.

And anyone else who's was on that aside from those two chunks of work replying to the public comments and getting content ready for Paris into the final report are there any other pieces of work that we need to do that anyone is aware of?

Steve your hand is up.

Steve DelBianco: Thanks Jordan. On the call we had yesterday there's an effort to begin to develop specs for one or both groups of lawyers to take a first pass at bylaws changes.

And the first step of developing consider public comments, update our draft document and then pass that along as specs.

And we'll get to this later in the call but the chairs, the co-chair yesterday selected the Section 62 on affirmation reviews as sort of a pilot project or a candidate for the first pass at trying to develop specs and to try to figure out if this interplay with the two legal teams will produce a sensible way of coming up with bylaws draft.

So that was the only thing I would add. It is on Work Party 1s plate. And it's because the AOC reviews as part of Work Party 1 will be asked to do a very quick job of developing that into specs while we're doing the other things you mentioned in parallel.

Jordan Carter: Okay, thank you Steve. Could I just ask a follow-up question on that which is are there any other areas that the CCWG expects us to do that for them or are we doing the AOC reviews as a pilot first before we decide our other areas to focus on?

Steve DelBianco: Jordan just to follow-up eventually -- and by that I mean end of July -- I believe that everything from the proposed document that was Work Party 1s creation would need to be turned into bus specs.

So the answer is all of it but we're supposed to do a quick pass on the relatively simple one for affirmation reviews that that can be handed off as soon as possible.

Jordan Carter: Okay thank you for that clarification Steve. That sounds good to me.

And so what I propose we do we are going to follow your suggestion in a sense Kavouss. I don't know if they'll be little groups or if individuals will have to pretend to be a group. But we will need to get lead responsibility among people or groups for some of these chunks of work that we've got on our plate.

And so I think I didn't have this much time to prep for this as I hope but my suggestion is that we look through the document kind of on the screen and scorecard and just see if we've got people who instinctively are ready to volunteer to do any of these pieces of work in front of us.

I think there are a couple of groupings and I think that the - so sorry, to work through that and then after we've done that to have a discussion about the kinds of calls, how many we might need and so on.

So are people happy to go in that direction now? If I don't hear otherwise I'll assume your hand. Kavouss I'll take your hand since it's up. Go ahead.

Kavouss Arasteh: Yes I think maybe I'm wrong I do not remember whether we have properly studied and examined affirmation of commitment.

I remember Steve was very kind and (unintelligible) from some part of that part of 7, 8, 9 or part of 9 is started but not the whole thing. Possibly perhaps we could have a little group dealing with the AOC to review whether we need to take any other element of that into the bylaws and also decide what we do with the remaining part?

And I have a suggestion for the remaining part. Some parts are not candidate for the bylaw in any case because they are functional and operational.

There might be some other way to put them somewhere in the bylaw but not having the rules and threshold of the bylaw because that may change or may require change quite easily.

So we don't need to assign them 2/3 of roles or 3/4 of roles. It must be it maybe, not must be it may be required to have a lower threshold -- 50% plus one simple majority.

And that is something which possibly fits within some operational function which changed quite quickly and we should not push them to have a 2/3 or 3/4 of a vote. That is something to discuss and to examine.

I'm not suggesting any particular item but that is what I suggest. One establish a little group for AOC to review the situation. Thanks.

Jordan Carter: Kavouss I think it's fair to say that we've already done that. We've a group of Steve and (Matthew) and a few others -- Avri -- who reviewed the entire COPA or see the affirmation of commitments. And their section of the public comment report that we did in May did include an assessment of all parts of it.

So the parts of the AOC there were commitments by the United States government obviously don't work their way into the ICANN bylaws.

In the parts that were ICANN commitments so all either were factors in the new core values part of (unintelligible) or in translating other parts of the AOC requirements.

So I think we've already done what you suggest which is great because it means we're a little bit ahead of the game.

Matthew your hand.

Matthew Shears: Yes, thanks. Can you hear me? I'll take that as yes.

Jordan Carter: We can.

Matthew Shears: Yes, so I agree with your approach and focusing the work and everything. I'm just wondering when it comes to the first three items on our list or the first three lines relating to community empowerment how does the work that we're going to be doing interrelate with the work on trying to figure out which of the two models that are currently before us is a larger group and where will that sit in the mix because obviously that discussion still has to happen? Thanks.

Jordan Carter: Thank you Matthew. That's a good question. The writing instructions that I've got are that in terms of the model and the mechanism that's being done by that CCWG asking the lawyers to draft out the two alternatives so the empower designator and the empower SO AC model.

That will itself be a core input for what we're doing in Paris but that as a consequent of that separate strand of work we don't leave ourselves to (unintelligible) them elsewhere.

So if I'm wrong on that it's not something that we need to do in our group. So we're supposedly not be doing the model work so no we're not going to have the model group Kavouss.

So can we put the - what happened to our document? That - can we keep the - thanks, yes. So if we haven't had any opposition to m - sorry Alan your hand is up.

Alan Greenberg: No I wasn't trying to oppose. I agree with what you're planning. I just going to note that on the first three items there's probably a fair amount of overlap with the newly chartered or being chartered work WP3.

A whole aspect of empowering communities, make sure the community doesn't run away in some random direction out of control.

So just a thought that we will need some overlap between the group, group or groups doing that in whoever's looking at WP3.

For the record I tried - I plan to try to be on both of them whether my time allows it is an issue.

Jordan Carter: Yes thank you. Kavouss to me the comments that you're typing into the chat window are not appropriate for Working Party 1.

They're comments that would be really helpful he directed to the whole CCWG. Core values is absolutely out of scope of our work in this group so we will definitely not be dealing with it. That's a Work Party 2 matter.

And so I'm going to proceed if I can folks with us just looking through the scorecard. And I'd like to draw - it's kind of hard to see. It's very small but I'd like to draw your attention just at the bottom of the first page where we've got community empowerment starting Number 4 that's the start of our WP1 work. And everything else about that is WP2.

And the first three items there the mechanisms represent clearly, et cetera. That's what's being worked by the model work that we just discussed so we don't need to do anything about that.

And then so if you scroll to the top of the second page you've got the kind of list of community powers that we've talked about, those six, the budget and strategy, the bylaws change, fundamental bylaws approval change, individual board member removal recall of the whole board.

And so those powers do need to be updated in line with the feedback that we've received. And I don't think it's one giant block of work. I think it is helpful to divide it out.

So the question is whether you agreed to that or disagreed with that. And let's just take a call on those things.

I recall that when we were preparing this initially different people did various bits of drafting. And personally I would be really relaxed if individuals want to take up each part of this or whether we want to have a subgroup that if you like as suggested could be the kind of powers group that does an integrated piece of work on that.

The benefit of that would be that we could make sure that we were describing and using consistent language across it. The disadvantage is that it's just a little bit more work to do in a one month.

So I'll take the speaking list as it is on the call and Kavouss you're first.

Kavouss Arasteh: Yes I agree with you but not all of the group that are suggested is Working Party 1. But it doesn't matter because if you're working party chosen starts before the other working party.

If you see that some of the little group that I suggest for your (unintelligible) is not in the term of Working Party 1 it still is suggestion could be suggested for the CCWG next fall or to be transferred to Working Party 2. So (unintelligible) well.

So that is why I am suggesting to have (unintelligible) group which has worked very well in the CWG and had a good result. Thank you.

Jordan Carter: Okay thanks Kavouss. Next is Greg. Please go ahead.

Greg Shatan: Thanks Jordan, Greg Shatan. I think that I'm not sure exactly what Kavouss is referring to in the CWG where we essentially between the first and second draft restructured how we approach things moving from the RFP teams which

were large and broad in scope to drafting teams that were intended to be small and agile and narrowly focused. That was a real pivot point.

I don't think that what's being proposed in our group is that kind of pivot point. So it seems fairly clear to me that WPIs mandate is as it was and discussions of the scope of the group are necessary.

Now that said and the reason I put up my hand was not exactly on point either but as I'm not exactly sure where it fits although I think it fits at this point.

We haven't spent as much time as one would like I think to talking about the community council or whatever it may be.

And we also I think need to revisit the composition in light of the discussions that we had in BA and the declarations by the SSAC and RSSAC that consistent with their view of the role of an advisory committee and the - that it was not appropriate for them to participate at least as members.

It's not clear if we go to a designator role if that is exactly the same thing. But I think we need to explore that as well and explore the composition and, you know, what - whether there is in fact a counselor of just a vote tally mechanism council imply some level of discussion and work being done, you know, within a council system.

And having had a good deal of time to reflect on this in Buenos Aires the very real idea that my constituency would not have a seat at that table has become increasingly troublesome to me.

And I don't believe that being represented by a member of the ISPs or by Business Constituency as valuable as a Steve DelBianco has been has been to this group, you know, serves in a representative capacity.

And I think we do need to revisit that aspect of this as well as what it is that this community grouping will be working with. Thanks.

Jordan Carter: Thanks Greg. That's helpful reminder of some points that we need to pick up. But the way they're voting in the system and the actual whether it's a council or voting mechanism it reminds me of another thing from the public comment that we need to pick up either here or in WP1 which is the whole idea of an accountability forum and needs to pick up as well.

So I've noted those and we can add them to our work at program along with volunteers. My hope is that for some of these where there's still debates to be had if we can sell them through a discussion WP1 or the CCWG will raise them as matters from a Paris agenda.

Thanks. Alan please go ahead.

Alan Greenberg: Thank you very much. Greg actually talked about the similar things that I was. With regard to Kavouss' recommendation for using drafting teams as the CWG did I think what you're describing is we are that you're looking for volunteer, one or more volunteers to do specific things in drafting. We're just not formally labeling them with titles and convening them as groups. But, you know, I think we're talking about the same methodology.

What Greg was talking about really is the second two As at the bottom of Page 1. I'm not quite sure why three items are all labeled A but ignoring that.

The first A is really selection of the model. Now I'm not at all clear who's going to do it if we're not going to do it but I'm willing to not have that discussion today.

But the second two A's are in - are exactly what Greg was just talking about. And we do need to flush out the details of how that's going to work.

And moreover it - with the - with effective with potential withdrawal of the RSAC and the SSAC and the question mark that's over the GAC we have to look at whether the model we're talking - I'm not saying which model but the representation concept we're talking about is viable with such a small number of representatives.

You know, for instance at one point we talked about something needing one SO and two ACs to do to take some action. We may not have two ACs.

So I think we will have to do a sanity check at the same time. But I don't think we can take those last two items on Page 1 off the books. Thank you.

Jordan Carter: Thanks Alan. Moving on down the speaking list Steve?

Steve DelBianco: Jordan the document that's displayed, the scorecard contains several community powers. That's the section you're focusing on.

And it was my impression that we had broad support for the community powers and that we should incorporate comments such that we can update our document and then begin the idea of bylaws drafting.

I also had the impression that we treat those community powers as being accessible to any AC and SO regardless of whether and if they become a designator or a member.

In other words the means of enforcement is not relevant the participation in voting to block bylaws. We still want to write up a voting scheme for all ACs and SOs. And their participation in that voting does not rely upon the structure or the model.

I think Alan used the word model. I'll go with that. That may be idealistic. It might be that they're intertwined in some way but it's God, its attractive.

It's attractive be able to develop these powers with minimal updates to our first draft and simply defer this question of enforcement to a subsequent section that we're going to work out with the aid of council when we get together in Pairs.

Does that jive with your understanding of how we - even a community council like a permanent Cross Community Working Group of all ACs and SOs regardless of whether they decide to activate something like a designator or membership? Thank you.

Jordan Carter: Thank you Steve. So my response to that is that we've had pretty clear steerage from the small technical advisory committees, the RSAC and the SSAC that that want to stand - they want to have their influence in the ICANN environment based on the quality and power of their device.

And so my reading is their feedback at Buenos Aires and beyond was that they don't - well they wouldn't want to participate in these community powers

and irrespective of the designator or member or any other kind of formality question.

Now I think that's something that we would be empowered as part of that discussion that Greg and Alan both mentioned the last two days on the first two days or whichever one it is. And at the bottom of Page 1 we should ask them again to confirm that or we should just have a verbal conversation with their chairs through our co-chairs to make sure we've got our understanding right.

On the question in the chat about whether the Community Council would resolved the powers or not the design question we've got to focus on with that is I think as Greg said whether in exercising that list of powers in front of us the budget bylaws and so on there's a group of people who come together to discuss and cast votes and or whether they're simply a relative weighting between various SOs and ACs that end up participating. And that's the key defined question.

So that does not replace to be clear that does not replace the discussion the whole CCWG is having about whether empowered designators or the empowered SO AC model is the right way to go.

That discussion has to happen along in parallel. But I take Alan's point they we need to just clarify that very explicitly with the co-chairs and the whole CCWG.

So I'm planning to write an updating now to the whole CCWG and to our group after this call probably in about four hours that will set that out really clearly. So if we do need to pick it back up we're going to steer back from it.

And the next person on the speaking list is Kavouss.

Kavouss Arasteh: Yes. I'm not convinced that the Community Council is entirely different from the model. First apart from the SSAC and RSAC it is very unlikely that GAC would favor membership.

I'm not speaking on behalf of GAC but having heard the discussion it's really unlikely. So there may be more people unwilling to go help with the models and in particular membership and so on.

So I'm suggesting that while we believe that the Community Council is entirely different from the model why could not replace those things?

What the Community Council is is the council deciding on issues and these issues are those of the community empowerment.

So why is it totally different? I suggest that each of us should not push for its own views whether it's a model membership or designator model initiative. What is the feeling of the community?

At the beginning of the meeting it was said that we should look into the public comment. I suggest that not only public comment but those comments which you have heard and discussed. At the end there are a lot of discussions. Some of us have been contacted verbally or verbally with (unintelligible). And we know the divergence of you in respect of each of these two models.

So perhaps we should think of something which works better and we could sell it to the people to the community and then we could achieve our objectives.

So why not discuss that? Why we say that no, we don't want to discuss that? They say it is different from (unintelligible). I see and I assure you that there is a great - not disadvantage, disagreement from the membership model, great disagreement.

So what we can do with that? I'm not suggesting to leave it but we have to be quite neutral and (professional). Thank you.

Jordan Carter: Okay Kavouss I think it's intention of what we're trying to do. I agree with you. So what we're trying to say is that whether it's a membership model or something else, a designator model that's the discussion that I'm going in the model discussion.

Whatever we choose there whether it's - whether it's a commitment around membership, whether there's a commitment around designator, whatever decision gets made their we're still proposing these set of powers and we're still have to have a way to enact them.

So there's still going to need to be a way to trigger through some rejection of the bylaws change. And the question of about the council is only whether there's an assembly of people with carrying the votes to do it or whether it's just a mechanical vote tallying or decisions that the SOs and ACs make separately.

So we do need to resolve that. We do need to be clear with the community about whether we're proposing a grouping of people or whether we're just tallying up of votes and trying to vote (counter) cast by resolution of the SOs and ACs.

But that has - we have to do that anyway whichever model is chosen. And so it's just it's an implementation detail.

There are separate discussions that we need to have both of our responsibility is not to cut across the work that the lawyers are doing in drafting the table that you talked about to have the discussion in Paris.

That's where everything will be reconciled. And Robin your hand is up.

Robin Gross: Can you hear me okay?

Jordan Carter: Yes.

Robin Gross: Can you hear me?

Jordan Carter: Yes.

Robin Gross: Okay. So I just wanted to make a couple of points. One is on this question of a Community Council or using mechanisms in our internal existing.

I just want to raise a little bit of a concern for creating additional representational bodies. I think we should avoid that to the extent that we can so the extent the decisions can be made without the need to create a new structure I think we should look at that very closely.

And the other point I wanted to raise was I know Greg had mentioned the need to examine the role of the GAC a little bit more closely and examining it in particular under each one of the different models.

And I want to support that. And I also want to add to it the nominating committee. I think it's not really clear the extent to which the nominating committee could be - would fare in either one of these models whether they would be considered designator and then does that mean they would have all of the rights that designators have and is that what we're trying to achieve?

And so I just think there's a lot of details that we need to think through much more closely on both of these models. And that I think will help us come to some more of an informed decision in a couple weeks from now. Thank you.

Jordan Carter: Thanks Robin. That is something (unintelligible). I'm getting a terrible echo. There that's better.

What I would like to propose is a way to make sure we pick up all those issues is that when I circulate a list of what I think the things are we need to pick up then that will be a kind of corporate volunteers email if you like.

Just please run an Eagle eye over it and make sure that we have picked up all the issues. I'm taking notes as we go, start taking notes but we may list things out.

And I think your point about conservatism and what we're proposing in terms of new bodies is important. Alan please go ahead.

Alan Greenberg: Thank you very much. As I said in the chat just for clarity my understanding is if we end up with a membership model I don't think those who are not members can override what the members decide because they have statutory rights to make certain decisions. So the Community Council could not tell members what to do for instance.

But I agree with Steve that when we're talking about the Community Council that's not necessarily dependent on whether someone opts in to be a designator or to be a member.

But if the SSAC and RSAC for instance or the GAC opt to even if they're part of the Community Council opt to not participate effectively abstain we have a much smaller pool of those who are participating.

And that's what I was getting at, not necessarily whether they're formally members, designators or whatever's. But simply the much smaller pool of those who are participating may change the dynamics a fair amount. And I think we're going to have to carefully consider that. Thank you.

Jordan Carter: Thanks Alan. Greg do go.

Greg Shatan: This is Greg. I think that we need to look at this and maybe perhaps in two different levels. But that - and we may be getting off of our tack a little bit.

But it seems to me that maybe room as someone once said to have a council that would include even those who have bowed out of being members.

But I guess the question there becomes, you know, are - do we now have groups that are exercising influence in two different ways or is it the fact that all the groups are exercising influence in different ways?

The GNSO does have its own powers under the bylaws in terms of the - how the board is supposed to handle GNSO policy recommendations.

But, you know, it may be that, you know, to allay Alan's concern which is a real concern that even that we need to think about whether those who are

members if we go down that route are really exercising only their own will or the will of a - some larger community council.

It goes back to in some to some extent the discussion we've had about having UAs -- I won't say the full word because people might break out in hives -- you know, acting merely as a point of execution for a decision actually made at a different level.

At the one hand you can't have if everybody opts out then maybe nobody's making any decisions. If only one group opts in then we - it doesn't necessarily make sense to have that group kind of making decisions unilaterally.

So I think we do need to kind of look at maybe to some extent we need to go back to first principles and decide, you know, what is this multi-stakeholder community to which we want to give these powers?

And perhaps a technical committee which is, you know, to some extent comes from a cross-section of the community, you know, is not kind of a stakeholder but perhaps the GAC which may be some extent misnamed although it has an advisory capacity role it represents a stakeholder, a sector of stakeholders.

And so analytically we need to look past labels. ALAC is another that, you know, has that advisory word in its name but acts differently from other advisory committees.

So, you know, whatever this structure is that we are dealing with we have to see if it empowers the multi-stakeholder community as we see it and not just some sector of it. Thanks.

Jordan Carter: Thanks Greg. And we have - I've indulged this discussion that we've gone quite deep into substance and we're intending to speak about process today.

So again we haven't given people notice that we would start discussing the details. I would like to draw that part of this conversation and to a close.

And to say that in terms of the process we've got the six community powers. We've got the questions about the council, the voting rights composition, the outside suggestion and the feedback on the mutual accountability forum and the role of the nominating committee.

And then if you keep scrolling down the paper the only other one is the AOC reviews transcription to the bylaws. And it isn't just the views of the AOC altogether.

And earlier on in the conversation I thought I'd asked Steve to present the work that he has done.

So I think staff if you've got a PDF copy of the work that Steve has done and circulated it on the list a little while ago I'll give you a minute or two to get that up on the screen in front of us if you would.

And but in the meantime I will just keep talking briefly which is to say that what I'd like Steve to propose is to talk through how he did this, what he's done and see if we agree that it's a useful working method to take for the other sections of our report.

Because what I have got in mind is that we'll have a document with track changes like those for each of the chunks of work that we need to do.

So Steve I'll hand it over to you.

Steve DelBianco: Thanks Jordan. I think I can do this in five minutes and then take input from everyone.

I went through the process today of developing the document in front of you and I found that there's three steps involved. The first is to analyze the public comments. The second is to update the document. That's what's in front of you.

And the third is to go back to the public comment tool and explain what we did in the actual update of the document. So that's analyze, update and explain.

So the first type of analysis was going through our tool. And I think I've explained to you folks that Page 134 to 43 of the frozen public comment tool is where Avri, myself and many others had put in extensive work analyzing the public comments.

And for several of them there are actions suggested such as clarifying something in our documents. For some of them we had follow-up questions. For instance the Registry Stakeholder Group had given us a comment that left us wondering what they meant.

And so I took the step today of sending a follow-up email to the Registry Stakeholder Group asking for clarification which is all documented in the public comment tool.

Keith Drazek immediately replied explaining what the answer was and that short-circuits the process. It makes it very easy then to get clarification from

those who made the public comment and that makes it much easier for us to update the document. So that's the analysis step.

The update step which you have in front of you started with a technical element which was to reach into our May 3 document, the one we published with our first draft and then to simply excerpt or cut and paste the particular chapter that was involved.

In this case it's Chapter 6.2 on the affirmation of commitments. I paste it over. I get rid of the paragraph numbers since they're all going to get jumbled and changed as a result of the edit. And the paragraph numbers can be can be re-added later when we actually publish in August.

Given that we're going to move with separate Sections like 6.2 becomes a standalone section since it has to be run through the editing process of all of you.

And then if we have to actually take a look at turning it into a spec for the lawyers to develop bylaws. Given that I think it's essential that you provide a little more context in each chapter.

Here's what I mean by that. 6.2 on affirmation of commitments reviews sort of presumes that the reader has already seen 6.1, Section 6.1 which explained why certain things from the affirmation are being moved into the bylaws, things like the commitments and the core values and the reviews.

So the red text you have on the screen in front of you was just reaching back and just (unintelligible) one and pulling forth some applicable context as to why we're doing the affirmation of commitment reviews in the bylaws to bring that context forward and then dive into the text that we had.

I did find that is relatively easy to reach back into the public comment tool and indicate that where we needed to clarify things.

There were several times I found items where only one commenter asked for something that was different than our draft.

And then in those cases we'll explain the tools but with only a single common in dissent we've proceeded with the consensus view.

One other thing I did I'll mention it to you in this update section is that wherever we had said things like member capital M member I took that out as it's unnecessary confusing. And a number of you can just look at the screen and see it right in the middle.

I wrote advisory committees supporting organizations and stakeholder groups designates the representatives on to a review team.

And earlier we had the word member in there. And that is just going to confuse people. We're not talking about member and designator it's just that the GNSO would designate people to sit on the ATRT, or to sit on the Whois or directory services review team none of that has anything to do with whether we're a member or designator structure.

And at the bottom of Page 1 you reach back into the public comment tool and we found that Japan and several other entities were really confused about how is it that the affirmation of commitments is going to still be hanging out there as duplicative or maybe even conflicting with what we've brought into the bylaws.

And on our earlier draft we had said that we anticipated that the AOC could be sunset. But I believe we should now own that and suggest by bringing the key commitments and the affirmation of reviews.

And we can actually say we ought to then terminate this bilateral agreement between the US government and ICANN called the Affirmation of Commitments.

So Jordan I'll stay true to your - my promise and not get into the content and just say that this process is relatively easy.

You have to work between two documents the updated draft and you have to reach back into the public comment tool.

But I have a feeling that when we're done in you all approve these updates we'll have to dive back into the public comment tool and explain to the commenter that in this case we clarified in Page 34 Paragraph X, Y, Z.

So we'll be able to update the public comment tool after we've done the analysis and update to the new draft. I'll stop there. Thanks Jordan.

Jordan Carter: Thank you Steve. So I'd like us if we could to have some discussion about the process that you did. So making sure that the section of text involved has the appropriate context.

And then following the approach that we did (unintelligible) and then to reflect back into the responses to the public comment we received at the conclusion that were drawn. So Alan your hand is up. Please go ahead.

Alan Greenberg: Thank you just two small points. I don't think I'm disagreeing with anything Steve said but I'm quibbling on a couple of the words.

If I caught him correctly Steve said that if only one person made a comment then we would explain that, you know, we're not making a change because of one comment.

I'm presuming he meant that if anyone made a comment on something that we've already discussed and hashed out.

I know in my case I made a comment on behalf of the ALAC that Steve said hey yes that's a good idea. We should do it.

So we need just need to be careful on the words we use that it's - that we will - we may well choose to ignore a single comment if it's on an issue that has been well discussed prior to that.

The second thing is...

Steve DelBianco: Jordan may I follow up? Okay.

Jordan Carter: Please keep going Alan.

Alan Greenberg: Do you want to follow up right now Steve?

Steve DelBianco: I can just give you a quick answer to that Alan. That's a great - and we would only reflect what we as a group have put into our public comment tool where we as a group looked at the ALAC suggestion in that case and said that's a great idea.

Alan you'll see it in my updated document under the ATRT review where we changed the way we described the list of things to look at.

Alan Greenberg: Now Steve I know that.

Steve DelBianco: Thank you Alan.

Alan Greenberg: And that's why I said I don't - I believe what you meant was what you said was if only one person made a comment we would likely ignore it and explain that we're ignoring it. And I don't think that's what you meant.

Steve DelBianco: No you're right.

Alan Greenberg: Okay so...

Steve DelBianco: You're right.

Alan Greenberg: ...that was my intent there just to - we need to be careful on words because otherwise we'll start flame wars over bad wording.

And the second thing is -- and I'm not convinced -- I have to go back and look at it are we incorporating the whole AOC or the AOC reviews and some of the other aspects of it?

There may be parts of the ALC review the AOC itself that we are not incorporating in. So we just need to make sure that we're not saying we will walk away from the AOC because what we're integrating there may still be some aspects outside.

You did the work on that. So you may be in a better position to say definitively what you said. I wasn't 100% sure.

Jordan Carter: Steve do you want to just reply to that point as well?

Steve DelBianco: Yes Alan. You're exactly right. And that's one of the reasons I brought that context over. At the very top of the document on the screen and I think Alan is dialing in he may not be seeing the views but...

Alan Greenberg: N. I do see it. I just didn't look at it.

Steve DelBianco: Got it. It's at the very top of 62. And really want to make it abundantly clear that the incorporation of the affirmation involves commitments that get moved into the core values and bylaws and reviews that get moved into the bylaws and the review section.

And those would be the two that are brought in. I might even suggest we add that there may be other elements of the affirmation where the US government made commitments to ICANN but those will not be reflected in the bylaws.

Alan Greenberg: Exactly...

Steve DelBianco: Thank you.

Alan Greenberg: ...which is the reason why we may not want to cancel the affirmation but, you know, cancel certain sections of it.

Again I'm just trying to make sure we dot our Is properly and don't say something inadvertently we didn't mean.

Jordan Carter: That's a good caution. Thanks. So let me just recap on the process that's proposed. So what we're saying is that for each of the chancellor work that we've got to do and we've already covered all of the issues in our first public comment report.

So the proposal is that we break for each chunk of the report we do the three steps that Steve has noted in the chat window.

The first step is to analyze public comments. And if necessary asking follow-up questions and commenters so there we're clear about what -- and by public comment it isn't just the written comments it's also the discussions that we had with people in the Buenos Aires meeting.

The second point is to then update the CCWG proposal to reflect that. And then you're thinking about (unintelligible). And that's - an example of that is the document that's in front of us on the screen.

And then the third point is subject to public comment the responses document the common tool to give feedback back to the people who made comments in our first round.

So that's what I mean when I'm talking about process. So to be really clear what's in front of us now affirmation reviews it isn't agreed text. We haven't discussed it in detail. We haven't exchanged views about it yet.

The reason we're not doing that on this call is because we explicitly said to everyone to our call for agenda items that we were not going to deal with content.

And the reason for that is that this call is done with a little bit less than 24 hours of notice. And the first point that we had to do was to organize our work.

So I'm going to stand by that. We've always had the discussion of the content of what Steve is doing. Steve is not trying to push his views on anyone in this.

And so that's what I mean by the process. And so because it's your question is the ICANN seeking California substance all of the content of what's on the screen is substance.

What we're talking about is the process. And there's only about six minutes left of the call that is where we're going to join (unintelligible).

So I - if anyone to me this process that is proposed of reviewing the comments that we've had, updating the documents and then updating the public comments so that it's all consistence makes absolute sense.

And so I think what we will see then is this piece on the AOC reviews. There will be an separate document should the community (unintelligible) so the budget and strategic plan power, the bylaws powers, the removal of the original directors powers, fundamental bylaws powers and the recall of the whole board.

And the same process will happen. And we'll need to do one as long as budding elements of the model is on.

So in terms of process then the next step is that I will write our Working Party group and email that will set out these chunks of work and ask for volunteers to take on the leads for one or more bits of work.

And we will not set up a new design team email list or anything but we'll adopt the process we did before that people will work together to develop content for the working parties to review.

And the first outcome of that might be that the AOC Steve might do a little bit more work on that and circulate it for review.

And then what we need to do with our Working Party 1 calls is we'll need to schedule a few of those.

And I apologize in advance that they will be at weird hours probably and there'll be too many of them in the next couple of weeks because we've got to provide times to do exactly what (unintelligible) and others are calling for and it's required (unintelligible) substance here.

And so just be prepared for a number of calls that we'll try to do at different times. So we'll try and do some around the clock so that people can have better or worse times for calls.

And we'll make sure that nothing is decided on a single call. So - and the order that will make the substance of these things is really important that we rely upon the work that the volunteers do. So when material is ready to be discussed we'll discuss it. If it isn't ready obviously we can't do it.

So in closing I'd like to just say that as we do all of this work we need to -- I'm sorry I'm just going to respond to one thing that's in the chat from (Matthew)'s is there any prioritization given the upcoming face to face?

It seems to me that we should prioritize any more difficult issues for early discussion. So I'd like to suggest that people volunteer most quickly versus what I think are going to be tricky or difficult and do the work as quickly as they can.

Steve you've got a - to put a (Matthew)'s question as well? Please go ahead.

Steve DelBianco: On the prioritization if any of our community powers actually cared about whether we were a member, designator or something else if any of them actually depend upon that then maybe prioritize to quickly get them up and surfaced.

I don't think they do. So I would agree with your answer that it's probably not necessary to prioritize all the community powers.

But a quick pass through each of them would reveal whether there's a tight dependency to whether the structure of the model is member or designator that's all.

Jordan Carter: Yes. Thanks yes. No we want to make these powers absolutely independent of that so that the drafting can stand. And the model part will just stand up in a different part of the final report. And Alan quick question?

Alan Greenberg: Yes. Just for clarity which mailing list are we using for these discussions the WP1 list or something else?

Jordan Carter: WP1. Yes I would much rather we keep the same email list and take the same approach to just avoid (unintelligible) email list and so on.

It might be a bit high in terms of bandwidth of the throughput for the next little while but that's just the reality I would say.

Alan Greenberg: Well was not (unintelligible). Just wanted to make sure I'm on the right list.

Jordan Carter: You are. Yes no definitely a WP1 list is the one to be on.

Alan Greenberg: Then I need to get on it. Thank you.

Jordan Carter: Okay great. Oh yes if you're not on it please, please do join. So thank you everyone. I don't know about you but I certainly found that helpful in exploring the approach that we're going to take to dealing with this work.

It's 10:00 AM here in Wellington. By 2:00 PM so for about an hour you'll have my email out to the WP1 list for the chunks of work I think we need to do.

Please review it as soon as you can up to that point and add in any other bits of work. And then it's down to people who want to volunteer to start doing the work and also that what needs to be done again in the dock as well.

And I'll work with the staff to propose a schedule probably - unfortunately about five calls between now and 14 July freeze where we will work through in substance all of the issues that need to be dealt with so on that note thank you everyone for attending. And we'll draw this call to a close. Cheers.

END