

# IANA CWG Meeting #71 (19 November @ 17:00 UTC)

## Attendees:

**Members:** Avri Doria, Cheryl Langdon-Orr, Eduardo Diaz, Elise Lindeberg, Graeme Bunton, Greg Shatan, Jonathan Robinson, Olivier Crepin-LeBlond, Paul Kane, Seun Ojedeji (10)

**Participants:** Alan Greenberg, Alissa Cooper, Alan MacGillivray, Andrew Sullivan, Christopher Wilkinson, Gary Hunt, Greg DiBiase, Konstantinos Komaitis, Mark Carvell, Martin Boyle, Matthew Shears, Milton Mueller (12)

**Legal Counsel:** Amy Greeley, Holly Gregory, Rebecca Grapsas, Sharon Flanagan (4)

**Staff:** Akram Atallah, Berry Cobb, Bart Boswinkel, Brenda Brewer, David Conrad, Grace Abuhamad, Marika Konings, Samantha Eisner, Theresa Swinehart, Trang Nguyen, Xavier Calvez

**Apologies:** Jaap Akkerhuis, Lise Fuhr, Donna Austin

*\*\*Please let Brenda know if your name has been left off the list (attendees or apologies).\*\**

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## Agenda

1. Opening Remarks
  - Letter to Chartering Organizations
2. Implementation
  - Update from ICANN Staff - Akram/Trang
  - DT-A (SLEs) - Akram/Trang
  - DT-IPR (IANA IPR) - Greg
  - DT-O (Budget) - Xavier
3. Bylaws
  - Introduction and overview of Sidley's draft
  - Responding to questions for the CWG
  - Feed into CCWG once complete
4. CCWG & ICG
  - Update from Chairs' Coordination Call
  - Process for sign-off on dependencies
  - Separation process
5. AOB
6. Closing Remarks

## Notes

### 1. Opening Remarks

- Letter to chartering organizations: see <http://mm.icann.org/pipermail/cwg-stewardship/2015-November/004487.html>.
- No response yet from Chartering Orgs

### 2. Implementation

*Update from ICANN Staff (Akram/ Trang)*

- ICANN implementation staff will be a regular feature of the CWG-Stewardship bi-weekly calls moving forward.
- Still in discussion with Verisign on RZM Agreement.
- Team is still assessing the CWG and ICG proposals but has a process that they will share following this update.
- With regard to escalation mechanisms, there is a dependency with the remedial procedures. Plan to discuss this on next call.
- For the last three items, there is no update yet.
- Starting SLE implementation planning now (in November)

**Action (Trang):** include dates or target dates to the presentation to assist the CWG-Stewardship in understanding the timeline expectations.

**Action (Trang):** on implementation process, better show the iterative process of the comments from OCs. Envisioned as a conversation.

*DT-A (SLEs) (Akram/ Trang)*

- Making progress on SLEs -- looking for resource to parse existing data.

- Working to extract the data from the logs and put it in a useable format -- answer to this expected in mid-december. Based on that, staff will be able to estimate the timeline to deliver the data.

*DT-IPR (IANA Intellectual Property) (Greg)*

- Group is drafting potential principles and requirements for the CWG (names community) to consider
- Need to be sure to take into account the requirements set out by the ICG and the other Operational Communities
- Timeline for the DT completion of the work?

**Action:** additional expertise for DT-IPR?

**Action:** capture a timeline of events

*DT-O (Budget) (Xavier)*

- Presenting a minimalist approach on PTI (timely and will minimize costs)
- Presenting the planning approach. The assumptions for FY17 planning need to be finalized by January so that they can be incorporated into the process in March

### 3. Bylaws

*Introduction and overview of Sidley's draft*

- This draft does not include the accountability mechanisms that the CCWG-Accountability is working on.
- PTI Governance - starts on page 3
- ICANN-PTI IANA Functions Contract - starts on page 8
- CSC - starts on page 10 (CSC Charter - page 15)
- IANA Problem Resolution Process - starts on page 31
- IFR - starts on page 33
- Special IFR - starts on page 47
- Separation Process - starts on page 52

*Process*

- Need to work through and highlight issues with draft
- Need to determine how much of the CWG needs to be protected in Bylaws and how
- Keep in full group, rather than a DT
- Staff to help extract "notes to CWG" and provide initial responses.
- Feed into CCWG-Accountability once complete

**Action:** Staff will take first pass to extract CWG notes and provide initial response. Staff will also take a pass at tidying loose ends.

### 4. CCWG & ICG

- Update from Chairs' Coordination Call
- Process for sign-off on dependencies
- Separation process

**Action:** Will write a briefing note to the group on item #4

### 5. AOB

n/a

### 6. Closing Remarks

Next meeting is in two weeks time.

## Action Items

- **Action (Trang): include dates or target dates to the presentation to assist the CWG-Stewardship in understanding the timeline expectations.**
- **Action (Trang): on implementation process, better show the iterative process of the comments from OCs. Envisioned as a conversation**
- **Action: additional expertise for DT-IPR?**
- **Action: capture a timeline of events**
- **Action: Staff will take first pass to extract CWG notes and provide initial response. Staff will also take a pass at tidying loose ends.**
- **Action: Will write a briefing note to the group on item #4**

## Documents

- **PDF:** [CWG Implementation Update\\_v2.pdf](#)
- **PDF:** [DT-IPR Draft of Potential Principles and Requirements.pdf](#)
- **PPT:** [FY17 Planning - DT-O - USG transition 151119.pptx](#) | **PDF:** [FY17 Planning - DT-O - USG transition 151119.pdf](#)
- **PDF:** [Draft Bylaws 7 November.pdf](#)

## Transcript

- [Transcript CWG #71\\_19 November 2015.docx](#)
- [Transcript CWG #71\\_19 November 2015.pdf](#)

## Recordings

- Adobe Connect recording is available here: <https://icann.adobeconnect.com/p2h10n8voj6/>
- MP3 recording is available here: <http://audio.icann.org/stewardship-transition/cwg-iana-19nov15-en.mp3>

## Chat Transcript

Brenda Brewer: (11/19/2015 10:31) Welcome all to CWG Stewardship Meeting #71 on 19 November 2015 @ 17:00 UTC!

Greg Shatan: (10:54) Hello, all!

Grace Abuhamad: (11:00) As a reminder, please mute your lines when not speaking

Jonathan Robinson: (11:04) We should commence in one minute

Matthew Shears: (11:04) hello

Grace Abuhamad: (11:09) Yes, I forwarded the letter to the CWG list on Monday 16 November

Grace Abuhamad: (11:09) It is also posted on the Wiki here: see <http://mm.icann.org/pipermail/cwg-stewardship/2015-November/004487.html>

Trang Nguyen: (11:09) Hello Jonathan and everyone

Matthew Shears: (11:09) good letter and appropriate role for CWG going forward

Trang Nguyen: (11:09) Trang, Akram and Xavier joined

Paul Kane: (11:18) Helpful - thanks

Matthew Shears: (11:20) + 1 identifying the dependencies

Paul Kane: (11:36) When will the historical data be available to SLE WG?

Paul Kane: (11:37) Mid Dec - we get the data?

Paul Kane: (11:38) ok

Paul Kane: (11:38) Thanks Akram - we are keen to do as much now ... Agree

Grace Abuhamad: (11:40) You can download the DT-IPR doc here: <https://community.icann.org/x/1LVYAw>

Mark Carvell GAC - UK Govt: (11:42) Hi Grace: is Trang's very helpful slide set available to download?

Grace Abuhamad: (11:42) We will upload it to the Wiki now and post the link. We'll create a new 'implementation' page for tracking these updates in the future as well.

Grace Abuhamad: (11:43) All-- the document is unsynced so that you can scroll through at your pace

Grace Abuhamad: (11:45) Also @Mark -- for more general implementation updates, there is a page on the ICANN website: <https://www.icann.org/stewardship-implementation>

Grace Abuhamad: (11:47) Brenda has reminded me that for the moment Trang's presentation is posted to the page for Meeting #71: <https://community.icann.org/x/RrdYAw>

Mark Carvell GAC - UK Govt: (11:59) Many thanks, Grace

andrew sullivan: (12:03) If I suggested it was Greg's personal view or that he was grinding any axe, I apologise -- that was not my intention.

Christopher Wilkinson (CW) 2: (12:04) Sound has gone.

Christopher Wilkinson (CW) 2: (12:04) Sound back on, but much echo on Greg.

andrew sullivan: (12:04) working for me -- local network conditions?

Brenda Brewer 2: (12:05) I do not hear echo CW

Grace Abuhamad: (12:05) @CW -- try reloading your Adobe room but exiting and re-entering

Greg Shatan: (12:07) @Andrew, thanks for the clarification. :-)

Greg Shatan: (12:07) Alan, we can work on the list as well, and I hope to have that "debate" on our next CWG call.

Greg Shatan: (12:08) @Jonathan, those are rather open ended alternatives.

Alan Greenberg: (12:08) @Greg. I guess the length of the list is a bit overwhelming.

andrew sullivan: (12:09) I've pointed out before that the IETF Trust does in fact handle trademarks, and has to enforce them

Cheryl Langdon-Orr - ALAC APRegional Member: (12:09) very hard to hear Cw

Gary Hunt - UK Government: (12:09) Can't hear the comments

Greg Shatan: (12:09) @Alan, some of that is the nature of work in progress, it will likely get shorter.

andrew sullivan: (12:09) there's a trademark on the IETF mark, and we have people come to us for permissions and have had to enforce against people who used it incorrectly

andrew sullivan: (12:09) I posted the details about this to the list some while ago

Alan Greenberg: (12:09) @Andrew, yes, I recall your explicit example of enforcement.

andrew sullivan: (12:09) I can dig it out again, if people can't find the posting

Greg Shatan: (12:10) @Andrew, it would definitely be helpful if you could disinter and recirculate those details.

Alan Greenberg: (12:10) Ultimately, if the IANA TM/domain name disappears, we could survive (we the names community).

Christopher Wilkinson (CW) 2: (12:13) @Alan: I do not speak only for the public interest in names. But all IANA functions.

Grace Abuhamad: (12:19) We will reload the PPT to try and fix the formatting

Grace Abuhamad: (12:19) Will try a PDF version

Grace Abuhamad: (12:22) @Xavier, we apologize. We are prepping another version to upload shortly. This is an Adobe bug.

Grace Abuhamad: (12:25) Slides are unsynced now so that you can all scroll through

Matthew Shears: (12:25) an important consideration Paul - thanks we need financial certainty

Grace Abuhamad: (12:25) Synced to slide 3 per Chuck's request

Christopher Wilkinson (CW) 2: (12:27) In terms of stability and oversight, the Base Case is by far to be preferred. CW

Paul Kane: (12:27) Shared Resources ..... it would be preferable to have stand alone resources because we don't want ICANN technical requirement to drain the availability of tech resources to IANA

Matthew Shears: (12:29) at a minimum we need to understand what those shared resources are and if they could drain resources from IANA

Martin Boyle, Nominet: (12:29) surely shared resources need to be defined for the shares to each side? And like CW I would like to see the base case.

Matthew Shears: (12:30) agree - more detail on base case is important

Paul Kane: (12:30) Agree

Xavier: (12:30) @Paul. What we describe as "shared resources" are not inclusive of any technical resources, which are considered "direct" resources, but include HR,...

Martin Boyle, Nominet: (12:31) and I like CG's aim to keep the minimalistic approach. Loading extra costs needs to be funded somehow

Paul Kane: (12:32) Thanks Xavier. Would be good to have detail just so we can be better informed

Xavier: (12:35) @Paul. Thank you. The last slide of the presentation that was shown provides much more visibility on exactly that question. I will ask Grace to make sure she can provide the link to this document. If you have further questions after you have had a look at the presentation, please let me know. [xavier.calvez@icann.org](mailto:xavier.calvez@icann.org). Thanks.

Xavier: (12:35) We did not go over that specific slide, due to lack of time.

Matthew Shears: (12:43) I guess the question is how are we going to address/resolve these many questions?

Matthew Shears: (12:43) what process, etc.?

Greg Shatan: (12:47) Do we need to put together DT-Bylaws?

Greg Shatan: (12:47) or rather IOT-Bylaws?

Grace Abuhamad: (12:47) Chairs plan to address process after the presentation

Matthew Shears: (12:47) + 1 Greg

Greg Shatan: (12:48) IOT = Implementation Oversight Team, not Internet Of Things.

Matthew Shears: (12:48) I don't see this as getting ahead of ourselves - this is what we have to work through

Greg Shatan: (12:49) Bylaws need to be operationally complete. We may want to consider what we can "off-load" to supporting procedures documents.

Matthew Shears: (12:50) we may need to build in a review mechanism

Christopher Wilkinson (CW): (12:50) @Jonathan, Correct. Too soon to hard code.

Christopher Wilkinson (CW): (12:52) I think it is more than a style matter at this early stage.

Samantha Eisner: (12:53) ICANN supports the idea of leaner Bylaws with appropriate references to external documents

Matthew Shears: (12:55) as we go through the Sidley comments and notes we should determine what needs to be in the bylaws and what we could place elsewhere and refer to

Alan Greenberg: (12:56) It is not really "neatness" but to keep a huge amount of detail from obfuscating the "real" Bylaws.

Matthew Shears: (12:56) + 1 Alan

Christopher Wilkinson (CW): (12:56) In addition to neatness, I would submit that the future should not be disenfranchised.

Grace Abuhamad: (12:56) @Paul -- Xavier's PDF is uploaded <https://community.icann.org/x/RrdYAw>

Matthew Shears: (12:56) @ Christopher - then we need a review process to ensure that we have got it right - say a year after the transition

Mark Carvell GAC - UK Govt: (12:57) Yes very impressive document - reflects a lot of detailed thinking and working through with consistency.

andrew sullivan: (12:57) A consequence of what Greg said is that the Devil is not necessarily in the bylaws, which is a relief :-)

Christopher Wilkinson (CW): (12:58) @ Matthew: Yse.

Sharon Flanagan (Sidley): (12:58) thanks Greg! We are open to where it goes, but approval on amendments (wherever appears) will be important

Avri Doria: (12:58) Agree with what Greg said about this being a good step forward.

Greg Shatan: (12:59) This is only a working document, and I don't think any of this was motivated by fear. By and large, we're all saying the same thing, just with different emotional overlays.

Avri Doria: (13:00) Greg that stmt has a level of abstraction beyond my emotional comprehension

Sharon Flanagan (Sidley): (13:00) nothing more for me

Alan Greenberg: (13:01) Have a Bylaw giving the revision number of the external doc. Then the doc can be changed at will, but it does not take effect until the Bylaw revision number changes.

Matthew Shears: (13:01) perhaps a DT to work with Sidley et al on working through this

Samantha Eisner: (13:01) We also need to make sure that detailed operational processes are not baked into the Bylaws, as operations need to evolve.

Samantha Eisner: (13:02) ICANN would be happy to participate in any effort discussing areas that are appropriate for Bylaws

Greg Shatan: (13:02) I was referring only to the various takes on the detailed nature of the draft bylaws. Nothing more metaphysical than that.

Greg Shatan: (13:03) I would not lose the detail, I would just off-load a good deal of it to "Rules and Procedures" type documents.

Christopher Wilkinson (CW): (13:03) No further comments. Thankyou, Sidley and Chair.

Matthew Shears: (13:03) + 1 Greg

Greg Shatan: (13:04) You though policy was the time consuming part? :-)

andrew sullivan: (13:04) bye

Gary Hunt - UK Government: (13:04) Good night from London!

Matthew Shears: (13:04) thanks all

Greg Shatan: (13:04) Bye all!!

Martin Boyle, Nominet: (13:04) thanks and bye