

From: iot-bounces@icann.org [<mailto:iot-bounces@icann.org>] On Behalf Of avri doria
Sent: Friday, September 01, 2017 12:54 PM
To: iot@icann.org
Subject: [EXTERNAL] Re: [IOT] Ongoing Monitoring issue - suggested First Reading

Hi,

Not die-in-the-ditch moment for me, but you switched responsibility for the review to the ATRT from "In cooperation with a review team chosen by the Supporting Organizations and Advisory Committees and comprised of members of the global Internet community, the IRP shall periodically review its ROP. While one could argue that the ATRT is chosen by the SOAC and include members of the extend community, it excludes//the IRT itself in the review of the ROP/

/

This seems a larger change given peoples concern's about ATRT overload and departure from a cooperative process with the members of the panel. //

/avri

/

On 01-Sep-17 10:39, McAuley, David via IOT wrote:

Dear members of the IRP IOT:

This email is intended to accomplish the *First Reading* of the *Other - Ongoing Monitoring* issue - thanks to Avri for taking the lead on moving this forward.

You can see Avri's August 17th email relating to this here <http://mm.icann.org/pipermail/iot/2017-August/000294.html>, with a link to the draft response and suggestion. After background information, Avri's draft recommendation starts near the bottom of page 2 and says this (ROP = Rules of Procedure):

* /After the IOT finishes its current work items it terminates as implied in current section 4.3///

//

* /Section 4.3 (n) needs to be amended once the ROP is approved to remove section i.///

//

* /Add to Section 4.4 on reviews:///

//

/c) In cooperation with a review team chosen by the Supporting Organizations and Advisory Committees and comprised of members of the global Internet community, the IRP shall periodically review its ROP.

/

//

/This periodic review shall be conducted no less frequently than every five years, based on feasibility as determined by the Board. Each five-year cycle will be computed from the moment of the reception by the Board of the final report from the previous ROP review.///

This email is an attempt to establish an acceptable final proposal. Keep in mind that the final language we adopt will be our instructions to Sidley as to how to amend the applicable rule - our language will not be the actual rule itself.

Below I am proposing that we adopt Avri's approach with a few modifications by me - so it is not quite the exact same language as quoted above.

The reasons for the changes I have made are:

- * It seems that Bylaw Section 4.3(n) should be amended after the IOT is terminated rather than after the Rules of Procedure are finalized - we (the IOT) have some other duties under 4.3(j) and 4.3(q) that could end after the ROP are done.
- * I suggest the periodic review of IRP not be done under Bylaw Section 4.4 but rather be done under 4.6(b)(ii)(F) - which already provides for such a review (an ATRT review) - the only change I suggest in the latter is that the periodic review be mandatory, not discretionary (4.6(b)(ii) currently makes it discretionary).

HERE IS MY PROPOSAL, BASED ON AVRI'S BUT WITH A FEW CHANGES:

- * /After the IOT finishes its current work items it terminates as implied in current section 4.3;///
//
- * /Section 4.3 (n) needs to be amended to remove section (i) once the IOT is terminated;///
//
- * /The review of the IRP under Bylaw Section 4.6(b)(ii)(F) shall be made mandatory rather than discretionary.///
//

The aim is to *confirm first reading* at our next meeting, Thursday, September 7, at 19:00 UTC. *Second reading* should then be a largely pro forma exercise at our subsequent meeting on September 21st at 19:00 UTC.

If you object or propose different treatment please say so on list as soon as possible prior to September 7th and *be specific and suggest

specific alternative language. *

Best regards,

David

David McAuley

Sr International Policy & Business Development Manager

Verisign Inc.

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