DRAFT ALAC Response to: The Independent Review of the ICANN At-Large Community - Draft Report for Public Comment

v06 – 22 February 2017

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1. Introduction

The ALAC appreciates the commitment of the Review Team and the factoring in of the comments provided by the WP and community to the first draft report resulting in this version…..

2. Recommendations

Recommendation 1: At-Large Members from each region should be encouraged, and where possible funded, to participate in Internet governance / policy-related conferences / events (IGF, RIR ISOC) in their region, and to use these events as opportunities proactively to raise awareness among end- users about the At-Large and the opportunities to engage in ICANN-related activities.

ALAC Response: The ALAC supports this recommendation and notes that this is effectively today's status quo, although "where possible funded" is not often the case. Other than CROPP funding which is extremely limited, if "outreach" is listed as a motivation for other funding, the likelihood of the funding being approved decreases markedly. Note that this notwithstanding, we do on occasion hold events in parallel with such other Internet Governance events – See response to recommendation 11.

34 **Recommendation 2: At-Large should be more judicious in selecting the amount of advice it**
35 **seeks to offer, focussing upon quality rather than quantity.**
36
37 <u>**ALAC Response:**</u> The ALAC supports this recommendation and notes that it is the status quo. Records
38 over the last five years demonstrate this.
39

	2012	2013	2014	2015	2016
ICANN Public Comments	62	59	53	51	46
ALAC Responses	35	32	28	20	16
% Responded	56%	54%	53%	39%	35%

40
41 A small proportion are just "good work" or "we support" – places where we felt such a nominal
42 response was advisable but the issue did not warrant any substantive effort on the part of At-Large.
43 These statements are nonetheless included in the count of ALAC Responses.

44 Advice to the Board is a very small part of the overall comments. In the past three years, only X such
45 statements were made. At some level, the need to submit advice to the Board is an indication of failure
46 in that it is far more preferable to influence the policy recommendation of other decisions before they
47 come to the Board than to advise the Board after the fact, at a time when it may have little latitude to
48 alter the outcome.

49 **Recommendation 3: At-Large should encourage greater direct participation by At-Large**
50 **Members (ALMs) in ICANN WGs by adopting our proposed Empowered Membership Model.**
51
52 <u>**ALAC Response:**</u> The ALAC supports the analysis indicating that we would like and in fact need more
53 participation from the periphery of At-Large. Moreover, this was clearly stated to the Review Team. The
54 issue has been the subject of an ongoing Task Force within At-Large over the last year (one of the
55 frowned-upon inward-looking activities). It is unfortunate that the Review Team was aware of this effort
56 and chose not to mention that it was ongoing and was at the stage where a framework for addressing
57 the issue was adopted by the ALAC in Hyderabad, well before the issuance of this report.
58
59 The ALAC strongly disagrees with the proposed recommendation, not because, as characterized in the
60 report, we are defending our privileged positions and afraid of any change, but rather because the
61 proposal has a number of apparent critical flaws that the Review Team were asked to address and have
62 chosen not to.
63
64 Some of these will be addressed later in this comment, but the most important one is that there is no
65 explanation of why, the announcement of the Empowered Membership Model (EMM) will result in
66 greater participation. The EMM is roughly equivalent to the Individual Member class of participation in

67   three of the five RALOs. The only substantive difference is that upon successfully completing and initial

68   period (with no methodology presented for judging completion), Empowered Members will have the

69   right to vote for leaders or on other actions, should a vote ever be initiated.

70

71   No evidence is presented as to why the vote-empowered membership will be orders of magnitude more

72   attractive to users world-wide, or why the ongoing potential to vote will encourage people to actively

73   participate in what has been acknowledged as a complex, and time-intensive space. Moreover, many of

74   these users are not fluent in English which is the language used for most of these activities and no

75   proposal is presented on how that might be overcome.

76

77   As noted, this document will return to these questions when addressing other Recommendations and

78   Implementations.

79

80   **Recommendation 4: At-Large Support Staff should be more actively involved in ALM**

81   **engagement in policy work for the ALAC, drafting position papers and other policy related**

82   **work.**

83

84   **ALAC Response:** The ALAC agrees with the recommendation. In fact, the ALAC has started doing this

85   over the last year. Utilizing the relatively limited resources available, an ICANN At-Large Staff member

86   has edited and "cleaned up" documents drafted by volunteers and in several cases have created the

87   initial draft based on instructions from community members. Similarly, but on a larger scale, staff will be

88   the main content creators of the planned regular messages outlining policy activity to be sent to

89   individual and ALS members. This is of course dependent on ICANN management making the

90   appropriate resources available, as volunteers have no direct control, but we are optimistic that this will

91   be done.

92

93   **Recommendation 5: At-Large should redouble efforts to contribute to meetings between**

94   **ICANN Senior Staff and Executives, ISOC (and other international I* organisations) to engage**

95   **in joint strategic planning for cooperative outreach.**

96

97   **ALAC Response:** As desirable as such an approach sounds, it is not known to At-Large when and where

98   ICANN Senior Staff and Executives, ISOC (and other international I* organizations) meet, and although

99   At-Large leadership would be delighted to participate in such events, they are not typically invited.

100   Certainly at the last know enclave of these organizations, At-Large did not have a presence.

101   The lack of participation at the ICANN executive level does not inhibit cooperation with other

102   organizations at the ALAC and RALO level. For an example, see response to recommendation 11.

Recommendation 6: Selection of seat 15 on ICANN Board of Directors. Simplify the selection of the At-Large Director. Candidates to self-nominate. NomCom vets nominees to produce a slate of qualified candidates from which the successful candidate is chosen by random selection.

ALAC Response: The ALAC rejects this recommendation. There is no question that the process followed by the At-Large Community (ALC) to select the occupant of Board seat 15 is more complex than the processes used by the Supporting Organizations for their selections. However, it is patterned closely on the process used by the Nominating Committee to select their directors. Moreover, this process was arrived at after an extensive bottom-up design process. The process has been modified several times using ALAC RoP amendment procedures, and it may well be modified again in the future. Perhaps it will even be simplified, if that is the will of the community. It is the position of the ALAC that neither the At-Large Independent Reviewer nor the Board Organizational Effectiveness Committee nor the ICANN Board itself has the standing to instruct the At-Large Community how to select its Director. In fact, since any such instruction would ultimately come from the Board, it would be in a very clear conflict of interest if it were to do so.

The concept that the "Director nominated by the At-Large Community" (a quote from the ICANN Bylaws) should be partially selected by the Nominating Committee and then by random selection cannot be taken seriously.

For the record, the ALC process does include an option of random selection if all else fails, but in that case, it is a random selection between two candidates that have already received strong support from the ALC either through the Board Candidate Evaluation Committee (made up of members of the ALC – excluding the ALAC) and possible one or more field-narrowing votes.

The other alternative suggested by the Review Team (but not recommended) is to revert to a selection process akin to the 2000 At-Large Board selection process. This is a process explicitly rejected by the bottom-up group that designed the current process and was rejected by the ICANN Board when ICANN was re-designed in 2002. It is not the place of an external reviewer to override these processes. Should the overall community one day decide to follow that process, it will do so without being compelled to do so.

Recommendation 7: At-Large should abandon existing internal Working Groups and discourage their creation in the future, as they are a distraction from the actual policy advice role of At-Large.

ALAC Response: The ALAC rejects this recommendation. Working Groups (WGs), under a number of names, are the core way that ICANN and its constituent parts come to agreement and makes decisions. The ALAC has WG for a number of reasons, and strongly defends its right to do so.

143   The uses of WGs include:

144   <u>Policy Related:</u> These groups are used to build policy recommendations and advice, merging and
145   melding differing opinions and ensuring that all parties can contribute and that the final statements are
146   supported by the ALAC and the RALOs which appoint 10 of the 15 ALAC Members. Such groups have
147   been critical to the ALACs ability to very effectively contribute to the New gTLD Process, the IANA
148   Stewardship Transition Plan, and the new Accountability measures. These groups are generally open to
149   all participants in At-Large. The Public Interest WG is the newest such group, which will be working to
150   support ICANN-wide efforts attempting to understand the meaning and implications of the public
151   interest in ICANN's context.

152   <u>Administrative Tasks:</u> These WGs, which may be convened at special times or are standing, carry out
153   tasks on behalf of the ALAC, at times referring issues aback to the ALAC, and at other times charged with
154   making decisions on behalf of the ALAC. In most cases, these groups include (or are restricted to)
155   appointees from RALOs so that critical decisions are not restricted to "the usual gang of suspects".
156   Often, these RALO appointees are relatively new to At-Large and this constitutes one of the stepping
157   stones into leadership positions (both for them to get experience, and to be judged). Tasks include:
158   triage of volunteers to a variety of positions within the ALAC or other groups within ICANN that we are
159   required to appoint people to or endorse them for; advice and decisions on ICANN special budget
160   requests; advice and decisions on CROPP requests; deliberation and advice on outreach; deliberation
161   and development of capacity building programs.

162   <u>Environment Enhancement:</u> As the reviewers have noticed, there are many tools available from which
163   we can choose to do our work. Recommendation 10 suggests one such example and Recommendation 8
164   suggests others. In a bottom-up organization, we cannot have a "Tool Czar" simply passing down edicts
165   of what we should do. We have WG which address such needs including: Tools (such as messaging and
166   conference), translation, captioning; Social Media, Accessibility (ensuring that those with disabilities can
167   participate equitable). Several of these have been sufficiently successful that they have, or are in the
168   process of, transitioning to ICANN-wide projects (ICANN Academy, Accessibility, Captioning).

169   **Recommendation 8: At-Large should use social media much more effectively to gather end**
170   **user opinions (Twitter poll/Facebook polls, etc).**

171

172   The ALAC supports this recommendation and already has a Social Media Task Force that is developing
173   such uses of Social Media (one of the inward-looking WGs that are recommended to be abolished).

174   **Recommendation 9: At-Large should consider the appointment of a part time Web**
175   **Community Manager position. This member of the support staff could either be recruited, or**
176   **a member of the current staff could be specially trained.**

177

178   The ALAC supports the intent of this recommendation. We note that it is beyond the scope of the At-
179   Large volunteer community to take such action.

180

181   However, there are some aspects of the analysis for this recommendation that need clarification.

182 • There is an implication that we need ICANN needs to hire staff in lieu of volunteers working on
183   the web site. ALL support of the site is performed by ICANN employees. Broken links also fall
184   under ICANN staff.
185 • The quote from the GNSO participant is slightly misleading in that it says there is a search issue
186   with "most" ICANN sites. In fact, it is virtually universal, and a well-known problem. The worst
187   example is the GNSO web site and Wiki where it is virtually impossible to track the history of
188   policy development in most cases. ICANN hired a professional librarian to start addressing this
189   issue a year ago, but sadly that person has now left and we are starting over again.

190 **Recommendation 10: Consider the adoption and use of a Slack-like online communication**
191 **platform. An instant messaging-cum-team workspace (FOSS) alternative to Skype/Wiki/**
192 **website/mailing list.**
193

194 **ALAC Response:** The ALAC supports the intent of this recommendation. We note however that we are
195 subject to a number of constraints.
196 • At-Large cannot unilaterally start using tools that are not supported by ICANN. We cannot
197   depend on volunteer technical support and so must rely on ICANN IT, which adds an additional
198   level of vetting and bureaucracy.
199 • We have community members all around the world, some with very low and/or very expensive
200   bandwidth (and ICANN will not subsidize such access for volunteers). Often ONLY the older tools
201   will function effectively or cost-effectively.
202 • We have community members in locations where their national governments block access to
203   certain services and tools.

204 **Recommendation 11: At-Large should replace 5-yearly global ATLAS meetings with an**
205 **alternative model of annual regional At-Large Meetings.**
206

207 **ALAC Response:** The ALAC accepts this recommendation is a modified form. Specifically to augment the
208 5-year global ATLAS meetings with regional meetings – General Assemblies (GA) interspersed between
209 the ATLAS meetings. This is the status quo.
210

211 The Review Team seems to have misunderstood the methodology associated with the 5-Year Global
212 ATLAS meetings. These are not the only gatherings that we host. In between such global meetings, we
213 also have regional meetings of exactly the form that the Review Team is recommending. After doing this
214 on an ad hoc basis for the last eight years, ICANN has recently agreed to formalize the process and
215 integrate it into its normal planning and budgeting process. The proposal can be found at
216 http://tinyurl.com/At-Large-GS-Summit.
217

218 The regional meetings are not necessarily held during the "C" meeting (that term is no longer used,
219 replaced by the original Annual General Meeting). The exact scheduling of a General Assembly (or Atlas)
220 depends on many variables: type of meeting; venue capabilities and cost; other ICANN events planned
221 (such as GAC high-level ministerial meeting) and availability of volunteers and staff to plan the event. At
222 times, a GA may be held in parallel with a non-ICANN even. The upcoming NARALO GA will be held in
223 conjunction with an ARIN meeting.

224

Recommendation 12: As part of its strategy for regional outreach and engagement, At-Large should put a high priority on the organisation of regional events. The five RALOs should, as part of their annual outreach strategies, continue to partner with well-established regional events involved in the Internet Governance ecosystem. CROPP and other funding mechanisms should be provided to support the costs of organisation and participation of At-Large members.

ALAC Response: The ALAC supports this recommendation. As the use of the word "continue" implies, this is already an ongoing practice and subject to ICANN funding, it will continue and hopefully grow.

Recommendation 13: Working closely with ICANN's Regional Hubs and regional ISOC headquarters, At-Large should reinforce its global outreach and engagement strategy with a view to encouraging the organisation of Internet Governance Schools in connection with each At-Large regional gathering.

ALAC Response:

Notes:
- Only two regional Hubs
- APAC Hub very supportive of APRALO
- Is there any RALO cooperation with the EMEA Hub in Istanbul?
- I am not aware of cooperation between LA Head Office and NARALO other than through Heidi in her normal support of At-Large
- We do support the concept of IGS, but unclear to what extent we could do more within ICANN's mission.

Recommendation 14: In the interests of transparency, all At-Large travel funding should be published as a "one stop shop" contribution to the At-Large webpage.

ALAC Response: Although the decision to make such information available is out of scope for the ALAC, The ALAC supports this with the understanding that a similar policy being applied for the entire organization including the SOs and the Board (some Board cumulative numbers are published but with little granularity) and staff. ICANN regularly publishes the travel costs for ICANN meetings and events directly associated with them, but not for other activities (excluding the Board and staff). Staff costs are published only to the extent that they are required for senior executives under US tax law. Recently, in order to discover the costs of the annual GNSO Non-Contracted House Intersessional meetings, a formal Documentary Information Disclosure Policy request had to be filed (https://www.icann.org/resources/pages/didp-20160211-1-rrsg-request-2016-03-14-en).

263 **Recommendation 15: At-Large should be involved in the Cross-Community Working Group**
264 **on new gTLD Auction Proceeds and initiate discussions with the ICANN Board of Directors**
265 **with a view gaining access to these funds in support of the At-Large Community.**
266
267 **ALAC Response:** The ALAC supports the first part of this recommendation that we be involved with the
268 CCWG Auction Proceeds. In fact, the Vice-Chair of the CCWG Charter Drafting Team was from the ALAC
269 and the ALAC is one of the Chartering Organizations, so we could not avoid being involved. As a
270 Chartering Organization, the ALAC is required contribute Members to the CCWG and will be called upon
271 to ratify any recommendation that arise out of the CCWG.
272
273 The CCWG will be deciding on the methodology and structure associated with disbursing funds, which
274 will only happen after the CCWG completes its work. The CCWG is not the place to request funds for
275 specific projects or activities. One of the issues that will be discussed is whether ICANN and its
276 constituent bodies could ultimately apply for any of the funds. If any At-Large people participate in the
277 CCWG with the explicit intent of planning to later request funding for the At-Large Community, we
278 would have to explicitly declare that and as such would not be able to equitably participate in
279 discussions related to this core issue.
280
281 Once the CCWG completes its deliberations, and presuming the Chartering Organizations largely ratify
282 the outcomes, the Board will then consider the recommendations. It is envisioned that if the Board
283 approves, some sort of organization will be created or contracted with to consider projects and do the
284 actual disbursement.
285
286 The Review Team has been misinformed if it believes that the Board is empowered to enter into any
287 such discussions at this time.
288
289 Moreover, although one can envision all manner of good projects that could be funded, it is not clear
290 that actually funding operational expenses of At-Large are among them, and in fact there is already
291 considerable opposition to doing this, both within At-Large and the rest of ICANN.
292
293
294 **Recommendation 16: Adopt a set of metrics that are consistent for the entire At-Large**
295 **Community to measure the implementation and impact of the EMM and track the continuous**
296 **improvement of the At-Large Community.**
297
298 **ALAC Response:** As noted elsewhere, the ALAC does not support implementation of the EMM. However,
299 the ALAC does support the establishment of metrics to track performance and improvement of the At-
300 Large Community. In fact, we have a Metrics WG (one of the groups to be abolished) that has just that
301 responsibility. It is currently on hold pending the completion of the ALS and RALO Criteria and
302 Expectations group.
303

3. Recommendation Made Through Omission

Maintain the single voting Board member by At-Large.

ALAC Response: The report presents a number of pro and con arguments for an additional At-Large Director. The arguments against such a move were:

1. The ALAC has significant - and sufficient - power with one voting seat. "Sufficient is clearly a judgement call and not a rational argument.
2. The ALAC has more voting power than the GAC, the RSSAC or the SSAC. The Bylaws forbid government representatives from sitting as voting Board members, so the GAC is not even a question. The RSSAC and SSAC have made it clear through their decision not to participate in the Empowered Community that they wish to stay purely advisory. We note that the other ACs have always been in a different position relative to the ALAC in that they have only non-voting Liaisons to the NomCom.
3. An increase would not sit well with other (competing parts of ICANN). This is intuitively obvious and not a reason to not take action. Those same groups did not want the ALAC or the GAC to participate in the Empowered Community, preserving all the power for themselves.
4. At-Large has 5 delegates on the NomCom, so does not need a 2nd Director. We note that the GNSO has 2 voting Directors and 7 delegates on the NomCom.

4. Comments on EMM Implementation Guidelines

Implementation # 1: Adopt the Empowered Membership Model (EMM) as proposed to bring a greater number of end users directly into ICANN policy making processes, and or engaged in At- Large outreach activities (Section 11).

Implementation # 2: Engage more end users directly in ICANN Working Groups by adopting the Empowered Membership Model described in this document (See Section 11).

Implementation # 3: Adopt the Empowered Membership Model described in this document to engage more end users directly in ICANN work. (Section 11).

ALAC Response: It is unclear what the mechanism is by which users will become informed of the EMM, what it is that will motivate them to begin spending significant time and effort to participate in ICANN policy issues (including learning the vernacular, getting up to speed on the issues in question and expending significant time on a regular basis). The presence of a vote seems to be a critical part of this, since it is that which differentiates the EMM from the individual unaffiliated members that three of the five RALOs have, and the other two are committed to allow. But this vote is only allotted after (and presumably continuing) demonstration of active participation. It is unclear who judges such participation and how this is done – this is an issue that At-Large has been grappling with for years and is not a minor implementation issue. If a possible vote is the critical issue in motivating people, one has to question their overall commitment.

Implementation # 4: In the Empowered Membership Model individual users will be encouraged to participate in At-Large. Within this context there should be scope for further cooperation with the NCSG (Section 12).

ALAC Response: What is the connection between participation in At-Large and cooperation with NCSG. Typically new people involved in ICANN want to select their "home" and sadly due to the nature of few NCSG leaders, those who select NCSG often become "poisoned" and have little interest in cooperation with At-Large. That being said, the ALAC is always interested in cooperating with other parts of ICANN and does so regularly with most other groups and is currently planning a cooperative outreach event with NCSG to be held in Copenhagen.

Implementation # 5: Any individual from any region should be allowed to become an "At-Large Member" (ALM). The ALM is what the Empowered Membership Model identifies as the atomic element of the new At-Large model (Section 11).

ALAC Response: This is the status quo for three of the five regions and will be the case for all regions, regardless of implementation of the EMM. Some regions do have concerns that they may need to place some restrictions to ensure that users support the principles of At-Large and do not use the At-Large persona to campaign for anti-user issues.

Implementation # 6: Adopt the Empowered Membership Model which changes the function of RALOs so that they are primarily an outreach and mentoring mechanism for engaging new entrants (Section 11)

ALAC Response: That is in fact the major focus of RALOs today. Many within At-Large find this problematic in that the RALOs have not explicitly focused on Policy issues. Since RALOs do not currently have a policy focus, their mentoring tends to not be in that area.

Implementation # 7: As part of the Empowered Membership Model, elected RALO representatives become ALAC Members who not only deliberate on advice to the Board but also serve as mentors to newcomers to At-Large. (Section 11)

ALAC Response: Workload is already a major issue within At-Large and particularly for RALO leaders and ALAC Members. Although a small number of people put a vast number of hours into At-Large and ICANN matters, asking all such volunteers to do so is problematic. Moreover, if outreach is a prime focus of RALOSs as implied by Implementation 6, these are not the optimal people to place on the ALAC and then debate policy issues.

Implementation # 8: The ALAC Members should have a maximum of (2) terms, each of a 2-year duration.(see Section 11).

ALAC Response: Term limits are reasonable, but it is less clear that two terms is optimal. One RALO currently has a shorter limit, and others may feel that in critical times, the limit should be able to be overridden. It is important to realize that in the entire history of the modern ALAC (after the Interim

383 ALAC appointed by the Board), there have been 65 RALO and NomCom appointed ALAC members and
384 only five of them have served for more than two consecutive terms (and two of those only exceeded the
385 two-term point after the last AGM.

386 **Implementation # 14: The proposed Empowered Membership Model (Section 11) conflates**
387 **many of these roles and consequently frees up travel slots for new voices. For example the 5**
388 **RALOS are now part of the 15 ALAC Member list and 5 Liaison roles are also taken by**
389 **NomCom appointed ALAC Members, leaving 2 for the Council of Elders and up to 10 slots for**
390 **Rapporteurs for CCWGs and regular WGs (to be decided openly and transparently).**
391
392 **ALAC Response:** The ALAC does not support much of this Implementation Guideline. Specific issues will
393 be more fully addressed in section 6 of this document.

394

5. Methodology

396

Reliance on Comments
398 The Review relies heavily of comments provided during interviews and in surveys, many of them very
399 negative. There is no doubt that the existence of such comments is both relevant and important, but
400 that does not imply that the "facts" cited are correct.

401 In the first draft of the report there were many comments on the lack of turnover of workers in At-
402 Large. The ALAC provided significant detailed records (largely gleaned from public sources) to
403 demonstrate that this was not the case, and the second draft had fewer such comments in evidence,
404 although it did not alter the basic conclusions. But still such comments were included in this draft and
405 seemingly presumed to be factual. As an example, in section 4.3.4, one finds

406   *"More candidates? I can only think of a handful of people associated with At-Large Leadership*
407   *over the ten plus years I've followed ICANN." (NCSG Participant)"*

408 There is no doubt that the commenter could only think of a half dozen or so, but the actual statistics
409 give a somewhat different picture. In the last ten years (2007-20016), there have been:

410   • 17 people in ALAC Leadership positions
411   • 5 ALAC Chairs (2 for short periods due to illness and the transition from the Interim ALAC to
412   current Form)
413   • 41 people in RALO Leadership positions
414   • 23 RALO Chairs (or equivalent)

415 During this same period, the GAC has had 3 Chairs, ccNSO 3, SSAC 2 and GNSO 6.

416 It is unclear why the ALAC had to devote the volunteer time to refute such comments. Many other
417 comments are equally slanted even if not as easy to disprove analytically.

Lack of connection between Conclusions and Recommendations

418 Many (but not all) of the conclusions reached in analyzing At-Large are correct. This is not particularly

419 surprising because the ALAC and its leaders have spent significant time understanding what is working

420 and what it not working in At-Large (part of the inward focus for which we are criticized) and we were

421 very open with the Review Team when they started their work. However, as noted in the comments to

422 the Recommendations and Implementations, there is little connection between the problem identified

423 and the solution. No rational is given why the problem will go away. This is particularly true for the core

424 concept of the Recommendations, the Empowered Membership Model (EMM).The problem is that we

425 have great difficulty getting people on the periphery of At-Large to learn about the policy issues and

426 commit significant time to ICANN (often during their working hours), perhaps overcoming significant

427 language problems in the process. ITEMS presumes that with the fancy new name[1], and the ability to

428 vote in occasional elections (for those RALOs that have elections), dedicated users will magically flock to

429 us. This is akin to the movie Field of Dreams – if we build a baseball stadium in the middle of nowhere,

430 long-dead baseball players will arrive to play and people will flock there to watch them, not even

431 knowing why they are arriving. But that was fantasy movie and we need more solid logic here. The

432 report does recommend a number of distinct outreach mechanisms with the aim of attracting more new

433 participants. Unfortunately, in virtually all cases, At-Large already uses theose mechanisms to the

434 maximum that our funding allows.

Survey has design problems and results interpretation problematic

437 Parts of the survey were poorly designed and the result interpretation questionable.

438 As an example, one of the questions asked: *In your opinion which of the following statements most*

439 *accurately describes the role played by the At-Large Community within ICANN?* There were a number of

440 options, but respondents could pick only one. Among them:

441 • ALSes act in their own interest, a basically accurate statement. Each ALS is an organization that

442 exists largely for purposes other than ICANN and looks at issues from its own perspective. In

443 theory, if we can gather enough of these individual positions, together they do indeed represent

444 the needs of the global end user.

445 • ALSes and individuals can engage in ICANN policy processes; a true statement, unless you

446 interpret it as they cannot due to the steep learning curve and time commitment involved.

447 • At-Large allows users to participate on an equal and non-discrininatory fashion. True in theory,

448 quite false in practice.

449 Several of the choices were correct to varying degrees, and several could be the selected answer but for

450 completely different reasons. It is not surprising that answers were all over the place and were subject

451 to varying interpretations by the Review Team.

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[1] The EMPOWERED Membership Model name is clearly borrowed from the new ICANN Bylaw construct the
Empowered Community (EC). However the Members in the EMM have no powers akin to those of the EC, and
certainly the ALAC EC powers are not being transferred to them. ITEMS was advised thatusing this name would
only cause confusion or concern in other partsof ICANN, where there was strong belief that LAC should not be part
of the EC, but they decided to keep the name.

452 Another question asked how many ALSes were active in ccNSO and GNSO policy processes. The results
453 were 39% and 31% respectively. It is difficult to guage how many this reall is, since we were not told
454 how many ALSes responded to the question. However, if the number is very small, the data is
455 meaningless, and if the number is substantial, the results are not believable – we have accurate
456 numbers of people claiming to be with At-Large are active in GNSO PDPs, and the number is small
457 indeed. And the ccNSO has very limited PDP activity and the At-Large participants are well documents
458 and minimal.

459 As noted above, although are told that there were 242 surveys completed, all of the rest of the statistics
460 presented are percentages of specific groups, but with no information of the group sizes.

461 In a similary vein, reports such as this typicallt list the people interviewed and their affiliation. This
462 report is totally silent on this with the exception of several Tweets that are displayed verbatim, and not
463 unlike other Tweets we are familiar with recently, not accurate.

Focus on events at the time of the Review
465 It is perhaps natural that the Review Team focused on what they saw at the various events they
466 attended, but they did not seem to grasp that the previous two years in ICANN were very atypical, and
467 the focus of much of the organization has been on the IANA Stewardship Transition and ICANN
468 Accountability. At-Large and the ALAC invested VERY heavily in these processes, to the clear detriment
469 of many other activities. The ITEMS team arrived at the tail end of this and seem to believe that what
470 they saw was the norm. In reality much of the "regular" policy work of ICANN has largely been on hold
471 for close to two years, and the work of At-Large along with it. There is virtually no mention in the report
472 of the significant accomplishments of At-Large during these efforts.

6. Non-Recommendation Suggestions

474 The report include a number of very specific suggestions that do not surface as formal
475 recommendations, but are referenced in the Implementation Guidelines. They warrant comment
476 because in the minds of many within the ALAC and At-Large, they are extremely misguided and
477 demonstrate a lack of understanding of our environment.

478 Conflation of RALO Leaders and ALAC Members: To be written

479 ALM "activity" certification: To be written

480 Rapporteurs: To be written

481 Liaisons: To be written

482 Council of Elders: To be written

483 ALM Meeting funding criteria: To be written

7. Analysis of Prior Review Recommendation

485 To be written

8. The issue of Volunteer Turnover

To be written