

ICG Face-to-Face Meeting

Saturday, 19 September 2015

Los Angeles, California.

ALISSA COOPER:

Good morning, everyone and to our remote participants, good day. We have done a little bit of agenda reengineering based on the fact that certain topics were not quite ready to start. It's just fine. We just move things around a little bit. So we're going to start this morning with Milton's report back on the RZM topic. And he has sent text to the list, which we will project for that. And then we will move into the report from the PTI sub team, we'll have a break, and then we'll continue with the comment analysis topics. To be honest, the agenda after 11:00 might change a little bit more. But we will cover all these topics, just possibly not in this order. So we still -- we have some new topics today. We need to go over the comments received about the NTIA criteria and also about our other criteria workability, accountability, and so forth. We'll have a working lunch at 1:00 where we will talk about the future call and meeting planning. We'll probably do it similar to yesterday. Take half an hour to eat and then chat for half an hour.

And then, if you scroll down, we have another new topic, the ccTLD issues. We might move that up in the agenda a little bit. I'm concerned about it being too late in the day, but we'll get to it one way or the other. We'll have a break. And then we'll see what to do at the very end of the day. If we have things that we need to come back to from the morning, we'll do that. At the very least, I think we need to have at the end of the day a list of the issues that we didn't get to talk about so that

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we -- and a plan for what we're going to do to address them. We'll come back at the end to revisit this question of whether we think the proposal has broad community support. And then we'll do an action item review and next steps. So that is the plan for the day. I know it's still a little bit in flux. But any comments on the agenda?

Okay. So over to you, Milton.

MILTON MUELLER:

Okay. This is Milton Mueller. And there are three things to discuss here about the root zone management. First of all, there was some discussion -- we had to go over what the CWG actually wrote about root zone management. And I did that carefully yesterday.

And I think the key section of the CWG proposal is their principles that they cite for guiding root zone management. And in particular, one of them is transparency. I guess no controversy about that.

The second one is most germane to our current discussion.

ALISSA COOPER:

Milton, do you have, like, paragraph numbers from the combined proposal that you could give us?

MILTON MUELLER:

Yeah, it is 1158.

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ALISSA COOPER: Thank you.

MILTON MUELLER: And it's principle number 2, control of root zone management. So basically they say, Currently updating the root zone requires active participation of three parties. That's, of course, the IANA functions operator, root zone maintainer, and NTIA. And then it goes on to note that post-transition there will be only the IFO and a functions operator and the root zone maintainer.

Now, originally, the discussions had said as a principle that they supported separating the root zone maintainer from the IANA functions operator but there was one person in the design team who did not necessarily support that. And so we ended up with this weaker language which says, the CWG stewardship is not recommending any change in the functions performed by these two roles at this time. But it is recommending should there be proposals to make changes in the roles associated with root zone modification, such proposals should be subject to wide community consultation.

So one issue that arises from this is that there's a bit of ambiguity about what they mean by change in the functions performed by these two roles. Does that mean that they want them to be provided by separate organizations or that they don't want there to be separate -- you know, you could have different roles performed by the same organization. So Russ came up with the idea -- Russ Mundy came up with the idea of posing that question specifically to the names operational community.

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And I sent him that language last night, but apparently he was out carousing.

[Laughter]

We all know what a party animal Russ is. And he didn't get to it. So I'd like to give him an opportunity to tell us what he thinks of the language I proposed, and I guess anybody else could weigh in on that as well. I'll just read the language.

RUSS MUNDY: That would be good, Milton. Thank you.

MILTON MUELLER: Where did it go? Here it is. The statement above, referring to the principle paragraph 1158, notes that the RZM and the IANA functions operator are separate, quote, roles, unquote with distinct functions. However, currently these roles and their associated functions are performed by separate independent organizations, VeriSign and ICANN respectively.

By its reference to make changes in the roles associated with root zone modification, did the CWG also intend to imply that ICANN or its IFO should not become the root zone manager -- maintainer without being subject to a wide community consultation.

So that's the question that we would like to pose to the OC.

Go ahead, Russ.

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RUSS MUNDY: Yeah. I'm perfectly fine with this wording. One of the things, though, that I think will be stretching across any of these that we may need to send back to the operational community because of the comments we received will be sort of -- the phrasing of the motivation of why we're asking this at this point in time.

So as far as the actual content, I think this is a good set of words for the content of the question. Other intro or conclusion may need to be added to tell them why we're asking them.

MILTON MUELLER: Keith Davidson.

KEITH DAVIDSON: Good morning. Keith Davidson. Just suggesting one word change. You say "wide community consultation." Maybe "wide community consensus" might be more appropriate. "Consultation" intimating that there might be a degree of discussion but not necessarily the consent of the community.

MILTON MUELLER: I agree with the intent of your thought. However, the "wide community consultation" is language taken from their proposal. It is a quotation.

I think in my write up of the comments, I indicated that there would be possible problems with consensus if, indeed, these roles were changed.

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My point, Keith, is that I'm assuming that we're constrained to what we ask them by what they wrote in their proposal. And we can't say, "Oh, you should have said 'wide community consensus.'" I'm assuming that. I could be wrong. I wouldn't have any problem with changing the language the way you suggest. I'm just telling you why I put what I put there.

KEITH DAVIDSON:

In hindsight of the point you raised, then I think it is appropriate to remain with the existing language. So I withdraw my request.

ALISSA COOPER:

Sorry. I was attempting to suggest a few wording changes in the chat window, but it didn't work. I just wanted to clarify the intent is with the part about without being subject to "wide community consultation" means that, first, the proposal to make that change would have to be subject to consultation? Is that what the question is about? Okay. I will try to reformulate the edit so it makes sense in the chat window.

MARTIN BOYLE:

Thanks, Milton. I have a recollection that there was somewhere else in the document -- and I think in one of the annexes that went through the process that was involved in reengineering the structures, and this was an issue that was specifically referred to. So I'm just putting up my hand because I haven't found it yet. But I'm pretty sure one of the design teams did come up with something like that. And I think your wording

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seemed to me to be fine but there might need to be the link also to that which was said in the annex.

MILTON MUELLER:

That's what I spent a lot of time doing yesterday, was looking for this record of the design team. And I don't think it's there. I think that what happened is that the design team report which did originally mention this principle that there should be separation was altered in the last minute and incorporated into the main report in this paragraph 1158, in that whole section about root zone modification, and that we lost that principle.

So that might be a way to change or elaborate the question I proposed, to say something like "What happened to that language" and, "How much support was there within the CWG for this principle of separating the RZM and the IANA functions operator?"

But if you can find that, more power to you.

Kavouss.

KAVOUSS ARASTEH:

Yes, good morning to everybody.

First, with respect to the consultation, are they referring to public comment process or consultation? How it works, consultations? The only thing we have today is public comment process. Whether you call them consultation or not, I don't know.

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And I'm happy that Keith Davidson withdrew his proposals by consensus because it's absolutely impossible to have consensus from the given thing in any case at all. One could break that consensus. So I agree with him that he withdrew the proposal. But public comment or public consultations, this is one point.

If you are referring to the architectural changes, it is in paragraph 5 of subsection 155, talking of architectural changes. Then it might be an annex.

Having said that, I have one question with respect to all degree -- one comment with respect to all questions you raised. Do you expect a time frame to reply or just ask them, please confirm? By ICANN 54? By ICANN 55? When they have to confirm? That is an important point for us.

I believe if there is any confirmation, it will be preferable to be ICANN 54 but not beyond that. Thank you.

MILTON MUELLER:

I think those are good points, Kavouss. I could add to our question something to the order of: The ICG would also like to know what is meant by a "wide community consultation"? Is it the same as a public comment? Does it also imply wide community consensus? That would be something we could add to that language, if nobody objected. And then I agree we would want to specify reply time. I always like the idea of telling somebody a question and saying you must reply by X date. That makes me feel very powerful. That's a joke, for the record.

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KAVOUSS ARASTEH: There is no must. Expected, reply expected before ICANN 54. Thank you.

ALISSA COOPER: What are we going to do with the answer to this question?

MILTON MUELLER: I think that's very clear. In our proposal to the NTIA, we say as part of the CWG proposal, it is expected that these roles would not be changed without some kind of a public comment or wide community consultation.

ALISSA COOPER: Okay. So the plan is whatever clarification we get back from the CWG, we reflect that in Part 0, full stop, that's it. It's not -- we're not basing the proposal based on a particular answer?

MILTON MUELLER: It means we are unsure about the meaning of their proposal in this respect, and I think it bears directly on how the NTIA and ICANN might approach the -- and VeriSign might approach the modification of these functions.

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ALISSA COOPER: Okay. Okay. That was one question. In response to Kavouss' question about the timing, I think let's collect all of these potential questions for the operational communities that might come out of the rest of our discussion today. And at the end of the day, we can decide when we think we'll get the questions out and then we can decide when we need the answers back. I think it's going to be a pretty short turnaround. But let's table that until later today.

MILTON MUELLER: Russ?

RUSS MUNDY: Thanks, Martin. Sorry, Milton.

MILTON MUELLER: Milton.

RUSS MUNDY: Martin, Martian, Milton. Russ Mundy here.

MILTON MUELLER: Nobody said you were a Martian.

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RUSS MUNDY: Chair and vice chair -- (multiple speakers) -- of these wild party places we went to.

[Laughter]

Anyway, I think that it is probably important in our communications back with questions when we go back to the operational communities that we make note of the fact that the area that we're asking about was an area that was raised during our public comment period. And so it's -- yes, it's the ICG asking but it's the broader community reflecting that these areas are not as clear as they need to be.

MILTON MUELLER: You think that requires some language modification?

RUSS MUNDY: One of the things that I think I had maybe mentioned earlier is we may want to have some kind of boilerplate or something that we use for anything that we go back to the operational communities with to point back to our public comment period because it seems to me that's really our only legitimate reason at this point in time to be asking the operational communities questions again.

So I think some additional text but maybe it can be standard for everything we send back to them.

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MILTON MUELLER:

Kavouss.

KAVOUSS ARASTEH:

Yes, thanks, Milton.

In the reply that you have provided to us now, did you also address the issue raised in paragraph -- subparagraph 2 of 150 of the CWG when mentioned that the NTIA has said that there will be a parallel but separate transition to disengage the NTIA from root zone maintainer and so on and so forth and continuing the exact form of this is not known? Did you address that in your part? I missed that something? This is something we discussed yesterday. Thank you.

MILTON MUELLER:

Yes. I think if you look at the proposed text for summarizing the public comments on this, I think I did deal with that which maybe we can move on to now.

So, the take-away here is that it's okay to send this question. We should preamble it either directly or indirectly with some kind of statement that this is motivated by the public comments. And we could add this material at the end about what they mean by a wide community consultation.

Everybody okay with that? Okay, good.

So the next part then -- and I'm trying to get through this quickly, right? I proposed a writeup of public comments about this. So it starts out with the thought that there was quite a bit of concern about this issue and

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how is it related to completeness, consultation, transparency, and so on. So I will just let you read the text and see what you think of it.

It's too long to read out loud unless someone with a more please voice wants to do so.

Alissa, your hand is up. And Wolf.

ALISSA COOPER:

Thanks, Milton. So I think this is going in a good direction. I appreciate that you put the time in to write it up last night.

I think, in terms of the best use of our time, I don't think we should try to live edit this. I think we can take that to the mailing list. So I think we should hear from people if they think this is generally in the right direction. And then we can take the finer points later.

My only question -- this is not related to the substance at all, but thinking about the fact that lots of different people are going to be drafting new text based on the response to the public comments is whether we want to become very granular in terms of citing the specific commenters in general as other people write their sections as well or if we want to be a little broader and say a selection of commenters and not make specific reference to the individual ones. This is a high bar to meet if we go down this path for all of the different sections. So that's a question for the group. But, generally, I think this is very good and appreciate your efforts.

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WOLF-ULRICH KNOBEN: Wolf-Ulrich Knobén speaking. By reading that text, I got a same -- similar impression that, to me, the question is what is the target of this text? And we would like to put it forward to the NTIA. And why should we insert a number of comments made with this pointing to the names of them? We don't do that with the other comments to any field of the proposal. So this is also my first take here.

And the other one is just summarizing what you're doing here and understanding it. In the last phrase, sentence is that there is evidence that other ccTLD operators share, which is an opinion, rather than to find out a different wording for that. But I have to think that over.

MILTON MUELLER: I have Russ Mundy, Joe and then Russ.

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff for the record. I would want to support the lower the bar since I'm going to write one of these also, and the lower bar is appreciated apparent --- Milton doesn't need -- the other question I had -- and, Milton, it might be in there, and I may have missed it. But the one thing that -- every one of the comments discussed is the issue of transparency and consultation. And I don't know if I saw it in there. So, if that wasn't in there, perhaps that should be. But it may be that it's a lot of text. And I may have missed it where it was.

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MILTON MUELLER:

It's in the second paragraph when I'm citing specific commenters. The -- most of the public commenters addressing RZM felt that the ICANN proposal had many questions that had been answered and/or raised concerns about the transparency and trustworthiness of the transition process.

Actually, that phrase is something I took from your comments.

Keegan noted that we would like to be assured that a new arrangement will be established in consultation. And they're concerned about consultation.

So would you prefer that that consultation word be transparency?

JOSEPH ALHADEFF:

No, I just -- I was -- I think I might have been focusing on the body, and I missed it in there. I think those two would be sufficient. But I just -- and, you know, if we are going to go down the calling out, I actually think the Swedish proposal and a couple of others hit that also. That's one of my concerns that we might leave a proposal out by accident because maybe it wasn't reflected in the right place in the spreadsheet. And so that was one of the reasons.

But I think the characterization of many commenters, few commenters, a couple of comments -- I think that helps to give the concept of whether this was a broadly applicable comment or a fairly unique comment. And I think that characterization may be sufficient without having to do all of them.

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MILTON MUELLER: I personally think it's good for people to see the range of the stakeholders here. I mean, it's not just like all business. It's not just a bunch of civil society. It's not just ccTLDs. It's quite a list there. So -- but I can understand the concerns about leaving out particular comments. And that's why I had the wonderful escape clause.

ALISSA COOPER: So I think you might need to close your queue.

MILTON MUELLER: Okay. I'll close the queue. Lynn.

LYNN ST. AMOUR: I actually thought Russ Mundy was ahead, but --

MILTON MUELLER: Oh, I'm sorry. I thought Russ spoke already. But that was another round. Russ, go ahead.

RUSS MUNDY: Thank you, Milton. Thank you for putting this text together. I think it's a very important text, and the concepts expressed here are important that they get written down and communicated. But one of my concerns

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is how we would intend to communicate this and other things of this nature that came out that are assembled by us out of inputs we got in the public comments.

We have the vehicle, of course, part zero. But, if we go and make, you know, very extensive textual changes in addition, then we -- to part zero, then we run the risk of people criticizing us if we don't do another public comment period. And nobody, I don't think, wants to do another public comment period.

So I think we need to give consideration and some thought to actually how we go about handling things like this. My thought is that we can add to our proposal some type of appendix that would summarize the major points that we drew from the public comments. And, therefore, we wouldn't be making large and possibly public could see as fundamental changes to our part zero. And yet we could include the material and what gets sent forward. That may not be the best way to do it. But it seemed like a possibility. Thank you.

MILTON MUELLER:

Lynn.

LYNN ST. AMOUR:

Thank you, Milton. Lynn St. Amour. I got in the queue to specifically respond to Alissa's question. And Joe covered a bit of it. And I believe, watching PTI subteam heads nod around the room, that we also agreed it was better not to be too specific in terms of trying to call out each one of the comments. I also think it doesn't really help accessibility. I think, if

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we can be clear about what some of the issues were and do that in text, that will actually be much more accessible to those that aren't so intimate with all of the details.

Maybe just a quick comment to Milton's proposal, we know who those organizations are and which communities they come from. But a lot of people won't, if they're not intimate. So I think trying to express, you know, a broad range of government, civil society, business community proposals, we're probably better off saying that directly than expecting a list to illustrate that.

And then just one quick comment: I note that Demi has been trying to put some comments in the text room. So just want to make sure that we actually call those out as well. And thanks to Elise for pointing that out to me. Thank you.

MILTON MUELLER:

Okay. We've got Kavouss. And then the queue is closed.

KAVOUSS ARASTEH:

Yes. Thank you, Milton. I don't think what you suggest to ICG to do with this extract. All the acting as a post office to communicate this extract which has been done by people we don't know how much is correspond to the real comment made by the people to the NTIA or I told at the beginning it's just as easy reference to us to see whether there is any point that we need to consider but not quoting or acting as a post office sending that to the NTIA. So I would seek clarification from you to why. First thank you that you provide this very good, easy reference. But

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what you want to do. I don't think we should communicate that verbatim to the NTIA as a part of our request. We may not support what they said, or we may take the essence of the proposal and put it in a different way agreed by everybody. Could you first kindly clarify that?

And then I apologize for my ignorance. I don't understand what this IGC is. What is IGC? In the paragraph --

MILTON MUELLER: It's a typo.

KAVOUSS ARASTEH: It's a typo. Ah, I see. Thank you very much. Typo. Okay. Clarification.

MILTON MUELLER: I think the audience for this is, first of all, the commenters, the people who commented. And we're telling them a couple of very important things. Number one, we heard them.

Number two, we -- certain things that they're asking us to do are outside of our remit.

Number three, those things that are kind of overlapping with our remit are also interdependent with what the NTIA does. So we have to make it clear to the NTIA what message we think the public comments are sending to them. It's definitely not a post office. We're very much into content and not delivery here.

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So I think Alissa has given us the message that we should finish this on the list and whatever editing we can do and we should be done with this section then.

ALISSA COOPER:

Yeah. So I guess just to wrap that up a little bit. I mean, I wonder if maybe the message here -- and also getting back to this, like, where does it go in the proposal and the annex discussion. Maybe if you could just try to up-level it a little bit -- I know you hate it like that. Don't turn a noun into a verb. I know.

Okay. If you could try to make it a little more -- what am I trying to say? I think it intertwines with what the commenters said with what the ICG thinks the takeaway is for NTIA.

So, if you could generalize and make it clear what we think the takeaways are from what they said, then maybe we could stick it in part zero. It won't feel so like a report directly of what the commenter said. And it would feel a little bit more like this is what the ICG feels is the synthesis of what we heard from the community. How does that sound to people who commented? Okay.

Sure. Go ahead for one sec, Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff, for the record.

Alissa, I wondered whether kind of an interim report subject a useful interim step for us to put together and that this forms the basis of the

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interim report for ourselves. Because the report is going to be kind of the channeling document that says hey, we're going to send some things to the communities for review. Hey, we're going to take some things on for editing and, hey, some of these things didn't require action. And I think that's an interesting tracking document. Whether or not we want to make that public is a separate question.

But I think that's an accountability document that is useful to have in there because it actually maps our process. When someone goes back and asks us to kick the tires, actually, that's the tire we kick.

ALISSA COOPER:

I'm not sure what you think would go in there. Do you think this would go in there?

JOSEPH ALHADEFF:

I think the summaries across the trends and the questions would be part of what is compiled in that report so that it becomes our internal guiding document on where we're doing our edits, where we're doing our referrals, et cetera. I don't think all of that belongs in part zero of the document because some that is not germane to the document. I don't think the proposal should be incorporating questions we received and actions that we took. I think the proposal should be picking up only the edits we think need to be made or the edits that came back from the operational communities once we've asked them questions.

But I do think we need to track internally how we have dealt with all the questions, and I think we need to figure out how we might need to

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make a version of that available to the public for a transparency purpose of saying, look, we have taken these issues seriously. We have thought about them. We have reacted to them, and this is why and how.

ALISSA COOPER:

I see people nodding. I think that's a good idea. So I think there are a couple actions coming out of this session. One is can we write an action that says -- I don't know what -- Joe, what is the action?

JOSEPH ALHADEFF:

That when we identify themes or questions that were important that needed to be dealt with, that we create these summary actions of what our actions are, related to them, what we've taken action on, what we've decided not to take action on, what we referred as kind of a transparent record of how we've dealt with the questions that have come in and how we've edited them. That's why I don't think we want to get to the granularity of every question. Because then, you know, the spreadsheet from hell is going to look like it's a really attractive option.

But I think that -- because then we're going to have the longhand from hell that's going to be worse.

ALISSA COOPER:

Yes.

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JOSEPH ALHADEFF: But I think this concept of grouping questions, of looking at concepts, I think if we take out -- if we use the higher level version that doesn't have the granularity of every comment or the bundled comments, we can even say something like reflected -- you know, a trend across stakeholders, to go to Milton's point to say this wasn't just one stakeholder. But I think something like that would be useful.

That wasn't really a helpful clarification.

ALISSA COOPER: No, it wasn't. Patrik -- can someone state the action item. We're trying to get the action item.

PATRIK FALTSTROM: Okay. Let me try. Patrik Faltstrom here. I think what I heard one action item is for Milton -- I'm trying to put you on the spot because the next speaker is me. So you can actually get me back. Yes -- is for Milton to split his separate in his text summary of what the commenters have said and what the ICG conclusions we draw from the comments. For example, Joe wrote the text yesterday which was a proposal what is the ICG proposal conclusion from the comments. So I think that is one action item we'd like to have these two texts. And I think what Joe is saying is that the interim sort of summary that is the not ICG conclusion of Milton's text might actually be a good thing for us to have. So don't throw the text away.

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ALISSA COOPER: But so then there is also, I think, an action to produce such a summary for every other topic that we are discussing. That's what I was kind of wondering about.

PATRIK FALTSTROM: I was afraid of that, but I didn't want to say it myself because I had to write the summary.

MILTON MUELLER: It's only the complicated ones.

ALISSA COOPER: Only the complicated ones. So the action item is summarize only the complicated issues that we have discussed.

JOSEPH ALHADEFF: Alissa, I think there are some horizontal trends. I think separation was a horizontal trend. I think root zone, management was a horizontal trend. I think PTI was a horizontal trend. I don't think we have to go question 1, question 2, question 3. So I think we take the major horizontal trends.

One of the action items at the end of the day is to say does anyone see a horizontal trend that we missed? Because I think you actually identified them already in the PowerPoint. And I think we actually

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already have been voluntold or soon to be voluntold to deal with the summaries related to the horizontal issues. I think we've already got a lot of this work covered. The question is, as you raised early on, if they're going to be joined together at some point in a report, they need to have some consistency of look, feel, and detail. That's just the question of maybe we can backfill that as an online process without having to worry about all the details now.

ALISSA COOPER:

Okay. Thank you. I think we are clear on that. Are you guys clear on the action items? Roughly? Okay.

And then -- but just -- there's one other one, Milton, if you can edit the question to the CWG and send that today.

MILTON MUELLER:

Already done. I haven't sent it yet, but --

ALISSA COOPER:

Okay. Thank you. We'll figure it out. Thank you very much.

I think we're going to move on to the PTI subteam, Patrik.

PATRIK FALTSTROM:

Okay. So we looked at the questions related to PTI. And I sent to the ICG mailing list the slides, and I think they will be presented. What we did

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was that we went through all the -- all the various -- all the various issues. And we tried to categorize them. And, of course, it's hard to read on the screen. But it's much easier. If you really want to know the questions, you can look at the slides that I sent out. But the text is not so important. We actually looked more at the process itself. And what do we have to -- what do we want to do with these various issues? Basically, continuation of the discussion that we just had.

So I tried to move around the questions and use the numbering that was in the slide deck that we have been looking at. And the first category that we have are the issues that we do believe were really addressed by the community.

And it would be appreciated if the individual ICG members which know more details about the various processes in the operational communities can validate that we have drawn the correct conclusions.

Oh, let me say another thing. We had a meeting with -- when we discussed these kind of things this morning. It was while all of us had coffee. And some of this I typed before I had my first cup of coffee. And those who know me know there might be lots of errors. So the slides are definitely mine, even though a lot of people were sitting around the table. So others around the breakfast table, don't hesitate correcting me.

The next category -- so, basically, the other categories are the ones that we have actions on. So what we are trying to do and what we don't mind is to read -- look at the following slides and moving actions to this first list, if you understand what I mean. That is a way of sort of being able to say that, oh, these are comments but it's actually already taken care of.

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Next slide.

These are the set of issues that we think believe -- have to do with the relationship between the CRISP and IANA plan proposals and PTI. The complicated situation here is that two of the comments during the open consultation, number 72 and 133, clarified a few issues related to the CRISP and IANA plan proposals. So some of these comments that came in are actually answered in other comments. And that is something that is a kind of interesting situation.

First of all, the question is, of course, if text in 72 and 133 do cover the issues brought up or not. And then, if it is the case that it does, should we include 72 -- information from 72 and 133 in section zero just as it is, or should we go back to these communities and ask them to update their own proposals with input from 72 and 133? It's kind of complicated.

So, for example, so to be more specific, as we as ICG did get comments 72 and 133, we have more information than the parties that sent in those comments. That's another way of saying it.

I look at you, Elise, as well. Because you -- was that approximately right?

ELISE GERICH:

I think that's approximately right in that we thought that the comment should maybe go back to the communities and say this is what we received as questions. Do you feel it's answered?

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PATRIK FALTSTROM: So compared to the slides that we will come to following this one, as I said, this is a little bit complicated as some of the answer might already have come to us in 72 and 133. What we do believe is that something needs to be written and sent back to the CRISP and IANA plan group.

Any questions? Kavouss, I see that it looks like you want to say something.

KAVOUSS ARASTEH: Yes, I wanted. I was hesitating. I'm in favor that we don't put anything directly in Part 0 but sending to the community to get the confirmations because we are assembler. We should not get directly into the issue.

And investigating or considering the comment and judgment on the comments should go to the operational communities and then get back from them. Thank you.

PATRIK FALTSTROM: Yes, thank you very much. So for the issues that we list here compared to the following one, I think whoever is going to write the actual question that is sent to the operational communities has to also input 72 and 133 so that the question is not like, "Oh, we are completely unaware of these kind of things." We might be aware of it, but we got it through a different channel. It is not really inside the OC -- the proposal from the operational community.

Next slide. The next set of issues we found has to do with the PTI board. We have here remove the issues that we think are resolved. And these are things that we think are -- where clarifications are needed and

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questions. So these are the ones where we do believe that we need to go back to the operational communities to have a closer look at these issues.

Next slide. We have two slides with separation-related issues, which we, in turn, had divided in two. One which is more refer to the community on looking at issues. And the next slide is where real clarifications are to be requested, where the entities actually do request clarifications. So the actual separation-related issues is the largest chunk of issues.

And now let's go to the last slide. So before going back and potentially discussing each one of those issues, the process that we suggest is that we take each one of those groups except on the first slide -- well, of course, people should have a look at the first one as well.

And the first thing is to go through the various issues that we have -- that we have grouped, review the actual comment and also the question and see whether the categorization is correct, whether it is actually an outstanding issue or not.

We need to decide whether a real need for clarification was needed. And we were only looking at the -- except for a few exceptions, we only looked at the text that was actually on the slides we got. And some of that text was a copy and paste of a sentence itself, and sometimes it was a question. And sometimes we would really like to know a context to know whether there was an issue or not. There is a little bit of work that needs to be done to know what to ask the community or whether it is the case that the point can actually be moved to the first group of already addressed issues.

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Then we refer to the community, to the operational community, and ask them whether either our conclusion is correct or we ask them for a clarification.

Go back, please. Thank you.

And we make sure that the issue is addressed. And that's basically the process.

Joe, you were the one -- maybe you can explain more what you were thinking in detail and see if there are any questions.

This is approximately how far we managed to come this morning. We have not drilled down on the issues. And the question is whether we should do it here in the group or whether we should just delegate each one of these categories to individual ICG members which have specific intimate knowledge on the process where the issue was discussed because, as Joe said, some of these issues were actually discussed and dealt with quite lengthy in each of the operational communities, which means it is possible to draw conclusions that, no, this actually has already been discussed. We in the ICG can make decisions. In other cases, we need to go back and ask. That filtering is something we have not done in our group. We felt that the ICG members that sort of participated in the OCs' process are the ones that need to help and respond to that question.

Let me ask first the other people at our breakfast meeting whether they want to add or clarify something.

Joe?

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JOSEPH ALHADEFF:

Yeah, this was -- Joseph Alhadeff for the record. I think it became very clear to me because one of the things I had done was I had really all of the Sidley documents. And all of a sudden I found some of the questions that were being proposed as novel questions that were clearly things that had been lengthy descriptions in the legal documents and had been a substantive part of the conversation and was not part of the consensus. So in theory, those are the asked and answered questions.

But as Patrik said, it's impossible for just one person because of the detail of the OC conversations to go through that. So this is the kind of thing where the group as a whole participating in that would be much more useful.

The second part was the idea of looking at the clarification. And Patrik made the statement, but I want to make sure it's not lost. The slides are great. The slides were produced in very short time and in many cases took a cut and paste from a comment to try to get the exact flavor but didn't pull the context of the comment as well.

So that's one of the reasons why we think that in some of these, we have to go back to the actual comment to make sure that we've gotten the full nuance of the comment when we are taking it on board for a request for clarification or other things. So the process would be we go back to the comment. We take a look at what the comment is saying related to our own document. We see if it's a clarification in Part 0, which is something we can manage if we decide clarification is necessary. If clarification seems appropriate in a proposal, then it's something that we would refer to the community to see if that's something they would wish to clarification. But it's a process by which we also have to refer back to the comment because I don't think we can rely just on the shorthand that's in the slide deck because the slide deck

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is not a complete synthesis of what that comment may have been saying on specifically that topic.

PATRIK FALTSTROM:

Lynn?

LYNN ST. AMOUR:

Thank you, Patrik. Maybe just one other high-level comment from the work this morning. I think we as a subteam agreed that in Part 0, we probably need a couple of new sections, one which addresses PTI in total so that -- a lot of the questions we got is how does this work together. Is it harmonized? A lot of points of clarity. And it doesn't come out in our Part 0 now. And obviously referencing it in each one of the three OCs wasn't adequate for many, many of the readers as well.

So one of the things we wanted to bring to the room was whether or not there was support for doing a section which talked about PTI as a whole from the perspective of all three OCs. I think we had the same position on separation, felt that a topic on separation which addressed - and it's probably a couple of different aspects of separation. And as a preface to that, that there was probably some additional work needed, whether it was in Part 0 or facts or somewhere else that actually talks about what the current operating model is today because I think some people think separation or partial separation is a huge thing and perhaps affects the stability and security of the Internet and others have a different position.

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But I think the current model today and what's meant by "separation" is also not well-enough defined in Part 0 for the person who's not deeply, deeply embedded. Certainly our conversation this morning at the breakfast table was an indication that even those that are fairly deeply embedded have very different levels of understanding about what those mean, what "separation" means, and what practical impacts there are from today's model. I think those were the additional areas.

PATRIK FALTSTROM:

Thank you for bringing that up. I forgot that part. Thank you.

Kavouss.

KAVOUSS ARASTEH:

Thank you, Patrik. Two questions -- no, two comments. First, when in the Webinar we reply to some of the questions or comments raised with respect to the PTI and why we have that as a final solution, I mentioned immediately in the chat or afterwards in the email or the mailing list that in my view, not sufficient answer and clarification was provided to the people. Because the people, they read the PTI but they were not aware of the extensive discussions which were held in CWG from seven methods or approach coming to one single.

And I thought and asked perhaps one or few lines relating that this is the result of many options and take into account the various legal aspects of that, that this conclusion was made. And we need to take some of the wording of the legal assessment made by Sidley and others,

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if I remember correctly, 4th of April to clarify the matter that why we come to this one. This is the first comment.

Second comment I have with respect to this very good outcome but more telegraphic. What we mean by E, "refer to community"? The first one goes to clarification. Then we decide in ICG whether the clarification is required or not. If it is required, then we send it to the community. And the community need to address that. And why we go refer to community again? For what? Thank you.

PATRIK FALTSTROM:

I think that might very well be a copy and paste error of myself. So my apologies in that case.

Joe, maybe you can clarify?

JOSEPH ALHADEFF:

Yeah, this is two concepts being joined together in one list which isn't supposed to be in one list. So there was the clarification -- there wasn't enough coffee at the table really was the problem.

[Laughter]

The concept is the clarification to refer to the community as one loop. The others were options of saying either this is addressed by the community or we need to refer it to the community and there were some things which we just needed to refer to the community.

In the "is this addressed by the community or should we refer it" is where we collectively need all of your help because you were all part of

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the OCs' review process and you can say whether this was addressed by the community or not.

Some places we were able to identify it, but we were not comprehensive in our ability to identify it.

PATRIK FALTSTROM: Elise.

ELISE GERICH: I'm going back to our breakfast conversation. If we could bring up slide 4 because I wanted to highlight something that I thought we all took away at the end, was that one of those horizontal concepts was that most of the comments that we reviewed looked like they saw each individual community and they didn't see a whole picture and that I think it was Joe who expressed it quite eloquently, that it would be useful if the ICG were -- as the vehicle, would go back to all the communities and ask for the communities to say some sort of statement about how they plan to cooperate as IANA functions going forward because that seemed to be a really strong thread in all of the comments. And we thought that the ICG's role, that would be one of the questions that we took out from almost all of the comments and that we wanted to make sure that was highlighted and we didn't forget that we would be asking you all as members of the OCs to potentially understand that this was a common thread and that the perception from the people who responded to the comments was that they didn't see the IANA functions communities as acting cooperatively. They saw independent proposals. So I don't know if I expressed that, Lynn and Patrik and Joe, clearly. But I think I wanted

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to highlight that slide. That's what it meant by the cooperation piece at the bottom.

PATRIK FALTSTROM:

Thank you. Yes, that is right. That is absolutely right. So what we -- to reiterate where we think we need to go now is to have people that know about the actual -- how these issues have been discussed in the operational communities, have a deeper look at each one of them and see, for example, whether they're already addressed so they can be moved away; whether it is something, as Lynn said, we in ICG can clarify just by writing our text better; or whether it is something we need to draw a conclusion but confirm with the operational community that we have sort of drawn the correct conclusion. Or the last case is that we have to go back to the operational community with a question for clarification. So there's sort of an escalation path there or a filtering or call it whatever you want.

But as Elise very -- said, one overarching comment is that when we look at these comments, people look a little bit too much on the various operational communities as -- I don't really want to use the silos, but I use that anyways to sort of trigger people to react a little bit when in reality, we actually talk about an ecosystem where all of these parameters are handled. And the security and stability, for example, is to a very large degree handled by having all of these things work together; and that is something that many of the commenters are looking at each one of these one by one.

Daniel, did you want to say something? Yeah.

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ALISSA COOPER: I'm in the queue.

PATRIK FALTSTROM: Oh, I'm sorry. I didn't have a look at that. Sorry.

ALISSA COOPER: But, I guess, if I'm last in the queue, I can also do that.

Okay. So I have -- first of all, I'm really glad that you just clarified that, Patrik, about the escalation because I think for a lot of the bulk of this topic, we actually have the knowledge around this table to answer many of the questions and we don't have to go back to the communities. And if we don't have it even just around this table, we also have comments that spoke to this. So in particular this question about the cooperation, the comment from the IAB addresses this directly.

So I think our default position should be: Can we answer this ourselves? And I think in many of the cases, the answer will be yes.

But if we can't, then we certainly should go back to the communities. But I just want us to remember that, that we are all here because we represent a particular constituency and we should leverage that. We shouldn't be afraid to do that. So that's good.

I guess -- so I was wondering about the process going forward, is if we go back to the deck -- or we go back to the top of the deck. Is it possible to -- I guess my question is: Is this what you were intending, that we essentially resolve what we're going to do for the material in slides 1

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and 2 today and then for 3, 4 and 5 we follow this process that you have outlined? Is that the intent?

PATRIK FALTSTROM:

We claim that slide 1 is done, is dealt with. We really would like to have people just confirm that we didn't make a mistake there. But we do claim that slide 1 is done, dealt with.

For slide 2, 3, 4, and 5, what we suggest is that people who would have expertise and did participate in the discussion in the various OCs go together instead of our group that we're sort of completely randomly selected including people who did not participate. So we didn't feel comfortable making a decision on each one of those issues.

So people -- for example, on slide 2, people who really participated in the PTI discussions in the CRISP and IANA plan have to say whether these issues should be moved to slide 1 or not. And same thing for 3, 4 and 5. Does that make sense what I just explained?

ALISSA COOPER:

Yes. Is the implication that 3, 4 and 5 are, therefore, for the people who participated in the CWG? I'm just trying to figure out who we're going to task with doing things.

PATRIK FALTSTROM:

Okay. That's a good question actually.

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2 we think are only related to CRISP/IANA plan. 3 are related to various PTI discussions so I presume that's CWG. 4 and 5, that is for all three OCs.

ALISSA COOPER:

Okay.

So you want there to be now the group of people who participated in those OCs. I'm just, like, again trying to figure out what is the action item and on what timeline and are these people going to work together on this or is someone going to take the lead and so on and so forth?

PATRIK FALTSTROM:

Okay. Let me then be constructive here. I'm ducking all the time.

I think we need one group for slide 2, one group for slide 3, and one group for slide 4 and 5. For each one of those three groups we need volunteers that participated in this -- in the topic discussions related to these issues in the operational communities that can do the next stage of filtering. That's what I think we need. So we need volunteers. And I cannot say whether the volunteers are explicitly from that community or not. Kavouss.

KAVOUSS ARASTEH:

Yes, Patrik. Thank you.

One comment, one clarification. Go to slide 4, please, if possible. Yes.

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I don't understand this D1d, concerns over expanded GAC role in separation. GAC has no role. In fact, GAC complained it has no role. And it was replied by the CWG chairs that we don't need to have more than what we put in the text. But I don't understand what is the expanded GAC -- GAC had no role to the expanded. And the clarification I'm seeking from you, the ICG clarified current situations. No problem. Tomorrow situation what we expect that ICG clarified tomorrow's situations? Are we in a position to clarify that? According to our charter, what will be tomorrow's situation in the registries? Thank you.

PATRIK FALTSTROM:

To answer the first one, the D1d there, concern over expanded GAC role in consultation, that is coming from comment 25. And your reaction is exactly the kind of reaction that I want -- that I suggest we do in the next step of filtering. So, if it is the case that people that participate say that no, this is something that is already taken care of in the discussion that took place inside the processes that each one of the operation communities were running, fine. Then D1d is moving immediately to the first slide, and we don't have to take care of it. But we this morning doesn't feel we were capable of making that judgment. But you, for example, by participating in the group that are doing the next step of filtering in ICG, you might have the skill set and knowledge and insight in the work and operational community to be able to move it.

Personally, as an ICG member and co-chair, I find it good if the more things we can move to slide 1 and claim they're taken care of by the operational communities, the better. We just need to be careful and we need to make sure that when we are making that judgment in ICG we do it on good terms by having knowledge in the operational community.

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So that's comment in number one. So the text in D1d is coming not from me, not from ICG. It's coming from the one sending the comment. They might be confused, but it's from their context.

At the bottom I wrote ICG clarify current and tomorrow's situation on registries. Those are my words, and I take responsibility for those words. What I meant to say -- and let me try to explain.

It seems to be the case that, from our perspective when discussed this morning, that some of the comments were talking about a change from how certain registries are operating today under the contract and how - - and then the change to how the registries will work under the -- in the future when they operate according to what is described in the proposals from the operational communities.

It seems to be the case that part of that confusion is because people don't really understand specifically how the registry is operated today.

So what I meant by current and tomorrow was current how this is under the contract. And tomorrow the interpretation that we in ICG draw by interpreting the proposals from the operational communities. So tomorrow it's before and after transition.

Joe, Manal, Milton, Paul, Wolf-Ulrich and then Kavouss. So Joe first.

JOSEPH ALHADEFF:

Joseph Alhadeff, for the record. I wanted to reply specifically to a comment Alissa had made, actually, on two points.

One is I agree where we can answer we should answer. But, if part of our answer -- and we discussed this at breakfast -- is that in an answer to our consultation, one of the operational communities has added a

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topic that they did not cover in their proposal, it might be best for the community to decide whether they wish to edit their proposal to add that comment rather than us to add that comment in for them. Where it's clear that it was in the comments already and in the proposal already and the person just didn't understand where it was, I think it's perfectly fine for us to answer that question.

The second one is the separation. And I will tell you this is my stocking horse of all of the topics. And for me the reason it's the stocking horse of all of the topics is because I think we have a credibility gap related to separation that was exacerbated by the process. Because, while the communities have operated together for a long time, this process has made the communities answer things very separately

to actually make it seem like they don't necessarily operate together. And we have people asking questions do the communities all agree on what the other communities have said in their proposal? Because it's not clear to them that there is a consultation process between the communities.

And I think it's tremendously useful, even if the IAB already wrote it in someplace, even if a community answered a piece of the question some way where it could be inferred, I think it's tremendously useful for us to ask the question back to the communities to allow them each in their own way to answer it and then for us to refer to that thematic consistency across the answers that says, yes, all of the communities are committed to cooperation and consultation in the preservation of the Internet.

And I think that goes a long way to bridging that issue, which is an issue of, one, you're absolutely right. The communities outside of the operational communities do not actually understand the way you run.

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But, because they don't understand the way you run and because they are afraid of change just by definition, they take a look at this process. And there's a concern that somehow this cooperation, because no one has stated it, doesn't exist. I think that mere act of statement across the three communities will go tremendously far to help resolve what is perhaps the largest underlying comment across all of the comments we have.

So I think there is a utility, even if we think we have the answer or can make that answer, to actually bring the question back and have the communities answer it in their own way so that we can demonstrate across the communities there is an agreement on the fact that they are cooperating and consulting as necessary in an informal manner to achieve the objectives of maintaining the Internet security and stability and resiliency.

PATRIK FALTSTROM:

So I'm going to close the line there. We have Manal, Milton, Paul, Wolf-Ulrich, Kavouss, and Alissa. We have 10 minutes. Five people. That's two minutes each. Manal.

MANAL ISMAIL:

Thank you, Patrik. Very quickly, I was going to just quickly propose that we close slide 1 so everyone agrees that those are settled issues and maybe make a rough quick iteration in the other slides because we can benefit of the face-to-face meeting just to make a quick iteration in the slides. Thank you.

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PATRIK FALTSTROM: Thank you. Milton.

MILTON MUELLER: Yeah, I was just referring to D1d. The concern about the GAC, by the way, was not, I think, confined only to commenter 125. But it really is a CCWG issue in the sense that it's an interdependency between separation process and how CCWG handles the accountability arrangements. In the CCWG comment there's a huge controversy about the voting distribution and whether GAC would participate in the single member -- what is it? -- sole member community mechanism as a regular member with five votes or not.

So this is what this commenter is referring to.

And the commenter, in my opinion, is correct that this does affect the separation process for PTI or for any other subsequent IANA functions operator. I'm not sure how huge an issue it is. But there is -- it's not completely from outer space or anything like that.

PATRIK FALTSTROM: Paul.

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PAUL WILSON: Paul Wilson. Just on D1a, it's true that the CRISP proposal and the ICG proposal don't have references to the dispute resolution processes for the RIRs, but those have been regarded as an implementation issue, so they are covered in the SLA. I'm quite happy to provide the references to answer that one.

PATRIK FALTSTROM: Wolf-Ulrich?

WOLF-ULRICH KNOBEN: Thank you. Just trying to find a practical approach on how to work on these things. When we were asked and were starting to fill up this matrix of hell, we were also asked to comment, to put recommendations in it, how to proceed, from our point of view. In many cases I wasn't able to make recommendations rather than to say it should be discussed here in this round. This is where I understand what we're doing now.

And you helped us with your small group yesterday to structure it. I see it in that practical way. So I'm fully in line with that approach. And, in this regard, I would like to say, well, I am going to volunteer for slide 3.

Thanks.

PATRIK FALTSTROM: Thank you very much. Kavouss.

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KAVOUSS ARASTEH: Yes. I think, with respect to the role of the expanded role of GAC, perhaps those who wrote that comment may misunderstood the compositions. There are 17 people compositions composed in the group dealing with the separation. And one of these 17 is GAC. Does the commenter believe that GAC should not attend completely in that group at all? There are many, many other people. So I think that is quite clear that was misunderstood or that people have anti-GAC emotions, doesn't want the GAC at all. That is another issue. Thank you.

PATRIK FALTSTROM: Alissa. And then we decide how to move on further.

ALISSA COOPER: Okay. Well, I was going to make a proposal for that for how to --

PATRIK FALTSTROM: [Speaker off microphone]

ALISSA COOPER: Yes, that's a good point. I will take that last. Okay.

So I think, Patrik, what -- well, actually, first, I do have one substantive reaction, Joe, to your comments about giving the communities an opportunity to edit their proposals.

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I think that is a fine thing for us to provide them the opportunity. I think we need to look at the timing of what we're going to ask them to do. And for some of the communities it will be basically impossible for them to do a consensus call on new text if they want to edit, you know, a document that has been published out of their group. And so, while I can appreciate that it would be nice in the end to have the proposal text edited, we can't ask them to do something that they can't do, which is, you know, come to consensus in two weeks or something if we want to have updated text in the proposal. So we just need to be cognizant of that. It may very well be easier for the communities to respond to us and provide us a clarification that we then incorporate into part zero than it is for them to edit their document and put the whole document back out for consensus call.

So I think we just need to keep that in mind.

Yeah.

I -- I totally appreciate why people want to do that. But I just think it's going to be tough.

On the other point about the questions coming in about whether each operational community supports the total or supports the ability for the other communities to be able to do things, again, I think we got comments from them in the public comment process. Those communities had an opportunity to tell us whether they support the proposal or not, whether they think it is workable or not. And they chose to do that, I think, very clarify. You look at the IANA plan response. It says, you know, that this seems to work fine. You know, we don't object to this, right?

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So I think if we go back to them again with the question again, we will get the same answer again. We just need to keep that in mind. I'm not saying that it's not a good idea to do. But I totally agree with looking back at what we received from all the OCs before we ask them a question again just to make sure we're not asking the same thing twice.

So, as far as the process going forward here, Patrik indicated that he needs volunteers for slide 2, volunteers for slide 3, and then volunteers for slides 4 and 5 together. So three sets of people.

Here's my suggestion. And I'm about to put people's names next to these things. So listen up.

For slide 2 -- can we go back to slide 2. This is the CRISP IANA plan set of issues. My suggestion is that Russ Housley and Alan Barrett team up on slide 2. Nodding, nodding. Good.

For slide 3 -- can we go to slide 3.

Okay. So slide 3 relates to the PTI board. Wolf-Ulrich, thank you for volunteering for this one. If you, I think, could work with Jari and Alan, again. Alan, I'm coming back to you. Is that okay? Yes? Jari, are you -- yeah, okay.

And then the grouping slides 4 and 5. This one I really think we need the people who were deeply embedded in the CWG. So I would say Martin, Milton, and then Paul and Jari.

Okay? Oh, Milton, are you -- come on, Milton. You've got to do separation.

Okay.

So, as far as what you're being asked to do, this is my understanding of what you're being asked to do. Review the actual text of the comments

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received on the issues on your slide so that you understand fully and don't just go off of the slide. It's very important.

And then make a recommendation to the ICG as far as what action is to be taken. That could be do nothing. We move this to slide 1. This issue has already been addressed or it's out of scope.

It could be the ICG needs to write some clarifying text, we already know the answer to this. It just isn't clear. It could be we need to compose a question to the operational community. Or it could be this is important as an FYI to the community, but we're not expecting any response back. It could be also a combination of those things.

But that's what I think we need to know from you.

And then we will discuss these, I guess, in the ICG and confirm that we all agree with the course of action and then take the action.

Is that -- okay.

The issue, again, is with the timing.

Because, if we need to get responses from the operational communities and we want to have this all wrapped with a bow in Dublin, I think it would be great to have your recommendations by the time of our next call, which is still scheduled for Wednesday.

So could we have this done before Wednesday at -- it's early UTC.

Wednesday at 11:00 UTC. So that gives you not a lot of time. That gives you, like, a day of time once you're home.

Is that too soon? That's true. Patrik says he did this initial pass in two hours. I'm looking around at the people who I've put their names to these things. And you're in different time zones and you need to

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coordinate and so forth. So -- maybe what we should say is aim to get as much of this done as you possibly can before our call on Wednesday. And, if there are outstanding items, we will figure out how to deal with them then.

Yeah. Okay.

And then so my question is do we think there's one additional action item which is for someone or group of people to try to write up how the communities coordinate presently, like how the happy coordination already works? Or is that not -- I thought that's what I was hearing over here. But -- yeah.

Yeah.

ELISE GERICH:

I'm just going to say what we said at breakfast again and Joe said earlier, was that his perception was that it would be better not coming from the ICG that if each of the communities themselves could do something like the IAB did which wrote a statement that said they plan to cooperate. It is not about adopting the three proposals. It is about the future and everyone's fear of the future that the communities are going to continue to go down, like, Highway 1, Highway 101, and Highway -- whatever, the other one, 415 and they will be on different highways and they will never interact again. It was more like the IAB statement of cooperation. And that was, I think, Joe's proposal at breakfast that we all supported, that to ask the communities to make that. So for the outside world, it's out there, that the communities themselves said it, not that the ICG said it. But, you know, the ICG can decide how they want to do. That was what we came up with at breakfast.

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Go ahead, Joe.

JOSEPH ALHADEFF:

Just a small clarification. It was that the going-forward cooperation continues was the clarification statement. But I think to your point, a clarification of how cooperation currently exists is tremendously useful wherever it comes from. That does not necessarily need to come from the communities because I think part of what we're -- part of what we're addressing is the fact that people don't know that the cooperation exists. They don't understand there are mechanisms because they keep on looking for a piece of paper that doesn't exist because it is an informal set of mechanisms and processes.

And one of the reasons it's informal is it allows it to be adaptable to the problem that arises because if you fixed it at any one thing, you would then be constrained by the fact that a new problem that no one thought of would arise.

Then what the communities would have to say in response to the question is just that these processes and our ability to cooperate continues post-transition. That's then the only thing that goes through because what a number of different people have asked in this process is what is the coordination mechanism related to separation post-transition, if one or more?

This has been across the majority of comments that raised any question related to separation.

This was the largest common thread across the comments. So the more that we can do to address that thread, I think the more we can do to

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take away any potential of objection and question that comes up to NTIA related to this when it's presented to them.

ALISSA COOPER: Kavouss.

KAVOUSS ARASTEH: Yes, more or less along the line of what Joe said. I don't think that ICG should define or should describe the cooperation and collaboration mechanism. The only thing we should -- it should have a title about existing -- not existing, mechanism or approach or mechanism of collaboration and cooperation. Then we talk of existing and future and ask the community to comment on that. That's all. We put them together, but we would not describe or we would not get involved to do any drafting on that. Leave it to the community. But we take that -- it would be a good idea to have this sort of collaboration be clear for everybody.

ALISSA COOPER: Go ahead. Patrik. Thank you.

PATRIK FALTSTROM: Thank you very much. This morning specifically Lynn, Elise, and myself agreed that we actually do believe that a lot of this has already been said. I'm volunteering the three of us to actually do some Googling to

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see what actually, for example, IAB, ISOC, ITU, and other organizations have already said in general terms that we might be able to refer to.

And I agree with you, Kavouss. This is specifically when it comes to collaboration in the more global communication world we're in. ICG is not in a position that should invent that how that cooperation. On the other hand, if we can refer to others which have described how the collaboration works, the better.

And the three of us can probably find a couple of references on that. So we take on that task, right? Yes, they are nodding.

ALISSA COOPER:

Thank you. Great. So can we go back to slide 1? I know we're into the break time. But I think Manal's suggestion was well-taken. So I would just like to take a minute, slide 1, and see if anyone thinks something is on here that isn't -- has not already actually been resolved or is in scope. And if you think so, then raise your flag and we will find time on the agenda later, I think, to come back to it.

I don't want us to go into a big discussion of it now. But if we find out that we don't need to have a discussion, then that's useful information. Is that okay?

PATRIK FALTSTROM:

One thing we could do, if it is the case that anyone thinks it's not 100% clear that it is dealt with, we can just move it to one of the groups who are already assigned. We don't even have to discuss it here.

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ALISSA COOPER: Good point. Why don't we do that.

PATRIK FALTSTROM: So we can move through it quickly.

ALISSA COOPER: Take a minute and look at this list. If you think one of these is unresolved, get in the queue.

Anybody need more time? Joe, go ahead.

JOSEPH ALHADEFF: Thank you. We may have addressed it. But from the way B4 is phrased, it seems to be a request for clarification. But I know Elise had actually read this one and maybe we resolved it wasn't just a request for clarification. But the phrasing is different than the others. And the only thing I wanted to point out was E is probably not addressed but out of scope.

ALISSA COOPER: So is your suggestion to move B4 to the appropriate other slide?

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JOSEPH ALHADEFF: My suggestion was to move B4 absent Elise telling me, "No, we fixed that. Shut up."

ALISSA COOPER: Action item to you, Elise, as we go through the queue.

[Laughter]

Martin?

MARTIN BOYLE: Thanks, Alissa. Martin Boyle here. Yeah, I have actually got a more fundamental question. And that is: What do we mean by "resolved"? Because quite a number of these statements were essentially, "We don't like what you've proposed." And we ain't going to resolve that. We are going to say, "Well, actually, these were consensus proposals and they got a lot of overall support." And there's only one, two, three - - five of you who came up and opposed to A1, for example.

That doesn't necessarily feel greatly satisfactory to me. So I think I'd like a little bit of clarification as to sort of how much work we're going to open for ourselves other than to say, Well, you didn't -- you were going against the consensus.

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PATRIK FALTSTROM: So Patrik Faltstrom here. The things that we moved to this slide are the issues that were exactly what you described in your last sentence. We did believe that these issues have been discussed in the various consensus-based processes. We do believe that they have reached other solutions, which means that these are comments that were sort of on the minority side, on the rough side of consensus, or call it whatever you want. It has already been discussed.

MARTIN BOYLE: So long as we are very, very clear in our documentation that that is the conclusion on that basis. Thanks.

ALISSA COOPER: Jean-Jacques.

JEAN-JACQUES SUBRENAT: Yes, hello. Can you hear me?

ALISSA COOPER: Yes, we can hear you.

JEAN-JACQUES SUBRENAT: Hello?

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ALISSA COOPER: We can hear you. Go ahead, Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thank you. Looking at C2, composition of PTI board, I would suggest adding C24 because in C21, the suggestion that the PTI board be composed entirely of ICANN board members as a subset of that board. But if I remember correctly, although I don't have the document in front of me, at least in one submission, maybe Number 50, but secretariat could look that up, there was also the view that the PTI board should be balanced not only geographically, which is suggested in C23, but also by stakeholder entities or groups. Thank you.

ALISSA COOPER: Thank you. I think we can look through the matrix and find that. I mean, we're just adding an issue that has been debated and resolved. So it's okay. Can we take that action on the secretariat? Thank you.

Russ Mundy, you had your flag up?

RUSS MUNDY: Same question as Martin. Thank you.

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ALISSA COOPER:

Manal?

MANAL ISMAIL:

Thank you. I was going to respond to Martin. So to Martin's question, I think here we mixed two categories of comments when we categorized them by action, so those where we need no action. But they are basically either fundamental things like people who would like to have the internal solution referred -- so this is a fundamental issue -- and other things that are already exhaustively discussed and settled like the composition of the PTI board. So they are separate categories, but both of them require no action from our side. So...

ALISSA COOPER:

That's a good point. If we go down this path of writing the summaries of how we addressed or didn't -- what we did in response to the comments, then we will need to be clear about which of these fall into each category. So thank you.

Kavouss.

KAVOUSS ARASTEH:

Yes. Supporting Martin, I think the title perhaps should be addressed to consensus-based process. Because, for instance, C23, we never addressed the geographical distribution. It doesn't work, geographic distribution. It is experts. And we have paragraph 112, the board

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composition. So we could say "addressed through the consensus-based process." Thank you.

ALISSA COOPER:

Thanks. Can we look back at the agenda? I think we're at the end of this section. Okay. We are supposed to come back and start with NTIA criteria. So my question is to Wolf-Ulrich. Are you listening, Wolf-Ulrich? Yes. You have the ccTLD topic, and it's scheduled for half an hour. Do you think -- no, it's scheduled for 30 minutes right now. But I'm concerned that it might take more than 30 minutes.

So do you have that same concern? I'm worried about -- so you've been bumped to late in the agenda and you only have half an hour. I'm concerned that we will run out of time and not adequately -- not give adequate time to the ccTLD set of topics. So I can move you earlier in the agenda to address that concern, if you think -- if you share it.

WOLF-ULRICH KNOBEN:

So I'm not -- can you hear me? Okay. I'm not very familiar with ccTLDs personally so -- since I'm from the GNSO. But I prepared for the session, for the discussion. And I heard there are some problems with it maybe. From my feeling, two points are contentious. It depends on the discussion here. So it could -- half an hour could be enough from my point of view. I personally do not have a problem with that. But I don't have the feeling from others very close to the CCs. So we can see how to help further. My target is half an hour.

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ALISSA COOPER: Okay. Thanks. So we will break now and we will be back at 11:15 and we will have a slightly updated agenda. Thanks.

[Break]

PATRIK FALTSTROM: Can we please get seated?

So we have the welcome back.

I have some questions from Mohamed. They sent his luggage, like, all over the world so this morning he had to go out and do some shopping. He's still not got his luggage. American Airlines sent it to some other place in the U.S. and not to Los Angeles.

UNIDENTIFIED SPEAKER: I saw him. He was wearing clothes.

PATRIK FALTSTROM: I am not continuing that thread. So, Elise.

ELISE GERICH: I just wanted to close an action item that Joe gave to me and that was on slide number 1 about the comment about geographic diversity of the

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PTI board from Number 50. And we agree it can stay on the fact that we think that it was addressed by the community.

PATRIK FALTSTROM:

Thank you very much.

And, I guess, all of us will sort of over time look at that first slide. And also when some of the groups that we now have tasked to look at other slides, when we move things to that first slide, that we don't have address, I think all of us might sort of come with that kind of statement just like you did. I also had a look at this. And, yes, I agree, or, no, I think we should move it back, et cetera.

So I'm not nervous. I think when things are moved back and forth, I think it is not until we really sit down and go through things -- it's not frozen. Thank you very much because all of that kind of input helps us move forward.

So thank you, Elise.

So let's move forward regarding the analysis with NTIA criteria. Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff for the record. If we could go up for -- we have the slides. Can we go to the next one? Apparently not. Okay.

[Laughter]

I have made a demanding question that cannot be honored. Great, thank you.

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Someone had a calculator handy with this one because we have numbers actually for pretty much all of the questions that were asked.

ALISSA COOPER:

Approximate. Approximate numbers.

JOSEPH ALHADEFF:

There were some proposals that were not captured in some of those numbers. Assuming the approximate number, it's a pretty large approximate percentage. The back of the envelope calculation, were those numbers to be accurate, would be 80% in favor. I think the number is a little bit off but let's just say this was a proposal which garnered a lot of favorable comment at the overall level and then some diminished level of favorability but still a majority at the individual question level. So people varied on their comment but also because fewer people commented at the individual question than did at the overall concept level.

At the majority level, you know, doesn't support the multistakeholder model. I actually took -- it's a broader question perhaps than just that. It's actually the question of inclusion. It's not just the multistakeholder model. It is also the question of inclusion. Part of that question was also the question of power dynamics across the community and the ability of stakeholders to be represented in those power dynamics.

Part of the issue was the definition of multistakeholder in the Tunis Agenda versus the definition of what they perceived NTIA to use as the term "multistakeholder" which at least two comments highlighted as a

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differentiating factor. The community has not yet fully been involved. There was also a concern that some parts of the community would have a harder time being involved due to geography, due to culture, due to linguistic issues, and also due to cost.

I'm not sure someone is meaning to share that part of the -- yeah, okay.

Anyway, okay. We're jumping the gun a little on that part. But okay.

So the -- on the left side is the text that I e-mailed around, which I'm going to get to in a second. On the right side is the proposal questions as we have them.

Okay.

So the civil society, academia, and government involvement in IETF and NRO processes was again highlighted. Some of these are the issues that had been raised to us previously. We had taken those issues on board. We had sent them to the communities, and they were part of a previous process that was there.

Some of them were statements of the additional and unnecessary process to the current civil process. Again, we fleshed out a lot of things that were perhaps understood which may be where that needs to go to. And then the global customers was, again, an inclusion concept. So I really think this is -- this perhaps can be phrased as a question related to inclusion over all. Can we go to the next page?

So, again, this was the security, stability, and resiliency. The areas here that I thought were missing -- the two that were captured very well was there was a concern that people who might be upset about the jurisdiction or the unilateral oversight may create a parallel DNS system. Again, that was two comments that had come up with that question.

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And then depends on the extent to which the accountability and enhancements affirm and support ICANN's responsibility, that's an element which others also picked up on. Dependency issues that might affect the security and stability. And then the two other things that were mentioned across a number of comments related to security and stability were the root zone function, because a number of people said failure to actually appropriately deal with the root zone function would impact the security and stability. And the other one was concerns about separation some people intimated would affect the security and stability of the Internet. Those two were not captured in the slide, but they were across a number of comments, issues that were raised to related to security and stability.

We can go to the next one.

Meeting the needs of IANA partners and customers. It was interesting to see sometimes who selected themselves out of answering this question because they thought they were covered by the question and, therefore, thought they had a conflict in answering the question, which I don't think was our intent for them to do. They -- there was -- this issue was less determinative. And I think the Part B is actually the correct part of this issue in the sense that most people just repeated somethings they had said somewhere else as a justification for this.

Same is true for the openness question.

In many cases people were just repeating something they had said in security and stability or somewhere else. So the answers to these two questions were not novel. Both of them drew a majority positive. But there were concerns related to both openness and related to the expectations. Openness is the next one, if we could go to it.

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And then the last one.

This was a large issue that was raised by a number of commentators. And it was interesting because they went on both sides of the issue. So there were the people who were concerned that remaining in the U.S. might create some kind of destabilization because of an action that the U.S. might take. There was a concern -- and I think this was only in one that I had seen -- that PTI might seek to become an intergovernmental organization. So this was the one where -- you know, there are a few places where hypotheticals were the rule of the day.

ALISSA COOPER:

It's an international organization, not an intergovernmental organization. I think the concern was in terms like the Red Cross, yeah.

JOSEPH ALHADEFF:

But there's still the hypothetical concepts. What role the U.S. government might take in legislation in the future, et cetera. There was the answer that we had had the discussion which Kavouss was elaborating on in our last question related to the role of the GAC in both the CSC and as an owner of ccTLDs.

And then, lastly, the fact that the ICG does not demand any form of legal immunity so that there might be governmental interference in the DNS system, which, again, I'm not exactly sure the legal basis upon which they would find the resolution to that issue.

That was the general realm of the comments. I'm going to go through a second -- I took the liberty of trying to put a narrative together to

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summarize the responses. And I just want to go to that as a foil for how we might move the conversation forward. So, if now you could put up the text on the left screen.

So -- and we should probably moderate the number, because I think 75% is predicated on the approximate being correct. And I don't think we should have a percentage for the number.

But what I tried to do, because I remember, when we were speaking about this early on, some people had said wouldn't it be good if we could have some kind of a narrative description of the answer so as to not be specific but to go through them. And this was circulated to all of you. So, if it's easier to look at your screen than to look at on screen, all of you should have this on your inbox.

The concept that first there was a general affirmation of the proposal. I think we can eliminate the 75%. But just to indicate there was a substantial affirmation. A number of issues were raised. The first one was inclusion. We can scroll up.

And then here we talk about some of the concerns raised in terms of the definition of multistakeholders in Tunis, the concern of formal inclusion, and the concerns raised previously with community processes regarding openness and participation.

And so part of the question becomes how we want to deal with some of these.

And so I was trying to deal with the raising of the concern and some of the answers related to that within those concerns so we contained them.

But perhaps we can talk about sections at a time, because inclusion was certainly one of the sections. But I think, for the matters of inclusion,

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with the exception of, I think, the global participation concerns, they were all questions that have been addressed in the community processes or in the case of they didn't like the definition or the perceived definition of multistakeholder by NTIA or not within the scope of what the ICG is supposed to review. So I'm not going to worry about the specific text. We can do some online editing of that into the future. But the answer to the inclusion questions was really either they've been addressed in the communities or they are outside of scope. The one thing I think that is something that we may just refer to the communities for their information was the concerns related to global participation based on issues of cultural linguistics and travel costs, unless those have already been dealt with adequately by the community, in which case we can also relegate them to having been discussed and addressed. But I do think, when we come to inclusion issues, that is the kind of issue that there needs to be a high level of sensitivity to when it gets addressed. Again, I wasn't aware whether that level of issue had been discussed. To the extent that it has been discussed, we can use the same addressed in community process. But I'd like to open the inclusion portion up for some level of discussion.

And my computer has gone to sleep. So, if someone has the ICG open, tell me if anyone's raised their hand. Because I can't see it on mine at the moment. Okay. Now we need to develop a convention. Does silence mean assent? Okay. I don't hear humming, but I don't hear objections. Okay.

Can I just ask the specific question does anyone know if issues of concern related to global participation in terms of those linguistics and cultural sensitivities were discussed? And should they be considered addressed, or should that be considered something we refer. Alissa?

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ALISSA COOPER:

So the NTIA criteria -- I would have to look back at it. But I think I know it well enough -- is does the proposal uphold the multistakeholder model, right? Which is a little different of a question than was the proposal developed in a multistakeholder fashion or in an inclusive fashion? And we did get some separate -- some comments that are not reflected in this set of slides which were about the process to develop the proposal.

So I would actually say that, to the extent that people answered this question by reference to the process for developing the proposal, we shouldn't actually include our assessment of those comments in our answer to this question.

Because I think we should focus our answer about this specific criteria on the criteria itself. And we should have a separate way to deal with the process complaints. Does that make sense?

JOSEPH ALHADEFF:

Yeah. I guess the question is what's the separate way? Because I was trying to figure out how to capture it.

ALISSA COOPER:

Yes, right. We definitely need to, either in part zero or potentially in this summary document, I think we need to capture the complaints about the process. And then answer the question that you posed, which is,

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you know, are they valid complaints? Were they brought to the OCs and so forth? So I do think we need to have an explanation for how we addressed these comments. But all I'm saying is that I don't think that explanation belongs with the assessment of the NTIA criteria.

JOSEPH ALHADEFF:

Okay. I guess -- I would agree that -- I mean, the concept of no action is here because it's not relevant to the question posed is the final resolution of this. I think, if we're looking at the summary document, we may want to use where people raised the question even if the question was raised incorrectly to answer it.

That wouldn't mean -- because that -- because the concept is the summary document is not meant to be -- this goes into part zero. It's this is the way we've taken a look at the questions that were raised. I have -- you know, I have a little trouble because they raised it in the context of this, even though it wasn't correct. So --

ALISSA COOPER:

I see.

JOSEPH ALHADEFF:

What I'm happy to do is we've come to the same conclusion, Alissa, which is there is no action to take related to these items because they are specifically not germane to that part of the multistakeholder process. So there was no action going forward being suggested. The

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question is: Do we then find a different way to address those issues all together, or do we keep them in this for the purpose of the summary document understanding there will be no reflection of this in part zero?

ALISSA COOPER: Yes, I think we should do the latter. I do think we need to talk about these in the summary document, assuming we produce a summary document. Absolutely.

JOSEPH ALHADEFF: Okay.

ALISSA COOPER: But, while I have the floor, I think -- you know, I think we can fairly say that we have assessed the openness and inclusiveness of the processes a couple times already. Because we've got comments along the way about the processes, right? And so I think we can fairly say that, you know, there's -- there's really -- there's no limit to the community's efforts to keep trying to make the processes more open and inclusive. There is always more that could be done. But, given the relatively minimal number of comments we received that were complaining about this and the broad participation that we did observe ourselves, we feel that the processes were open and inclusive.

I mean, I think that's kind of -- that would be my conclusion, anyway.

Are you able to run the queue now?

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JOSEPH ALHADEFF: I'm having a visual cue right here. So Russ.

RUSS MUNDY: Thanks, Joe, Alissa. I just wanted to comment a follow-on to Alissa's suggestion there. I think what we can very strongly assert is that our processes and the other processes of the operational communities were all completely and fully open, and they were as inclusive as we could make them. But we, as the developers of this set of things, can never guarantee that everybody was present. So we included everybody that showed up. But the ones that didn't show up, there's nothing we can do about that. So I think the open we can say very strongly. The inclusive we can say it is for everyone that showed up. But we can't force people to show up.

JOSEPH ALHADEFF: Any other comments? Can we scroll to the next -- and if we could possibly have the right screen on the same topic as we're dealing on the left screen, that would be great.

So, if the right screen could go to security and stability, that would be great. Okay.

So the security and stability we already kind of indicated that there were a couple that had not been captured. On the right screen I tried to capture them. So the hypothesized dissatisfaction of jurisdiction that

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might lead to creation of parallel DNS and lead to fragmentation -- that was not a shared concern across the majority of comments. The concerns were predicated on the ability to achieve some sort of needed actions and contracts to appropriately enforce them. This is a matter the community has addressed in their further implementation work with legal bases for actions -- can you scroll down, please -- being established in the proposal and across existing work streams. Because I think we agree this is something already being dealt with. This is not a new issue that we're looking at.

And, finally, was the impact that separation or multiple operators might have on the security and stability? I was here. It's a question of what we decided we will be transmitting to the communities as a question. So the idea is, to the extent that we are asking them to comment on separation, then that's being done as a reference to them. If not, we will decide that we have found those answers ourselves if we're not transmitting them for a new discussion.

And then, finally, a couple of commentators were concerned on changes to the root zone. And here it's just the concept that the root zone is a subject of a parallel workstream and that concerns related to the root zones have been transmitted to the appropriate community or communities.

And that would be the process that Milton was working through. And that was my way of addressing stability and security where our real actions related to security and stability were perhaps a clarification of separation and the parallel processes that are going on in root zone. But the other issues that were raised related to security and stability seems to have already been addressed as part of the process. So, again, there wasn't any new action besides the actions we were already taking out of

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other crosscutting issues related to separation or related to root zone management.

Let's open this one for discussion, if anyone has any comments to make.

Okay. The production of a summary was meant to help spur conversation, not prevent conversation.

Russ, is your flag still up, or is this vestigial?

RUSS MUNDY:

Actually, it was. But I do have something I'd like to add here. Russ Mundy, for the record. And that is a question about, A, there. When you're listing the PTI, the separation process, the root zone management, these are -- this is the summary that talks about the different types of issues related to this from the comments.

And, when you -- when you're addressing PTI and separation processes, are they really related to the topic that was discussed earlier today? Is that what these are? Okay.

As opposed to the separation -- the functional separation and the root zone management piece that we had a short discussion on earlier.

JOSEPH ALHADEFF:

So here's part of the problem: Every time anyone had a comment and in their comment they were dissatisfied with something, they indicated that it could impair the security and stability of the Internet. So there wasn't any linkage, necessarily, as to how, just that it might. I will say

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that I actually didn't cover the PTI issue in response. So the PTI issue probably needs to be a little bit more added because some people were considering that the structural elements of the PTI itself could create an issue of security and stability. But at some point some of these issues are really things that have been addressed in the community processes. So I still don't think they add to our response. The question only becomes whether we feel we need to be more complete in addressing the topics where someone might have associated security and stability with the concept. Alissa?

ALISSA COOPER:

I think a lot of our assessment of how the proposal fairs against this criteria has and will be covered by all the other things we've already discussed. I don't actually think there's -- we will have much more to say. Like, once we know what we're going to say about the root zone maintainer and the PTI and the separation processes, then I don't think we will have much else to say. That was kind of what I took from reading those things.

I agree with you, that you could claim that anything jeopardizes the stability of the Internet, but that doesn't mean we have to tick through all of those trying to explain to NTIA how we think the proposal meets the criteria.

JOSEPH ALHADEFF:

I think this is perhaps one section that cross-reference would be useful once we have the other sections highlighted.

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Kavouss, please?

KAVOUSS ARASTEH: Yes, Joe. I agree with you. My reading of all these comments is that whenever any commenter is running short of any valid argument, it resorts to security and stability and resiliency. Even the ICANN board, in their proposal of the MEM, they refer to that. So I don't think that needs to be discussed. Thank you.

JOSEPH ALHADEFF: Thank you. Could we scroll down to the role of governments? I took them out of sequence because I thought that the openness and the expectations, because they were dealt with across the other comments, weren't going to be detailed responses.

The role of governments had a different set of comments associated with it. So there were a couple of comments about government roles would be too constrained and not able to fill all the criteria of the Tunis Agenda. A couple highlighted the concern of the possible role of continuing U.S. jurisdiction. There were some who talked about the enhanced voting role for the GAC and concern of governments as owners of ccTLDs in the CSC. And then that last concern about the lack of immunity.

And in response to that, I think we can't look at all the hypothetical situations and we've relied on community processes to find the right balance across stakeholder equities and operational requirements. And, again, we don't see any further action to be taken on this at this point. I

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think there will be -- for instance, related to the GAC role, there will be greater clarification that comes in out of some of the other comments. But, again, I don't think -- the broad support across the comments was that this was going in a multistakeholder process and not an intergovernmental process.

Queue-wise, I think we have Daniel and then Kavouss.

DANIEL KARREBERG:

Thank you. This is Daniel Karrenberg. I absolutely agree with the observation that the security and stability seems to be kind of an excuse or -- seems to be referenced in a very general way and often sort of out of place.

However, I don't think we as the ICG can just summarily say whenever this is mentioned it's irrelevant. So I caution us against doing that.

And I propose to state clearly that we took into account -- when working on the comments, we took into account references to security and stability only when they were concrete enough so that we could relate them to something. I'm looking for the right language. But we need to say this or something like it in order to avoid to address it each and every time but to make sure that we weren't consciously ignoring some issues that were raised.

So what I'm basically saying -- sorry for being so long winded. What I'm basically saying is we have to say somewhere in our deliverable that some comments refer for security and stability and we can only properly address those that made clear in what way security and stability was endangered. Did I make myself clear? I hope.

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JOSEPH ALHADEFF: Yeah, I think I got the gist of that to capture. And I don't think it's in there yet, so thank you.

Kavouss?

KAVOUSS ARASTEH: Yes, Joe. I think some of these comments is relating to the activities of CCWG, which is still under discussion. For instance, increased role of GAC, GAC has not decided even to participate in the voting process at all. So I think it is just something in the sky.

Moreover, recently ICANN proposed a new method, MEM, which may totally change. So some of these things are not relevant. That's all.

And then the other thing is the fear that PTI might seek international organization. How? Where we have to fear that PTI may be taken by international organization? I have (indiscernible) PTI many time. I have participated. I don't see that fear at all. It is just not a reply from ICG. It is unfounded argument. I don't think it's valid. Some of the arguments are not valid. Thank you.

JOSEPH ALHADEFF: All right. That I was, I think, what prompted me to say the proposal cannot address all hypothetical situations, because a number of these are just that, hypothetical situations that someone is creating out of whole cloth.

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We can be more specific on that if people would like. I actually didn't want to give them any more time than to dismiss them as hypothetical situations.

I think on the clarification which will come up as a result of the PTI, we can also modify this when it comes to clarifications related to the GAC and enhanced voting and things like that. So I think all of these documents will be working together and graduating in flux. As we get more precise answers to the PTI questions, we can then also adapt these answers to that.

And, Russ, I do see you. Very nice use of your flag. You get style points, and you get recognized at the same time.

MARTIN BOYLE:

Thanks very much, Joe. I put it like it because every time I tried to stand it up, it kept on falling over. I thought it was a good engineering solution.

I think I have got two comments. But, firstly, the fact that we are on the role of governments section, if I put my comment in on this section first, I think what this text fails to recognize is that there were quite a lot of comments that I read which had the commentators -- very rarely governments as the commentators saying that the government actually have a role as one of the stakeholder groups in the multistakeholder environment.

And it seemed to me that in this text, it would be worthwhile putting that as a comment in because this wasn't all negative about the role of governments but the governments' view as being an important part of that process. So I think that would be helpful. As I say, I can't remember

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the numbers. But certainly I can at least remember four or five of the documents that I read which made that point.

The other point I'd like make -- and sorry for being a bit tardy -- was to go back to the section on stability and security. And there were two points in that text where you say we will refer back to the communities for their consideration. And in both cases, again, there didn't seem to me to be, of the ones I've read -- and there might have been more, but there didn't seem to be that many concerns that would suggest you needed to going to the communities unless you actually identify what it is you need the communities to say to you.

In other words, have some idea of what answer you're looking for before you go out to the communities to get them to clarify it.

At the moment, I think the question is just a little bit too general. It is part of why the discussions that we've had, including the idea of separation as being a mechanism that helps preserve the security and stability of the Internet -- because if your operator is failing badly, you need to have a process for replacing them.

So it just seems to me on those two questions, we need to have a certain clarity of what it is we're hoping to get from asking the question rather than asking a general question which the answer is, "Well, of course, we considered it." Thanks.

JOSEPH ALHADEFF:

I think this is, again, where we will work collaboratively with the rest of the proposal development. There is a group looking at the question related to separation. And so the concept of what we are asking the communities related to separation can be specified once that group has

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done its work. On the root zone management, Milton is specifying what we are asking related to root zone management. And we can incorporate that.

What I want to avoid is that the summary document repeats itself all over the place. So I think what we have is we'll consider these as placeholders for more specific -- and I think when we find out that the more specific was written somewhere else, we will say, There's -- these issues are being considered already. Please see paragraph 7. And then that will be where the specific text is being highlighted.

So if that works, we'll consider these as placeholders. We'll wait. And as we get to the merging process, we will remove the placeholders. But maybe what I will do is in the next version of this document, I will just color code those as highlighted yellow to indicate it is not text, it is placeholder. Thanks.

And I will definitely take on board the government because that was -- it was stated that there was an appropriate role already for governments. And a statement was that did not impair in any way the NTIA criteria. And I think that's a very important statement to make. Thanks.

Russ?

RUSS MUNDY:

Thanks, Joe. Russ Mundy here for the record. Yeah, I was going to raise pretty much the same point with respect to governments and the fact that it was mentioned that this was a good thing and it was the appropriate way for involvement and that it met the criteria because that was -- it's sort of a tension that exists in the March 14th tasking

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letters. So having it crafted in a way that shows that government involvement is necessary but it is as part of the multistakeholder thing, I think, really is important.

The other thing that struck me during this discussion is this particular area of our request for comments is in some way the most difficult for us to assemble with respect to the overall process because I don't know that we can easily and readily relate it back to the contents of what we got from the three operational communities. And this is actually, perhaps, a possibility or a possible place where we, the ICG, can make some statements about how we see the overall directive criteria that we were given by the NTIA have been met and as sort of an integration function, if you will, that might at least to an extent help with some of the concerns you brought up earlier, Joe.

JOSEPH ALHADEFF:

Yeah. I mean, I -- a number of the commentators started their comments off related to, "We believe that the ICG's review of the ability to make the criteria was correct." So they were actually looking at our estimation. So I think this is absolutely correct, that this is one of the places where we have a perhaps slightly larger remit of drafting if we think that something in our proposal could be clarified or updated to that.

I will say that after having gone through them -- and I'm going to do a belt-and-suspenders exercise of going to the source comments and reviewing the source comments again just to make sure we captured the full flavor of the source comment.

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But I do think the vast majority of the source comments were actually reviewed in a way that the NTIA criteria does not create an action item for us because I do think we have either met them or the concerns that were raised were addressed elsewhere. I think this is an area where we will have very little action that is required of us. But I also think this is an area where we should defer to the other topics that are more specific on this, if they're already covering it and then just cross-reference.

So what I'm going to do as a shorthand, for instance, on the GAC portion is to also highlight that in yellow. And the places that are highlighted in yellow, we will resolve based on the text of other sections to see if they have already given a more detailed response. And then we will just cross-reference to the response that's already somewhere in it. It might be in the PTI section, et cetera, because I think then it makes the section coherent with the rest of the paper.

We've got -- Russ, you were already taken care of, right?

RUSS MUNDY: Yeah.

JOSEPH ALHADEFF: Then Milton and then Alissa.

MILTON MUELLER: I just wanted to -- this is Milton Mueller. I wanted to question this editorializing that's been proposed by Martin and Russ regarding this

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sort of slap on the back for governments and saying, "Yeah, it's good that you're involved."

I'm not quite sure the relevance of that. There's a very simple question here. It says, Does this proposal replace the NTIA with a government or intergovernmental solution? If it does, it's bad. It won't qualify. And so the comments are either saying yes or no.

It's true that some of the comments say, no, it doesn't replace it with a government because governments are participating on equal footing with all the others. And that's fine. But I don't understand why we suddenly have to single out a particular stakeholder group and say, Yeah, we're really glad you are involved. Why don't we do that with civil society or the technical community or what? I mean, just... just answer the question.

UNIDENTIFIED SPEAKER: Hear hear.

JOSEPH ALHADEFF: Milton, I guess my take on that -- and I'll let -- I'll give the two authors of the statements right to reply. But my take on that is I don't think we should be perhaps as effusive in the thanks that the governments are participating. But a clarification that the fact that the governments are participating does not negatively impact the compliance with the NTIA criteria, I think, is the nature of the phrasing we want. Because I think there's some confusion that the presence of governments at all creates an implication. So I think that's --

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MILTON MUELLER: But who has said that the presence of governments at all creates a problem? I didn't see any comment that said that.

JOSEPH ALHADEFF: To me it was a confusion that seemed to be underlying some of the comments.

MILTON MUELLER: It's almost like all the comments said, no, there's no concern here. A few of them said there is a concern. And most of those concerns are about the U.S. government which is maybe still legitimate or maybe not.

So do we want to say, yeah, it's good that the U.S. government is still involved, even if it's not in control of the root? I mean, why don't we just handle this in a very straightforward way and say, Is this a legitimate concern or not? It sometimes like it is very simple. The majority say it's not a concern. There are a few minor issues related to the role of governments, mostly having to do with the CCWG proposal. I don't know. Let's just try to play it straight. Don't editorialize.

JOSEPH ALHADEFF: Okay. We've got Alissa. This is the roll I've got so far. Alissa. Martin, are you in or out? He will stay in. He takes the flag down but leaves the hand up. Very, very wily. And then just -- I'm going to go then to Michael

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because you didn't get on the hand here but you've got your flag up. Then Kavouss, then Daniel. That's the order we've got so far.

Alissa?

ALISSA COOPER:

I wanted to respond to something that Russ said, which was about not reflecting some of this in the individual proposals and, therefore, it being kind of the ICG's responsibility. The text that we already have in Part 0 actually does talk about how the individual pieces of the proposal do not replace NTIA's role with a government or intergovernmental organization. So I just wanted to flag that, that that is already there. I think that's a pretty strong part of the text that we have. And we should certainly add to it based on the public comments. But we already have that written, which I think is good.

In response to Milton's comments, I agree that we should stick to stating the facts. But I also think it's perfectly reasonable whether it be in response to this question or elsewhere in the proposal text for us to explain what the envisioned role of governments is in addition to what it isn't. This is a question about what it isn't.

I think in terms of being able to defend the proposal later, one of the interesting questions that people have in their minds, in particular in the U.S. government, is what the role of governments is in addition to the fact that the proposal doesn't replace NTIA's role with a government or intergovernmental solution.

So it might not be part of this, but I think it's acceptable for the proposal to state somewhere how governments will participate because it's a detail that people are curious about.

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JOSEPH ALHADEFF: Okay. Thank you.

Martin.

MARTIN BOYLE: Thank you, Joseph. The confusion of my hand going down or not going down is the fact that much of what I wanted to say, you had already said. But, in direct response to Milton, yes, there were commentators who focused on what they perceived as a participating role of the GAC, blah, blah, blah, blah. So what you're doing is you're picking up a small number of comments that are addressing a very specific part of government engagement in the process.

There were other comments that made it very clear that the government engagement in the processes was actually a very constructive thing, but the governments were not in a position where they dominated. And they breached the NTIA criteria by having a say that made it a governmental-led solution. And, if I remember correctly, the NTIA criteria are that it should not be a government or intergovernmental-led procedure. And, therefore -- excuse me. And, therefore, if we're going to have comments that are specifically picking out -- you know, we've got to keep this under control, which might then subsequently be interpreted as keeping governments out of the system -- and that's the bit that I'm concerned about -- then I would like to make sure that we have the counterbalancing statement of the positive value of the governments' engagement.

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So it's really a matter of getting the balance right in this paragraph. A moment, I think, certainly from the commentaries that I have read, just seems to me to be not quite at the right place. Thanks.

JOSEPH ALHADEFF:

Okay. Before I continue with the rest of the line, I just want to maybe pull up the fact that Alissa had tried to give us a glimmer of hope of getting outside of this never-ending cycle of not agreeing. And that glimmer of hope was that perhaps we find a different place in the document to make the point about the government's role as legitimate as a stakeholder but not here where it's not directly in the answer to the question.

Because I think that may be satisfying all sides of the equation as to what they are looking to get out of.

To Milton, it goes to the we're not adding anything to the question that isn't absolutely necessary to answer it. But to Martin we are clarifying the position to make sure that it is actually in the paper stated in a positive fashion, not an effusive fashion, but a factual fashion as to what the role of governments would be. In the help of trying to keep us on time, I just posit that as a potential solution. But I will go back to the queue. And feel free to take yourself out of the queue if that solution is sufficient to address your needs.

But it's going to be Kavouss and then Michael.

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KAVOUSS ARASTEH:

Joe, I strongly support the position of Milton. We should avoid any sympathy or antipathy relating to particular stakeholder, whether they have a positive role or negative role and so on and so forth. We should answer the questions.

When I read 37 out of 47, it's 80.5%. More than four or five. The most democratic nation in the world in every decision doesn't go beyond that.

So I think our answer would be yes or no.

And here the answer is it does not replace. Without saying that government has a positive role or government has a negative roles. Because even you say the positive role might be government criticizes, how you come to that conclusion? Our role in guarantee in future or here might not be as positive as you think. Let us be totally neutral and minimizing the comments of the NTIA procedures.

And second, I think you also may agree with me that it is not up to ICG to redefine or interpret the NTIA criteria. That is decision by them. Our role would be yes or no, according to the comment that we have received. We have received less comments it is not our fault. It's the fault of the people. It's open to everybody. 47 out of all are doing how many thousand and so on and so forth.

So I would be much in favor of the Milton approach. Yes or no in any position. But without any explanation. The more detail we have difficulty in future. And criticism. Thank you.

JOSEPH ALHADEFF:

Michael.

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MICHAEL NIEBEL:

Thank you. I understand and support the spirit of what Martin said and Russ said. And also there shouldn't be anything invented. The issue is singling out governments. Governments are singled out. The whole issue of having one criteria by governments means they're singled out. So there shouldn't be anything invented, I agree. They should be faithfully represented what the comments are. And I concur also with Alissa's proposal for a way out.

I have a practical issue. Just the readability of one of the things. We have in this text we talk about the concern about immunity. And I'm just wondering if somebody who reads it who is not in the game knows what we're talking about. Immunity of whom?

JOSEPH ALHADEFF:

Thank you. I think we can take that on. I would actually ask the question, in all honesty, that question was so far out of left field, can we just ignore that topic all together? Because I think the way to handle the concern about how many people might interpret immunity is to suggest that this question really doesn't need to be highlighted as a topical issue. It was -- it was an outlier in every really fashion related to this topic.

Okay.

Daniel, did you take yourself out of the queue? Okay. Took yourself out of the table, too. Okay.

Xiaodong?

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XIAODONG LI:

This is Xiaodong Li speaking. I fully support that. We don't need to have clarification for the definition of multistakeholder or government roles on multistakeholder model. So I think in past years a lot of arguments about the role of how governments play in the multistakeholder model. And we cannot 100% define what the rule is. So I fully support that. We don't need to do more for that. Just definition for what multistakeholder model is. Okay. Another comment is we need to return it back to the community for this question how to make sure that the community understands now the current proposal without the -- only one government to control the procedure for IANA functions. So I think there is some concern about the U.S. government contract so we go back to the community to clarify.

JOSEPH ALHADEFF:

Thank you. I think that issue is relevant to what is being asked in the root zone function in a parallel inquiry that Milton is driving. So I don't think we need to address it any further in this section of the document.

XIADONG LI:

I think it depends on what is IANA function? If it is not part of the IANA function, it's no problem. But, if we think that is part of the IANA function, it's an issue.

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JOSEPH ALHADEFF:

Right. But we have had a long discussion about the fact that this was not included in our specific remit, that it was given to a parallel working process. Milton has drafted the questions and the topics related to the clarification of the parallel working process. It will be in another part of the paper. So I don't see us raising it here. Because I think it then confuses, again, some of the issues which were related to the specific elements of NTIA transition. Because they specifically did not give us this element of transition to consider.

But it will be in other parts of the paper. And I think the question is if you take a look at Milton's comments, whether those address the concerns you have.

Is that a satisfactory way forward? Russ, did you want to --

Okay. I'm going try to sum up that last piece of the conversation. And say that maybe Alissa won.

[Laughter]

The answer is I think it is a correct conclusion because no one is 100% satisfied with it, which means that we have reached the optimal mean of not everyone being happy but everyone being displeased only in the same degree, which is the true meaning of consensus.

So I think the issue is we will take a look at part zero to find out if there is a place where we need to clarify that the role of government as an equal participant is stated in a correct fashion. Neither effusive nor defensive, merely a factual statement that governments are a stakeholder and are welcome to participate in the process. And then we answer this question as narrowly as possible in the context of the NTIA criteria.

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If people are generally okay with that -- and, Alissa, are you looking to footnote your own suggestion?

ALISSA COOPER:

I was trying to go back through the proposal while people were talking to find where in the individual components this is mentioned. Because that's, basically, what we can do, right? We have to go off of what the actual proposal says. So I was trying to figure out -- I'm pretty positive that the protocol parameters proposal does not speak to this because it just references IETF process. And I don't know about the other two. But that would actually be my suggestion is that we just reflect directly what is probably in the names community proposal about the role of governments. And that way we know that we're not editorializing and we're just giving a factual statement. But someone needs to do that, because I haven't managed to do that in the five minutes while people were talking.

JOSEPH ALHADEFF:

Okay. Milton, is your hand back up?

MILTON MUELLER:

Yes, it is. I just want to address what Xiaodong said.

I think it's not quite correct for him to be shunted off entirely to the root zone management concerns. I think if, for example, you summarize the comments of point B(a) up there as saying that some commenters are

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still concerned about the role of the U.S. government, I think that's accurate. But I think our overall conclusion is that this criterion is met and that there's no ambiguity about that. And, you know, I think there would be nothing wrong with, you know, in our summaries saying that. You understand what I'm getting at here? I think Xiaodong was not just talking about root zone management but the overall perception of the dominance of the U.S. government. And some people still have that concern because of jurisdiction. But we don't think that that defeats the criteria. We still think that the criterion is met.

JOSEPH ALHADEFF:

I'm sorry, Xiaodong. Because I thought you were talking about the VeriSign contract. So, if you were meaning to be broader, I was only answering your VeriSign contract element.

XIAODONG LI:

This is Xiaodong speaking. I think next time I speak Chinese so you understand me very clearly.

[Laughter]

JOSEPH ALHADEFF:

Milton, I'm assuming your hand is now down? Okay.

And then the last one on openness and expectations was just a concept that these issues had already been addressed in previous iterations. I will take an action item to do another redraft of this. I will highlight in

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yellow those things which might be the subject matter of cross references to more specific areas of the proposal.

To the extent that someone else has defined them better at another area of the proposal, then all we need to do is cross reference that section. We shouldn't reinvent the wheel. I'll recirculate it in advance of our call on Wednesday.

And everyone else should feel free to throw edits towards me if there's anything specific they would like to see. And then I will endeavor to search for that part of the proposal that looks at where the names have addressed this issue. If any of the people intimately familiar with that proposal, of which there are some of you in the room, already know where that place is, I would appreciate you sending me the link to where that place is.

Any further questions? If not, let's try to keep on schedule.

ALISSA COOPER:

Thank you, Joe. So I do have two questions. So one is: Are you prepared to do the same task which we asked of Milton, which is to separate out language you think can go into part zero from -- that this strikes me as a very strong basis for the beginning of the summary document. Do you think you could produce or extract out or whatever text that you think belongs in part zero in response to the NTIA criteria, if you think there is any.

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JOSEPH ALHADEFF: Yeah, I'm -- short of a conclusory statement, I'm not sure there is a whole lot of stuff. Although elements in here that are capturing some of those more detailed things that code from the others are probably part zero material. But they don't originate from here, so I wouldn't consider them coming from here. But I'll go through that and make a shot at this might be something we add in part zero. But happy to do that.

ALISSA COOPER: Okay. Great. Thank you. My other question is, just as this is developing, since you've basically started a summary document, if you'd be willing to be the editor of it overall. Not just this part but as the other pieces come in. You can think about that for a little while, if you want.

JOSEPH ALHADEFF: I'm happy to be a coeditor. And this is why I just say coeditor. There are some issues that are more technically complex than I'm able to resolve. So, as long as you give me a partner in crime that has better technical chops than I have, then the answer is yes. Thanks.

ALISSA COOPER: Thank you. We'll figure that out over lunch or something. Thank you, Joe.

Next topic is ccTLD issues. So we turn to Wolf-Ulrich.

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WOLF-ULRICH KNOBEN:

Thank you. I'll just briefly do some figures here. For statistics. So we had for the ccTLD issues roughly 17 comments in total. And the most of them were affiliated with the ccTLD managers or the organizations who manage or representing ccTLD managers.

And one was also included from the ccNSO council. So, just to give you a figure about some of the representations of the comments themselves.

One comment was -- when we assessed the comments all over, one of the comments related to the -- were coming from the ccTLD was they assessed and reiterated by ccNSO comments as being hostile. So I've never seen any other comment from the -- out of the 157 comments was got to that level of rating.

So others were rated in being not in agreement with the proposal or objecting to that. But this must be highlighted that was rated as hostile.

So the kinds of comments that were made are on this slide. And I'll quickly go through them.

One area was in relation to a general point. It means there's ongoing work to be done within several groups related to the ccTLDs. And so that means that the text as it is to some extent in the report is no longer valid because it's ongoing work on that. But this relates to, I would say, also to other points, not only related to ccTLD. And that is a point which should be taken into account by all of us who are going through the comments and who will go again through the proposal in future in order to try to update the text along the development of the different points, various points.

That is under A1.

A fairly amount of comments is circling around the question which is related to policy development in the ccTLD sector which is referenced to

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the so-called ICP1 document. And there's concern in the comments about -- and discussion about whether this reference is right to be put in the proposal or not. And there is concern about -- and some of the commenters are requesting that this reference should be withdrawn. I wonder whether this is still an issue or not. For myself, I could not understand why it has not been discussed or why there was not a solution found on the CWG with regards to that, not yet. But maybe there's explanation on that.

Another item which is contentious here is about the appeals mechanism for ccTLD delegation and redelegation in the future. So commenters are missing that the appeals mechanism -- they are saying that they miss an appeals mechanism in the proposal for this kind of delegation/redelegation. And others are arguing, well, this is underway. This is a policy development process within the community. But it takes time to develop such a process.

And then this is the open question on that, what should be done until this may be available and before -- if that is not available at the time the transition is going to take place. So this is still an open question, a contentious item how to deal with that.

There's one comment with regards to the membership in the future IANA functions review team. As you know, in the CWG proposal, the IFR is going to be established. And it's composed by several stakeholders. And there are figures shown here how many members each stakeholder should have or send to that committee. There is a point between the different ccNSO -- ccTLD kinds.

One part which is not related to the ccNSO group is given one member. And the question here is -- or the request here is not to make that obligatory, just to do that as an option. Maybe this is a point. I don't

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know where the discussion on that is. But maybe it could also -- we can get some explanations here during the discussion.

Okay. Number D reflects this very hard comment, which is also classified as hostile. But one point is drawn from that. In general, it's not -- to my knowledge, not very much explained and there's no rationale given. Just as a general comment is saying that the transition carried out under this proposal would worsen the positions of the ccTLD managers both individually and collectively. So for me personally, that was because there was no rationale given rather than a statement to that. So we put it here on this list in this regard.

The last point which was debated also in other environments is the SLEs, but that the SLEs should be in place before the transition takes place. And the request is here that reference should be made in the proposal with regards to that.

As I have heard, this point is not contentious but is rather a point for ongoing work. This may have a solution, and we should think about whether we should make reference and what kind we should make reference to that issue here in the proposal.

So with that -- so my take is the question of ICP1 may be a point and the PDP with the proposal of appeals mechanism in the proposal here may be the points which may take some time to discuss. But I'm open for that discussion.

And I open the floor for discussion here.

Please also raise your hands in the Adobe Connect.

First, my question would be first: From your point of view, did we cover all points? Is anybody of the opinion that something is missing here, which should be included? And then discuss all the points.

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I see Martin first.

MARTIN BOYLE:

Thanks, Wolf-Ulrich, for a very good analysis. There were perhaps some issues that came up on jurisdiction, but I think we've dealt with those separately. And so I think your list, certainly for me, reflected what I had read.

If I go through the five general headings that you've produced -- and I'm sure Keith, who I see is next in the queue will want to go into some detail on some of the others as well.

For A, I think what has been pointed out is a slight inaccuracy or a difficulty of interpretation in the text in the CWG report. And, therefore, I wonder whether the logical thing would be for the ICG to have in its correspondence with the CWG simply a, "We've received these comments. We would like your confirmation that these comments are accurate and seek your confirmation that they are with an amendment of the text."

For B, I think you were quite right in referring to this one as being a very difficult issue. This is on independent review processes and appeals mechanism. And there's probably quite a number of different views as to what an appeals mechanism for a ccTLD delegation and redelegation should be.

A policy development process will certainly take time to develop. I think I would certainly recognize that there would be a number of ccTLDs that would be seriously concerned if an action that was affecting their country were to be delayed, their country code were to be delayed, because the policy process wasn't in place. But I think that one is one

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that I have no easy answer to other than to say, "Well, this is a post-transition action needed."

C, which is the IANA functions review, this was some text that was drafted on one call. And I can understand the comment that was made in that there are very few non-ccNSO ccTLDs that are active in the environment. And, therefore, almost every time you have an IANA functions review, you will be calling on Denmark or the Ascension Islands to put forward somebody to do that work. That perhaps is a point of clarification for the CWG and can be dealt with in that way.

But I'm not really convinced it is a significant issue. My recollection was that Keegan did actually suggest some wording which was along the lines of "where possible it should be a non-ccNSO ccTLD."

For D, I'm sure there will be a number of other ccTLDs that would say transition carried out under this proposal would improve the positions of ccTLD managers. I think that's just a matter of individual view. I think I would just note that only one ccTLD said that.

And under E, service level expectations, the work is in hand. We are all conscious of the need to have service level expectations in place by the time of transition and a process for adopting and modifying service levels going forward. So I think the CWG is, in fact, well aware of that and is carrying on work there. I have no views as to whether we really ought to rub their noses in it and say "Get a move on" or just leave them to carry on doing the work. They are conscious it needs to be done before final transition. Thank you.

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WOLF-ULRICH KNOBEN: Thank you, Martin. Just a question for clarification to point B. Did I get it right that you are taking this rather there is a -- this is going to be done post-transition? The work here? Is that your suggestion, or did it -- did I get that wrong?

MARTIN BOYLE: My recollection was that the ccNSO is aware of the need to do the policy development process, has not started it yet, and given the expectations for a transition date, will certainly not have finished in time.

So I believe but I couldn't say -- Keith is, in fact, a counselor on the ccNSO. So he might be able to give chapter and verse as to what the ccNSO Council has actually said on that.

WOLF-ULRICH KNOBEN: Keith, please.

KEITH DAVIDSON: Keith Davidson for the record. Thank you, Wolf-Ulrich, for your very good dissertation on the issues.

Dealing, as Martin has, with the points individually, regarding ICP1 firstly, it's important to note that the CWG at the time was trying to hit a moving target that was moving fairly quickly in terms of the implementation of the framework of interpretation which cautiously asserted that there were only two sets of policies and guidelines that

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impact ccTLD delegations and redelegations. There was RFC-1591 and the GAC principles 2005. And that any reference to ICP1, news memo 1, et cetera, was not relevant to applicable policies.

So at the time, CWG only knew that that was in draft form as part of the framework of interpretation's work. But subsequent to that, the framework of interpretation has been received and accepted by the ICANN board and is now in the process of being implemented. So there is now a clear categorization that ICP1 does not form policy.

So I think to write back as Martin suggests to the CWG and suggests that -- or with the new knowledge of the status of the framework of interpretation that it would be appropriate that they might review their work and revise their text as a result of that.

In terms of B, this is a really difficult issue in terms of an appeals mechanism.

There has been in RFC-1591 penned in 1994 the suggestion that there should be an appeals mechanism to here, issues of delegations and probably more importantly redelegations. But that appeals mechanism has never existed. So for it to not exist for another period of time probably doesn't matter.

However, the suggestion that the IRP would be an appropriate mechanism falls quite short of actual requirements. It may be in an instance that significantly interested parties in a ccTLD might collectively agree to an IRP. But I doubt many governments would want to have issues around redelegation of the ccTLD being held in the sense of an IRP hearing in the U.S. rather than under applicable local law. So if a government did consent as a significantly interested party, maybe it

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could apply. But I don't see a universal applicability of the IRP in the interim.

The ccNSO -- and I speak as vice chair of the ccNSO Council now. The ccNSO recognizes that it has some urgent work to do in terms of policy development relating to these topics and is considering between now and Dublin the formation of working groups to specifically address the appeals mechanism as referred to in RFC-1591 and also to develop a policy for retirement of ccTLDs which is entirely absent at the moment. So the ccNSO is aware of its obligations and so on.

It is also seeking agreement with the ICANN board potentially that delegations and redelegations that are not considered crucial or impacting the ongoing security and stability of the Internet be deferred until the policies are developed. So there may be some reduction in terms of the impact or the number of redelegations that would occur.

In terms of Item C, I fully support Martin's comments that it's not always possible to have a non-ccNSO member. But it would be a nice thing to do, if appropriate.

Item D, I think there was one other ccTLD manager who also spoke against supporting the transition plan overall. But I think along with the one referred to in Item D, I don't think that affects the consensus. There was very strong support from the ccNSO representing 155 ccTLDs from CENTR which represents around 40 or more European ccTLDs that the transition is supported by them. So while it's not unanimous, I think consensus remains.

Finally, item E, the SLE matrix has been finalized and agreed by the parties and is moving towards an implementation process with IANA. Now, I think it probably is appropriate that since the -- or since the

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names proposal refers to the principles and the fact that the SLEs are being developed -- now that they are developed, we should receive them formally and append them to the names proposal so they form part of our proposal to the U.S. government. Thank you.

WOLF-ULRICH KNOBEN: Thank you, Keith. I got that it is more or less going to center around the point B here, you know, which still means by the others it could be easier solved. But I would like to hear about that. Then Alissa and Kavouss and Milton and Elise we have on the list. Alissa, first.

ALISSA COOPER: Thank you. I agree that's what it was sounding like to me as well, Wolf-Ulrich. I was just curious if the folks who participated in the CWG could clarify or maybe characterize if there was discussion about this point B and how extensive it was about the issues collected in point B.

Yeah, Martin, do you mind addressing that quickly?

MARTIN BOYLE: Yes, Alissa. There was quite a lot of discussion and no particular resolution. That there are, as Keith indicated, certain serious concerns and considerations about what might happen if you had some review process. That was entirely based out of country. And we're now trying to make decisions on a decision that had been made within the country and with a certain degree of support.

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So I guess you probably have got as many ranges of interpretation of how much that should be covered. In the original work, there was a survey done.

And, from the results of that survey of ccTLD managers, they ended up with what could best be described as a lack of any clear direction forward. Thanks.

ALISSA COOPER:

Thank you. That's helpful.

My only other point was, as far as point E is concerned, we will come back to the topic later today of the completeness of the proposal. And so I think this fits. We have an item in there about the SLEs. So this will fit with whatever we decide to do as far as completeness of the proposal.

WOLF-ULRICH KNOBEN:

Thank you. Kavouss, please.

KAVOUSS ARASTEH:

Yes, most of the things I wanted to say was said very thoroughly by Keith Davidson and Martin. With C, D, and E, I won't repeat them. With respect to B, I think the issue is quite clear. In paragraph 8 of number 268 of CCWG proposal for public comment, exclusion, it is mentioned ccTLD delegation redelegation. In the letter of April 2015, the CCWG stewardship indicated that any appeal mechanism developed by the

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CCWG accountability should not cover ccTLD delegation redelegation issues as these are expected to be developed by the ccTLD community through the appropriate processes. As requested by the CWG, decision regarding ccTLD delegation or revocations, which is another term, would be excluded from the standing until the ccTLD community in coordination with other parties has developed relevant appeal mechanisms. So we should discuss the process, and we can't do anything. Thank you.

WOLF-ULRICH KNOBEN: Kavouss, coming back to that point, so my take was -- my first question is it CCWG or CWG?

KAVOUSS ARASTEH: CCWG document.

WOLF-ULRICH KNOBEN: Okay. So to my knowledge --

KAVOUSS ARASTEH: Paragraph 8 of the 268. Thank you.

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WOLF-ULRICH KNOBEN: But colleagues here from the CC could help me. So my take was that it in also yet excluded in the CWG proposal. So it was discussed. But -- because reference was made to the PDP, which is planned to be taken. But -- so here the comment is -- the comment is from the CC side itself, to think about whether -- what would happen in case a decision takes place and there is no PDP in place at that time and the oversight function of the NTIA is going -- in this respect is going to the other way. So that is a question here. Thank you. Kavouss, please.

KAVOUSS ARASTEH: I think the only thing we can do is raise a flag. That's all. That this is something developing, and we cannot do more than that. Thank you.

WOLF-ULRICH KNOBEN: Okay. Milton, do we have to do something on this point please? Let's first Milton and then you.

MILTON MUELLER: If Keith is going to respond directly to this dialogue about the appeals mechanism, he should go first.

WOLF-ULRICH KNOBEN: Okay. Keith, please.

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KEITH DAVIDSON: I've lost my train of thought. Let me come back. I'll put my hand up in the queue. But it's specifically to something Kavouss said. I'll look back at the text.

WOLF-ULRICH KNOBEN: Okay. So let's move on with Milton, please.

MILTON MUELLER: What about Elise? She had something specifically on this.

ELISE GERICH: On the appeals thread, do we want to stay on that? So it's more of a clarification and actually a little bit of a concern. And, Keith, it's to your statement -- and maybe I misunderstood it. So I hope I did. I think what I heard you say was that, while the PDP process for an appeals process or for the retirement of a ccTLD is going on, that you're seeking agreement with the ICANN board to potentially defer delegations and redelegations? Did I hear that properly?

KEITH DAVIDSON: Yes. But to defer where it doesn't immediately impact the security and stability of the Internet, any decision relating to delegation and redelegations. Now, most of them do affect it. So, mostly, they would

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continue. But there have been a number of instances. And a good example might be, for example, the United States minor outlying islands, the mass of population of .UM being withdrawn from the IANA root. There wouldn't have appeared to be any urgency around that. It wasn't a populated ccTLD. There was no policy for the ICANN board or IANA to have acted. But a decision was made to undelegate.

Now, if it was made at the request of the U.S. government, that's probably appropriate. And, if they felt that it was an issue that immediately affected the security and the stability of the Internet, it's probably appropriate, too. But it would be better to defer such decisions, if it's not immediately impacting, until there is a policy in place.

ELISE GERICH:

I guess I'm quite concerned that the ICG wouldn't flag this with the CWG as a possible problem. Because the way -- as an operator, as the IANA functions operator, it puts us in a difficult position of having to decide what's important and what's not important, which country is important to create a delegation for and which country is not important to create a delegation. I'm just a little concerned that we might go down that path.

WOLF-ULRICH KNOBEN:

Again, Keith.

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KEITH DAVIDSON: Thank you. I think this is giving me grounds for discomfort where -- at where the ccNSO has decided that it should act. And perhaps some dialogue directly with IANA might be helpful. So, if we take this off list and work on this between now and Dublin anyway.

WOLF-ULRICH KNOBEN: Thanks, both Elise and Keith.

Well, I think we're beyond raising a flag. I think the question is what shall be all on the flag. So this is to be worked out later on.

I have Milton, please.

MILTON MUELLER: Yeah. This is a minor point. But, in reading these comments, I was particularly impressed with this comment you have listed as C, that it was just one of these sort of sensible adjustments in the proposal that seemed to raise a concern that hadn't been properly considered based on my knowledge of how the CCWG or the CWG was developed as part of its proposal. Somebody just threw out the idea it would be a great idea. We should have non-ccNSO ccTLDs represented. And everybody said yeah, yeah, that's a great idea. But I don't think they really thought it through. And then, when Martin said that we're talking about two, maybe three, you know, people that end up doing it all the time, I think is it possible for us to just sort of say this is a sensible suggestion? Can the CWG adjust its proposal or tweak its proposal to take this into account? Is that -- what's that? Review the comment. Yeah.

I would support doing that.

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WOLF-ULRICH KNOBEN: Okay. Point taken. I have Alissa, Keith, and Daniel in the queue. And I would like to close the queue then and wrap up. Please, Alissa.

ALISSA COOPER: So, coming back to this question about point B and the exchange between Elise and Keith, I think it seems like our task is to -- well, I will say it seems like there's ongoing conversation about this in venues that are really outside of our purview as the ICG. So maybe that's what we need to say. I'm trying to figure out, like, what do we need to say about this? Having received some comments about it, it's clearly a live issue. But it's not -- but I don't think we are going to act on it necessarily.

So I would be open to suggestions, maybe, from Keith or anyone else about what do we as the ICG say or do in this regard? Because it seems like we need to say something, but I'm not sure what.

To Milton's question, normally, I think what we've been doing the last few days is we have kind of a one-off comment and we sort of say, well, that wasn't really supported by lots of people. So, you know, this comment seems to be in the rough and maybe we don't address it. But I would, in this case, we're going to go back to the CWG and ask them about point A anyway.

And I think we are -- it's possible that we will obtain revisions, revised text from them based on that.

So, if people think that point C could follow that same pattern, I have no objection to that. It's fine with me.

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MILTON MUELLER: So it's like -- that's precisely the point is that it's not the kind of comment that you say oh, is there consensus. It's just like they made a valid point. Nobody else addressed it. So why not --

WOLF-ULRICH KNOBEN: Yep. Next is Keith. Maybe he has some suggestions.

KEITH DAVIDSON: Certainly not on that point. But I think -- yeah. Can I go back to the point that Kavouss made that I wanted to address then? And the question he raised was what would happen in a case a decision takes place and there is no PDP at the time and the oversight function of the NTIA is going in this respect?

And I think the answer to that is the NTIA claims it never involves itself in an actual decision on a delegation or redelegation, that they merely authorized the change after checking that it was appropriately dealt with by ICANN. So that they're not an appeals mechanism now.

So I'll assert my earlier comment that there is -- there has been no appeals mechanism in history. And the NTIA going away will not change that in any regard.

And to Alissa's point, I think maybe we need to acknowledge that there is in part zero, that there is extreme difficulty in hitting moving targets. And we are constantly facing moving targets. The ccTLD world in -- at

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least two or three of these issues is moving very quickly. So the proposal can be superceded by events of time rather rapidly. And maybe that's all we can do.

That's it for me. Thank you.

WOLF-ULRICH KNOBEN: Thanks, Keith. And Daniel, please.

DANIEL KARRENBURG: Daniel Karrenberg here. Thank you. I want to raise a principle question as we're contemplating to forward comments to the operational communities that might prompt them to revise language.

We have to be very clear what our expectations are as when we actually, in fact, receive revised language. And that goes for all the comments that we forward and all the suggestions we make to the operational communities for revisions.

And I'd like to have a place holder somewhere, hopefully, today or on the mailing list to discuss on how we deal with that. Let me -- if you give me a minute to amplify a little bit.

If, for instance, we take the obviously interesting suggestion in C there, and the CWG actually -- let's suppose the CWG very quickly comes to consensus about this and says, you know, do this or don't do this and communicates that back to us, you know, including new language saying take these words out, put these words in, that kind of stuff, there's a question for us is will we do that. Will we actually change our

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deliverable? And then we have to make a decision on whether that requires additional process in either consultation with the other operational communities or another round of public comment, you know, or whatever, whatever.

So I think it's imperative that we indicate -- when we forward these kinds of things, when we ask these questions of the operational communities, that we indicate a firm view or, at least we communicate somehow to them what's going to happen. They need to know unambiguously, if you change this, then we consider a new round of public comments is necessary.

If you touch this.

Or we consider -- we will -- if you choose this option, roughly, then we'll -- we're unlikely to require more process. But I think without this information, I think they will lack essential guidance on how to deal with this.

Let me emphasize -- let me amplify once more that, if I put myself in the role of the operational community, I can say oh, yeah, C is a nice idea and we'll get rough consensus. I'll forward this up to the ICG. And then I'm faced with, you know, another two months' delay, which I may not want. So we have to be clear about this. And I think we should very consciously discuss this before we take any formal action of requesting or suggesting changes to the operational communities.

WOLF-ULRICH KNOBEN: Thank you, Daniel.

The point is taken as well.

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If -- there is another one. Martin, please. Yeah.

MARTIN BOYLE:

Thanks, Wolf-Ulrich, for your patience. I'd just like to pick up with on what Daniel has just said. And I think Daniel makes a very good and very important point. I wonder -- and this is just a question to the group whether we can perhaps take a view on things that are essentially minor editorial as would be anything related to the section A on Wolf-Ulrich's slide or making a small change as in line with C. So, essentially, what you're doing is asking them to clarify whether this is an absolute in the case of question C, or whether they recognize and accept that the comment which is being made under A addresses an inaccuracy, a current inaccuracy in the text. And I wonder whether there is that sort of fine balance line that we can identify that would allow us to offer them a way of making progress without having to go back out to the community yet again. But I would be interested to hear how others feel about that.

WOLF-ULRICH KNOBEN:

Let me briefly comment on that. So to my take, with regards to point number A -- and this is referred to all ongoing work between. Because, as time goes by and the transition proposal is going to be shifted to a later time, then something is going to happen in between. And we'll require updates. So there's no problem, I think, with that.

The other thing how I understood here, Daniel was to be careful in making suggestions with regards to the essence of specific proposals

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made already and requirements. So that's what I took from that, but I have to learn as well.

Alissa, you wanted to comment on that? Please.

ALISSA COOPER:

I think we need to make this decision on a case-by-case basis. So in the case of the question that we might send about point A, I agree that it's almost editorial and that the references have changed in the meantime and so we go ask them. We point this out to them. And if they want to change their text, it comes back to us; and we can clearly indicate that this would not require a further public comment process.

I think we could probably do the same thing for C. But I think we may get more of these based on the work of the PTI subteam and so forth. And for each one, we need to decide how we frame it to the communities. I don't want us to decide in advance right now, "We are not going to ask any questions that could potentially yield serious changes to the proposal." But I think before we send any question, we need to have it clear with each single one.

I actually don't expect us to have any of those even coming out -- just based on the PTI subteam discussion earlier today. But I don't want it to be a foregone conclusion. So for these two, I think we can be explicit that whatever text we get back from them, we would expect to incorporate in the proposal and finalize it shortly thereafter.

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WOLF-ULRICH KNOBEN: Yes. If there is -- I see Daniel again. But if there is not a principle discussion about how we deal with this comment at all because I see it as more of a general point here to be discussed. So I would like to have questions specifically related here to these points here, please.

Mary?

MARY UDUMA: Thank you.

DANIEL KARRENBORG: As long as we have some time to discuss the principles of what the options are and so on. And I agree with you that we should do it, of course, with each and every thing we send back individually. But I think we need to be on one page with what the options are. If we have a placeholder somewhere that we discussed this before we commit to send anything back to the operational communities, then I'm happy. Yeah. I just want to have a feeling around the room that we all know that sort of these are the different categories of the changes that we suggest or entertain. And then we can make a decision with each one which category this is.

And I wasn't going anywhere saying we shouldn't -- should or should not request or suggest any changes. That's an orthogonal issue.

WOLF-ULRICH KNOBEN: Alissa, please.

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ALISSA COOPER:

I think there's four categories. You tell me if this covers all of them, I mean, that have come out of this discussion. One is we just send comments as FYI. We received these comments. We think you should look at them. There is no action that we expect.

The second one is we ask a clarification question which doesn't result in text changes to the proposals. But like Milton's question about the root zone maintainer, we just don't understand. We would like a clarification.

The next one is, like, with point A here, we point out these comments we received. We suggest that the community take a look at them. If they decide to update their text, they can send us updated text. We will incorporate it into the proposal without further delay in the process.

And then the fourth one is we send them -- and the fourth category, I don't think we've come to any of these yet. But if we do, we send them a comment which may yield substantial changes to their proposal. And we indicate to them that if they're substantial enough, we may feel we have to put the whole thing back out to public comment.

Do you think there is another category? Okay. Okay. Good.

WOLF-ULRICH KNOBEN:

Okay. Thank you. Are you still in the queue, Daniel? No, okay, thank you very much.

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So let me try to wrap up. Well, with regards to those points, I see under A, things to be done with regards to clarification. So the first A1 is clear; it's not contentious. Second, A2 is a point of clarification. I understand. We have got a comment with regards to interpretation of this issue from the ccNSO Council and others. With regards to that, we would like to have clarified from the originating operational community whether this interpretation is correct and is supported.

And then if that is the case, this operational community will act on that accordingly. So that's what I understand is the first one.

Let's just skip B and come back to B.

C, regarding to point C, it's also a matter of fact of the question that we may refer to the community and say, Okay, there is a comment made. It is in that direction. Did you take that into consideration and discard that and come up with a decision from your side as operational community?

With regards to point D, there is no further comment from our side. And with regard to point E, this has also made reference in the discussion about completeness. We will comment later about that.

Regarding point B, delegation, redelegation, it is correct. We should raise a flag here that is that there is an issue that there seems to be an open item or an item which is in discussion. And where the ICG is not in a position relative to say this way or that way, that means to decide upon. But I think raising a flag that there might be a point of lacking a certain, let me say, policy environment until a policy development process is established. And as I hear, there is no specific proposal from our side relative to opt for the one or the other side. And we could only further it back to the community and tell them, okay, take this into

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consideration and try to find a solution from your side. That is what I took from the discussion here.

I have two points -- two comments from Kavouss and from Alissa. Please.

KAVOUSS ARASTEH:

Thank you, Wolf. I think with respect to B we don't need to say there is a lack of things. We just (indiscernible) CCWG not to leave this impression that without others in that matter, the transition will be delayed. It's not as such. We just (indiscernible) the paragraph of the CCWG as I mentioned.

With respect to C, I think we should not say that sending to the operational community. It's only one comment made. And it has been discussed extensively in CWG, and that was the point that considered as it is in the report. So one comment saying that it should not be mandatory option. We should not ask the operational community. We should say that this issue has been addressed through the consensus-based process. That's all.

Thank you.

WOLF-ULRICH KNOBEN:

Okay. Thank you, Kavouss.

Alissa, please.

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ALISSA COOPER: So we need to wrap on this because we are supposed to be eating lunch. So hopefully -- can we do that?

WOLF-ULRICH KNOBEN: Yes.

ALISSA COOPER: Okay. So my -- well, Kavouss, I think, has just now changed what I was going to say because I thought we had pretty good agreement to send a note to the CWG regarding both A and C. And I was going to look for volunteers to draft such a note.

Keith, you thought I was going to say your name but I said Keith's name.

[Laughter]

KEITH DAVIDSON: I feel rather conflicted. I'm sorry.

ALISSA COOPER: I knew you were going to say that.

So, Martin, could you take the action to draft a note to the CWG concerning points A and C? I'm still unclear on the action for B. I was going to ask Keith to take an action on B.

Keith, how do you feel about -- yes. What is the action?

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KEITH DAVIDSON: I think the action on B will probably -- no. I think it needs to be -- there is a question that arises from that that needs to be referred back to the CWG for their consideration and their clarification back to us, I think, in terms of their intent around -- oh, in fact -- sorry. I'm thinking on the fly here. It's more complex than that because it's now in the hands of the CCWG accountability as well. So I am struggling to think of how you could actually put an action around this.

ALISSA COOPER: It's fine if we have no action as well. Okay. Now we have a giant queue, and we were supposed to be going to lunch.

KEITH DAVIDSON: Time will resolve this.

ALISSA COOPER: Let me ask a different question, one thing I was wondering about. It seems like we have something to say in the summary document about this, right? If we are going to summarize comments received, we clearly received several comments about this. I'm not sure that it rises to the level of something that we need to speak about elsewhere. So maybe that's where we end up with perhaps what Kavouss has suggested, which is a reference to the CCWG or something along these lines. But the place where it lives is the summary of public comments.

Are there objections to that idea? Yes? Okay. I was trying.

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Let's do Kavouss, Mary, and then Martin.

KAVOUSS ARASTEH: No objection to your proposal for B. No actions but only cross-reference. That's all. I don't think it is productive to send to CWG. It was certainly discussed, and it was not agreed as such. That's why they wrote a letter to CCWG, and CCWG put it in this document. That's all. I think no action. I agree with your last proposal.

ALISSA COOPER: Okay. Thank you. Mary?

MARY UDUMA: During the process -- thank you. Mary for the record. During the process, I think there was a survey among the ccTLDs. And there wasn't a consensus on taking this on; that is, the delegation, redelegation PDP. So we decided to remove it and ask the CWG not to touch that area. And if it's been taken to CCWG, I think we should allow it there.

I agree with your summary that we put it in a summary that this -- this is the action. There's no need going back to CWG on this. Thank you.

ALISSA COOPER: Thank you.

Martin?

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MARTIN BOYLE:

Thanks, Alissa. By and large, I agree with your approach. I would also note something that Demi has said in the chat and also that Keith said and that was about NTIA action on appeals.

It actually seems to be out of scope of transition because there is no current appeals process.

So I think in our comment, we could actually add something like that and note that there is an expectation that the ccNSO as the relevant policy forum will proceed to fill in the gap in policy that's associated with this.

So I'm fine with the way of going. I just think it would be worthwhile putting a little bit of explanation as to why we were pushing this one back without actually turning around and we're saying it goes back to the CCWG. Thanks.

ALISSA COOPER:

Thank you. Keith?

KEITH DAVIDSON:

Simply +1 to Martin. What an elegant solution. Thank you.

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ALISSA COOPER: Great. So, Keith, can we give you the action to draft the summary of the ccTLD-related comments, including B? But I think the others as well. Or just B? I mean, we do, I think, need a few sentences about what we did -
- how we disposed of the other comments as well.

KEITH DAVIDSON: I think the problem for me is real conflict.

ALISSA COOPER: Okay. But you can do B? Great. So let's give Keith an action to summarize the comments related to B. And perhaps in the fine tradition we've established in the last day and a half, we can give Wolf-Ulrich the action to summarize the rest. Great. Thank you.

So let's have lunch and we will reconvene at 1:40 -- I mean, you can continue eating until however long you want to eat for. But we are going to have a working lunch starting at 1:40.

That's in 22 minutes from now.

JEAN-JACQUES SUBRENAT: Can you hear me?

ALISSA COOPER: Yes, we can hear you.

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JEAN-JACQUES SUBRENAT: I'd like to be part of the discussion of the next meetings and the calls which I think is being discussed during lunch. Is it possible with remote participation?

ALISSA COOPER: Yes. Yes.

JEAN-JACQUES SUBRENAT: Okay, thanks.

ALISSA COOPER: It will start in 20 minutes.

JEAN-JACQUES SUBRENAT: Right. See you.

ALISSA COOPER: Thanks.

[Lunch break]

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PATRIK FALTSTROM:

So it's 1:40. And, even though we're continuing to eat, I'd like to start to discuss the future meetings and timelines and future steps. Close to the coffee and water. Also put three cups of chocolate that I brought from Sweden that I thought might be needed to get us bouncing around here. Please help yourself.

So what you're seeing on the slide to the right here is a suggestion from -- me and Alissa have been thinking about where we are and what the future steps are. And we know that this is pretty aggressive. But we do believe that all of us would like to move forward, as was said, as Mary, for example, pointed out yesterday. We should try to move forward as far as we can. And we believe that it is possible to work on a timeline like this.

But we agree that we should try to work out the feedback from these small work teams regarding the PTI issues on September 23 when we have the next call. But we -- as soon as possible after that, we, basically, at that call we also decided to send the actual questions to the operational communities that we have, which means that we are done with evaluation and know what we're going to send back to them.

They get until October 7 to come back to us with feedback, and that gives them approximately two weeks. And we should phrase it in such a way that we accept that if it is the case that they cannot really respond, but we really want to have whatever they have on October 7. The reason for that is that we do have another call on October 8. And after October 8 we're at the meeting -- the call we have on October 8 we can discuss what kind of homework do we need until we meet in Dublin on

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the Saturday and Sunday the 17th and 18th where we, hopefully, can discuss the changes to the document that might be required based on the feedback that we got now and also the feedback from the questions we sent to operational communities on September 23/24. and then we have overflow time on Dublin on the 22nd and 23rd, Thursday and Friday, when we can finalize. And that means that at that point in time we have reached the point we cannot move forward without CCWG and other dependencies have resolved their issue.

So our suggestion is that we are continuing to try to move forward according to the schedule. I would like to see whether anyone has any feedback on that. Martin.

MARTIN BOYLE:

Thanks, Patrik.

As you say, quite an aggressive schedule. But I thought I'd just flag to you that there is currently proposed a CWG meeting conference call on the 24th of September. And then there's not another one until the 8th of October. So I think it probably would be sensible to alert the cochairs of the CWG that we are expecting to get something through to them by early on the 24th at the latest so that they can schedule that on to their agenda and then decide what follow-up work they need to do. Thank you.

PATRIK FALTSTROM:

Can you reconfirm that they do have a call on the 8th, October 8th. Is that what you said?

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MARTIN BOYLE: That's what I said. But now you've challenged me on it. I'll go look at my diary again.

PATRIK FALTSTROM: Okay. While you do that, Alissa.

ALISSA COOPER: So one question for the people who have been participating in the CWG, in particular, is that I think we will have a couple questions for the CWG that might be ready to go, like, today or before our Wednesday call. So do we think we should just send them separately as soon as they're ready -- are you listening? One of these relates to you.

We have multiple questions for the CWG, some of which will be ready sooner than others. Should we just send them as soon as we have them ready separately, or will that be confusing to the CWG?

MARTIN BOYLE: I can't really speak for the cochairs of the CWG. But, if I were them, I would certainly appreciate a warning before they get to the 24th meeting that this material was going to start arriving.

And, certainly, also if we can get them stuff earlier. But then they've got a better -- a reasonable idea of what they're going to expect to receive.

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ALISSA COOPER: Okay. Thanks.

PATRIK FALTSTROM: Have you found whether the meeting is on the 8th?

MARTIN BOYLE: Grace has just confirmed to me that it is on the 8th. I haven't actually got the time of it yet, though.

PATRIK FALTSTROM: Okay. Because, as we will look on the actual dates for our calls, we do have time between the 8th and the 17th. So it is a possibility for us to move forward. So we actually have some space between the CWG call and our call so they have time to compile whatever they're discussing on the 8th and then send things to us. So let's give them a day or three.

MARTIN BOYLE: Yes. And also --

PATRIK FALTSTROM: Okay. Alissa is grumbling here. So that was a stupid idea of me.

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ALISSA COOPER:

That's fine. You also never let us have a call on a Monday. But I would suggest, if we push our call too much further into the following week, then we're not going to have time to synthesize what they gave to us before we have to get on airplanes to go to Dublin. So I'm happy to bump our call to the 12th, which is a Monday. But you usually can't join calls on Mondays. So --

PATRIK FALTSTROM:

That is true. So, anyway, let's discuss the actual precise date. Let's keep date 8 for now. And we'll see how we're implementing it. But we just need to make sure that things are -- let me restart.

In this list of future steps, can I first get a comment whether the consensus of the room is that these steps are plausible and we should try to do all of these steps to Dublin and ignore the precise dates? That's an implementation issue, how we implement the steps. So we can go into the exact dates in the next part of the discussion.

What did we lose? Thank you. Daniel.

DANIEL KARREBERG:

Thank you. This is Daniel.

I fully appreciate the willingness or the drive to move expeditiously. But, to my naive self, this looks overly ambitious. It looks overly ambitious on the one condition we have really substantive exchange

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with the OCs. I think if I was an -- if I was in an operational community and responsible for, you know, absorbing and responding to stuff from the ICG, I would -- I would feel under unreasonable pressure. So my question is, you know, what's the mechanism for delaying this in the -- you know, stretching this in the sense of for reasons of quality if that's required?

ALISSA COOPER:

So one alternative is that, instead of asking them to get back to us before the October 8th call, we ask them to get back to us before our face-to-face. So that would give them, basically, an extra week or 10 days. And in that case, then we would have everything in from them just before we meet face to face. We would spend, you know, the first -- certainly, the first session and possibly the second four hours on the 18th going through that and figuring out -- figuring out the implications for the proposal. And then we could seek to finalize the proposal during the last two meeting slots of the ICANN week. And then, if we don't quite finish, we can always have a call the week after the ICANN meeting. So that's -- you know -- adds a week, adds 10 days to the community processes.

PATRIK FALTSTROM:

Lynn.

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LYNN ST. AMOUR: Thank you. Lynn St. Amour. I just had a point of clarity. Did we really mean feedback just from the PTI teams? For instance, we just had a discussion around the ccTLDs. And, presumably, that's part of that as well and whatever other ones we had from this morning.

ALISSA COOPER: Well, so let's clarify. What we need before the September 23 call is anything that might generate a question to the operational communities. So that's beyond the PTI teams. I don't think -- we had established this deadline of next Sunday for some of the other texts, so the texts that we're going to edit in part zero and text that's going to go in the summary document. Those things we don't need by the 23rd. But we do probably need them by next Sunday.

PATRIK FALTSTROM: Paul?

PAUL WILSON: Lynn asked the question I was going to ask. But, just speaking for flexibility, I think it could -- the questions that go to the OCs we could provide the opportunity to respond by the 7th, in which case, you know, the responses will have consideration on the 8th of October. But if not by then, then later. I think we can be transparent about the schedule and the opportunity to come in preferably earlier. But, if not, then later.

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PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Yes. While I agree with Daniel that they should not put unnecessary pressure but sometimes we did in the past. Others have put pressure on us on the 8th of September and August wanted the charter to be convened by the 15th of August. Seven days only. Such an important gesture, although inevitable. However, I agree with you we could put it 24 hours before our face-to-face meeting. We need to have a look at that one, for those who want to comment in the face-to-face meeting. I agree. Postpone it for 24 hours before our face-to-face meeting responses from the community.

PATRIK FALTSTROM: Joe.

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff, for the record.

It would strike me that perhaps, if the responses were requested three days before our meeting in Dublin, it would give us an opportunity to peruse them before we get into the meeting so we don't spend meeting time reading the responses because we're seeing them the first time when we get to the meeting. So a couple days buffer isn't going to make

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a difference to the communities but will make us more useful when we get to the meeting.

The other thing I would suggest is perhaps the word "finalize" needs to have a little more flexibility for the 22nd and the 23rd. Because I think there could be other people reading this besides us. And, while this can be the aspirational, ambitious, just let us stretch or the kind of positive reinforcement, I think discuss finalization might be the more appropriate. And, if discussion is closed at that point, then we finalized. But, if there are still open issues, then perhaps we don't.

PATRIK FALTSTROM:

Thank you very much.

Well, in our terminology, finalized means they were blocked. But, if it would have said Alissa's part, then we know what it means. And it doesn't --

ALISSA COOPER:

Would you not put that on the schedule.

DANIEL KARREBERG:

This is Daniel again amplifying on what I tried to say earlier. I think Joe was sort of going in the same vein. At least I interpreted it as that. We have to think about appearances to the outside world. And if -- I was looking at this from an OC perspective or just from an interested spectator perspective, I would get the impression that this was a multi-

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year process that suddenly is rushed at the end. And I think we have to avoid that impression at all costs. Because, if that sort of takes root and the community and outside observers and people who write about it, then we do a whole lot of damage to otherwise good work that we've been doing. And I'm really, really, really serious about this. And you know, four weeks, six weeks, it doesn't make a darned difference. Thank you.

PATRIK FALTSTROM:

No, it's absolutely noted. And I cannot really edit the page now. But I am currently editing according to the feedback. The feedback got so far is to change the -- discuss changes to a document is something that we're doing on the 22nd, 23rd. Responses I should get back -- I will look on the calendar, but 17th is Saturday. So should be on the 15th. We should be transparent and say that we do have a call on the 8th, which means that if it is the case that we have any kind of indicational responses that could help us, the 17th and 18th is for interpretation, discussion on the feedback, that those are the steps that we are sort of -- that is what I heard so far. Lynn?

LYNN ST. AMOUR:

Thank you. Lynn St. Amour. I think we should probably consider two things. Rather than a bulleted set of dates, probably sort of an explanation of what our operating expectations are going forward. I think bullets, whether they're these dates, to support Daniel's points or others, could make it seem as though we're just assuming closure on a whole bunch of items even though there have been some very

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significant developments between the ICANN board and the CCWG that does impact the CWG's support and our proposal.

So maybe we can soften some of the concerns Daniel has by actually putting sort of an expectation or a text or what we're working towards because we can make that a little more nuanced about some of the other -- what's the word I want? Dependencies, I guess. And I really would be concerned if we don't somehow both expect questions around what is this now doing to the ICG timeline, given some of the public comments, not just the ICG one, but particularly the accountability one. So maybe just a paragraph or two in terms of what our current operating expectations are.

PATRIK FALTSTROM:

Thank you, Lynn. One of the reasons I supported trying to get our feedback, I feel the date 23rd is what we should try to reach for the feedback is because of the CCWG meeting. That is 25th and 26th. So we're transparent towards the CCWG what we are expecting to send back. But regarding text surrounding our future steps, I agree with you. It's rather difficult to sort of fit these steps on the slide like this. So this is work material to sort of frame the discussion. Let's see. Who was flagging. I lost track of the queue. Anyone would like to speak up? Kavouss.

KAVOUSS ARASTEH:

Thank you, Patrik. I don't know whether Daniel dealing or talking few days or few weeks of timeline. If it is few days, we could put it in a qualifier manner, preferably before X but not later than Y date. But, if

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it's a matter of weeks, we can't do that. Because we have to discuss it 22nd or 23th. So I don't know what sort of flexibility we're looking here. Few days we could accommodate. But put in two dates. Preferably before X but not later than Y date. Thank you.

ALISSA COOPER:

So I think in terms of what we communicate to the operational communities, assuming we manage to communicate things to them this week upcoming, we're asking for preferably before the 8th, not later than the 15th of October. Does that work? Any objections? Daniel? No. Russ.

RUSS MUNDY:

I guess one concern that I still have is as we assemble the set of things that need to go back to the operational communities, do we yet have a very good feel as to the difficulty of the material that we're sending back to them.

I'm thinking, for instance, the RZM-related things about, "Oh, did you really intend here for these two roles to be in separate organizations"? That's a relatively straightforward thing to answer. But some of the other things I don't know that they will be.

Have we given consideration to that part of the problem? In other words, don't ask them a really hard question and then give them seven or 14 days to respond.

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ALISSA COOPER:

So I guess -- I mean, the reason we wanted to talk about this at all is because we have a couple of questions that, I think, we will have finalized by the end of today and we need to establish dates for those. And I think in terms of level of difficulty, I would categorize those as low. Those are low levels of difficulty. That was really kind of the driving motivation for this, is can we ask for responses to those questions by -- preferably by the 8th, no later than the 14th?

We can have this conversation again on the 23rd when we see what comes out as far as the rest of the questions. And if they look really difficult, then we don't want to set -- we don't want to ask for something that we know the communities can't deliver on. We can just come back to this question again.

I wanted to know in terms of the dates for the ones that we are likely to finish today and maybe send today, the RZM one and whatever, if people feel comfortable with the October dates.

RUSS MUNDY:

Russ again. I think that is probably a good approach that for the ones that we see that are relatively easy, we do that. We use the short dates. But we try to determine as the ICG before we send them if we're giving them really tough things to answer and then don't necessarily expect them to answer sort of instantly.

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PATRIK FALTSTROM:

It is also the case that we can also phrase the question in such a way that we -- because we do meet face-to-face, we, ICG, in Dublin, which means that we could, for example, give the ability of the operational community to respond to say, This was actually a really tough question. We need another month or year to think about this or whatever it is, a week or day or something.

So my point is we have to be careful by just asking the question in the right flavor. We give the ability for them to also tell us how much time they need. At the same time, as we could request that we actually get at least that information or an incremental response or whatever they are on October 15 because of these dates, I think that October 15, that is the date when we can, just like Joe said and many others, and Kavouss, is what -- it is whatever we have on October 15 that we can work on in Dublin. And that is something that I think we can be transparent with and ask and request. And we can just ask the operational communities to sort of help us in our work by doing an incremental delivery or whatever they have. Just like Lynn is says, it has, of course, to do with the framing of the questions.

Kavouss?

KAVOUSS ARASTEH:

Yes. My question is that how many of those difficult and tough questions that we have? If we have the majority of the questions relatively could be answered preferably before 8 and no later than 15. And for the difficult questions, if we know how many we have, you may -- just a suggestion, you may have another date for those one or two relatively tough questions. This is a way of proposal unless -- I agree the

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8 and 15 is good. If there is a case we need another week, perhaps we could have two categories of questions. The majority 8 and 15, and the other one we have two other dates.

PATRIK FALTSTROM:

I think we -- I received feedback loud and clear. And let me now go to the actual time and dates that we have scheduled. And what we are showing now are the dates and times.

First the upcoming calls. Call Number 23 and 24. Just repetition of what you already know. And then the schedule for Dublin. These are the slots that as much as we have confirmed so far. Saturday, 13 to 1700. Sunday, 9:00 to 12:00. Monday, it is a little bit unclear. It is tentatively late in the morning. But there is still a little bit of juggling going on exactly the time for the session. Joint town hall session ICG-CCWG. Thursday, 10:30-12:30, which is after CCWG. And then Friday 9:00 to 17:00.

It is -- we chairs, we do know that, for example, Sunday slot between 9:00 and 12:00 is colliding with many other activities at the ICANN meeting from GAC and GNSO and others. So we really would like to -- given that this is the time slots, we would like to get feedback from all of you what slots you are prohibited to participate at, et cetera. And not at this meeting. Please send it in an email, comments on this, because we will then use that as background when we are trying to set the agenda.

So, for example, if many people or a certain group of people cannot participate during the second half of the Sunday session, we will adjust the agenda accordingly.

And with that, over to you, Alissa.

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Paul?

PAUL WILSON: It may be just me, but I'm not seeing the Dublin events in my calendar. So they haven't gone out yet. Okay, that's great. Thank you.

ALISSA COOPER: Thank you, Patrik.

We are going to move on to our next topic which is the ICG criteria, if we could go to Slide 26.

So everyone will recall that we asked the public some questions related to the same criteria that we had used to assess the proposal. Those questions were about completeness and clarity, which we discussed yesterday and will discuss again in a little while. So we are skipping that one for now.

And then the others were about compatibility and interoperability of the three components, accountability and workability. We wanted to touch on the comments we received in response to those questions and see if people think we have any action to take.

For compatibility, many people commented in response to this question. The majority of them felt that the proposals are compatible. And those who felt that they were incompatible generally opposed the proposal or the transition overall. So this was one of those questions where a lot of folks who had general opposition just sort of copied their

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same response into the text box. They were against the thing entirely and, therefore, they felt that the components were incompatible.

To the extent that commenters had reservations about the compatibility of the proposal, they pointed to topics we have already discussed at length. Some which we will be discussing again. So many commenters pointed to the issues surrounding IPR and issues surrounding the PTI which we already discussed. Although we discussed them already, we just wanted to take a moment to see if anyone feels that there's any outstanding question as to whether the proposals are compatible or whether the comments raise any new issues that you feel we should discuss.

Kavouss, go ahead.

KAVOUSS ARASTEH:

Just a simple observation, I think the questions or comments made, for instance, IANA, IPR, and PTI has nothing to do with compatibility. It is question for clarification. It has nothing to do with compatibility. Thank you.

ALISSA COOPER:

Thanks. I think, again, people put their answers in the questionnaire wherever they chose, not necessarily related to the question.

So I think we can put a few words into the comment summary about this. But, otherwise, I don't think we have any action to take. I think the text we already have in Part 0 covers this quite nicely. Actually, I'm sure we will end up updating that with respect to the IPR topic, but that's

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already been dealt with. So can put an action on the chairs to contribute the portion of the summary related to this topic.

And go to the next slide, please.

Accountability. So, again, we've discussed at length the dependency on the CCWG and essentially all the other topics that were raised in the comments in this section. Many people used this question as the bulk of their answer to the public comment -- the request for public comments. So it wasn't clear to me that there was anything new that crept up in this -- on this tab of the spreadsheet. Again, if anyone wants to raise anything, we can do that now.

Okay. Go to the next one.

So workability. As with many of the other questions from the forum, the majority of folks who responded to this one felt that the proposal is workable or is conditionally workable, assuming the resolution of many of the issues we've already discussed. And as with compatibility, many of the commenters who thought the proposal was not workable generally opposed the transition overall or the proposal in total. So it wasn't really the case that they just identified a workability issue that caused them to raise concern but that they generally didn't think the proposal was fit to go forward.

There were a couple of workability issues that some commenters raised that I just thought it was useful to point to because I don't think they are actually covered elsewhere. And these were one commenter who felt that ICANN needed to be turned into a for-profit corporation in order to be accountable at all. It's not necessarily a workability issue; but it was put in the workability box, I think.

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And then there was another commenter who raised what I do think you could consider a workability issue, which was there was a concern that the board recall procedure that's being defined in the CCWG could take so long that the board could actually change the recall rules in the meantime. So that was, I think, the thrust of that comment. I think there's actually some issues with the logic there but wanted to flag that as it was highlighted as workability issue.

I have a queue. So, Paul, go ahead.

PAUL WILSON:

Paul Wilson. I've heard a couple of times that there were objections but they came from people who were opposed to the proposal anyway. And I just think we've got to be careful about that because someone who comes in and says, "I think this is utterly a bad idea under any and all circumstances and I will not support it and, by the way, I have got these specific complaints as well" is different from someone who's got a list of complaints or issues that they want to raise which justify a position of opposition. It depends on what position of theirs comes first. I would just be a little careful if we were discounting who we seem to be discounting.

ALISSA COOPER:

To clarify, what I was trying to capture here is that there were a number of commenters who had a general objection to the proposal. For example, they objected to the U.S. government relinquishing their control at all. And they repeated that in every box of the Web form. And, therefore, it appears as a workability comment but it's not really

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specific to workability. So that's what those -- and this is a small number. So that's all that was meant to be. Yeah.

Joe.

JOSEPH ALHADEFF:

Thanks. Joseph Alhadeff for the record. The question I know has been raised in this area. And I just wondered if we captured it in other areas because it was kind of a trending topic across the ones I read, was this concern about what needs to be agreed to versus what needs to be implemented. And I just -- you know, when I was thinking back, I'm not sure that was necessarily captured in any of the other topics. And I don't think it's native to workability, and I wouldn't put it necessarily in this topic. But I think it has to be captured somewhere because I do remember that being a significant topic of concern. I just want to make sure that we're capturing it as something we address in one of the topics as appropriate.

ALISSA COOPER:

That's a good point. And we should think about that when we come back and talk about completeness and those categories of when things are going to get done.

Elise, I think you were next.

Oh, okay. Then I will go back to the queue. Wolf-Ulrich.

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WOLF-ULRICH KNOBEN: Thank you. Thank you. I wonder whether the point sometimes was made with regards to complexity of the proposal, whether this fits -- belongs to that point or not. So if I recall that correctly, some comments were made with regards -- this maybe not one proposal other than three or at least two proposals. And it makes -- it seems to be to those people who seem to be not very close to the discussion that it is -- it is complex to work it with regards to workability. So I wonder whether this point belongs here or it is discussed in any other environment. Thanks.

ALISSA COOPER: Thank you. Would appreciate other people's thoughts about how we should address that.

Kavouss.

KAVOUSS ARASTEH: Yes. First, perhaps I comment on what Wolf said. I think "complex" is subjective. "Complex" with respect to what? That's number one.

Number two, this procedure, now we are talking PTI and all of these things is coming from the theory. We have to put it into practice, and no one knows whether it is complex and not complex and what the degree of complexity is. So I don't think we could make any comment about that. That is something that we have to except, that it is out of so many discussions in the CWG.

Coming to the C point, I don't think that the number 1, the one who made that comment, fully familiar with the situations. Turning ICANN from the non-profit to the profit may have some degree of

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accountability within the shareholding facilities or possibilities. But with respect to the community does not change the accountability at all.

And number 2, ICANN board can change the rule with recall. What recall are they talking about? Are they talking about recall of the board members? What recall is that? And I don't think that is a relevant comment because whatever CCWG currently establish and may change after the ICANN MEM situation provide that the thing should be stable and could not be changed in the meantime if there are some things that depending on the other things. There is some time frame that was discussed this morning. I don't think we should take any action with regard to either C1 nor about C2. Thank you.

ALISSA COOPER:

Thank you. Daniel.

DANIEL KARRENBORG:

Thank you, this is Daniel Karrenberg. First a comment on the Q4C ones. Aren't those really accountability questions that don't belong here but belong into CCWG, in essence? So we should just say that. We can acknowledge them, but I think we should just say that and be done with them.

Secondly, I think we have to somehow address in our deliverable the issue of complexity. And whether you like it or not, Kavouss, this has been a comment that has been made under many headings. And we have a choice of basically ignoring it, which is what I hear you

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suggesting, or at least acknowledge that we have received the messages and give some rationale on why we couldn't make it less complex.

And that doesn't have to speak to the absolute complexity. So we don't have to get into a discussion whether this is complex or not. But we have to -- we can make a statement of the sort. It's like try as we may, we couldn't make it less complex.

And that's something that we need to achieve consensus on if we want to do it. But it's a way forward that I suggest we cogitate on. Thank you.

ALISSA COOPER:

Thank you. I would just note that it assumes that less complexity is better. So we would actually have to first get agreement that less complexity is better, which maybe we have, but I don't know. I don't know. I think if you tried to write down how things work right now, they would also appear complex. But you don't hear people going around making that comment. I'm just saying. I don't know. It doesn't really resonate with me personally. Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff. Two things. One, I think, when it comes to the California for-profit, if I'm not mistaken, that was actually in the Sidley analysis. I think they actually contemplated a for-profit, contemplated a not-for-profit, provided the options and it was decided within the community.

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So I know I read it in the Sidley document. Whether it was discussed in the community, I can't say. But the lawyers at least took a shot at addressing it and did a pretty good job.

In terms of complexity, I was kind of going through my mind of reviewing the comments I'd gone through. And it seems to me complexity was raised in three ways, and they're all slightly different from each other.

The first complexity I think was within our remit to answer, which is at least two people complained about the fact that our proposal was overly complex because we didn't merge the three proposals into one seamless proposal. And I think we have explained that as to why we didn't merge the proposals. We can revisit the language to see if there's anything we should add to make it clearer as to why. But that was one aspect of complexity that was raised.

A second aspect of complexity, which I think was answered because the communities looked at this in their own processes, is the administrative burdens related to the processes as a whole. So the ICANN board is an example of those kind of concerns of complexity.

And then the last one is some people considered the creation of PTI as an addition of unnecessary complexity and bureaucracy.

But, again, something I think was answered by the community in their deliberations if they chose this as the mechanisms they wanted to use.

So I think the two concepts of administrative complexity and PTI equal complexity are things that the communities have addressed. Maybe they have not addressed them using the word "complexity," but they addressed them by choosing among a number of different options that these were the ways that we're going to move things forward. So I

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think, realistically, the major degree of complexity that's within our remit is the complexity related to why our proposal is somewhat complex to understand. And that's because we did not want to put ourselves in the position of drafter on top of the communities but rather assembler of what the communities did. And then we put a guidance note on top of that.

ALISSA COOPER:

Thank you. Paul.

PAUL WILSON:

I've thought about this a bit myself, because I have heard it said a few times that the proposal is too complex and, therefore, bad. It's described as a monster, whatever. Worse than a spreadsheet, yeah.

I think the judgment actually kind of implies or suggests that there was a top-down architecture going on. And as though it was a failure of our architecture to create something so complex. And I think part of the explanation here is about the original decision, which was made in the very early days to subdivide the work into the three different components and allow those components to be developed through a bottom-up process not through a top-down process. And that's completely justifiable, I think. There's a principle of subsidiarity which says that the solution to a problem should be located as close to those who are experiencing the problem. And that's exactly what we've done. We've given the challenge to the communities who are directly involved. And, in fact, I don't think it is a complex solution. I think what we have is a volume and a variety, a variety of different approaches in

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the three different communities. But I don't think that there is complexity, which, to me, would be a sort of an excess of interaction amongst those three components, for instance. I think PTI is an example of some added complexity, because it actually became something that impacted across the three communities potentially or it seemed to possibly have that impact. And I really -- so I really don't think we should go with this suggestion that just because it's a big document and there's a lot of variety in there, that it's actually complex. And I think, if we're taking a different approach, a top-down approach of trying to architect something that would solve all of the issues that everyone had and particularly after iterations of trying to actually make that fit, I think we would have come up with a real monster. And that would not have been workable from a complexity point of view.

ALISSA COOPER:

Thank you. Elise.

ELISE GERICH:

This is Elise talking about complexity. And then what Joe had brought up earlier was what needs to be implemented when. I think, to me, both of those came together when I heard complexity and I heard Joe's previous comment of how many things that we've identified have to be done in advance of the transition or in order for the transition to be considered success and which things aren't.

But now that I heard Paul Wilson speak, I'm thinking, well, I wasn't thinking about complexity that way at all. I was mostly thinking of it more on a operational and implementation. So maybe complexity is not

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all about what we get done in advance of it. The transition timeline. But I think -- pardon? Right. And -- but -- so from an operational perspective I was thinking of the complexity of making changes to the way things are done now. And not that the proposals themselves are complex but that for an implementation, there's a lot of moving parts. And that's one type of complexity. It's not the kind that everyone's addressed.

ALISSA COOPER:

Kavouss.

KAVOUSS ARASTEH:

I think you very rightly categorized the complexity in three different categories. Apart from the first category, I don't think that we should comment on the second and third category. Because, in particular, the third category was the result of hours and hours of calls, thousands and thousands of emails, two public comments, and the last one approved by chartering organizations. And all of these issues were discussed. Less complex was internal. More complex was totally external. And then we have hybrid. Then we have this. We have several methods. And finally something between the two. Legally and functionally, separation was in PTI. So, whether it is complex or not complex, that is that and nothing else could be done, unless you don't do anything.

ALISSA COOPER:

Thank you. Daniel and Paul, are you still in the queue? No. Okay.

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So it sounds like -- just looking back at part zero, we explain the process that we use, but we don't really explain why. So one thing we could do is try to explain why we solicited the proposals from the three communities. And we have lots of texts written about that already, I think, probably in the charter.

We could bring some of that in and add it, beef it up a little bit to make reference to the existing proposal. So that would get to Joe's first category.

But it sounds like for the other categories, it's not clear that people feel that we want to say anything.

And also, this is getting a little far away from workability.

But do people have thoughts on that proposal? So we would, essentially, articulate better, you know, why we solicited the proposals from the three communities and what that means in terms of their interaction. And we would do that somewhere early in part zero. But, otherwise, we would summarize the communities we received about workability in the summary document.

And those would be the two actions.

Russ Mundy, go ahead

RUSS MUNDY:

Thanks. Russ Mundy here. I think that's a very good approach. It might be worth having a short sentence, though, in the summary that pointed to the fact of comments that generally referred to other types of complexities were addressed by the operational communities in the definition of the approaches they wanted to use. Just -- you know, as a

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short way to, when people look and see, gee, was my comment dealt with? Can I find where the ICG says anything about it? That might be something simple and easy to put in the summary document.

ALISSA COOPER: Thanks. Daniel.

DANIEL KARREBERG: Hello. This is Daniel again.

I think we need to consider whether we want to -- how we want to deal with the C bits. And I hear you saying we just ignore them.

ALISSA COOPER: No. I think we would note their receipt in the summary. And we could also explain why we felt that they're not workability issues or what we thought of them.

DANIEL KARREBERG: Okay. And, if we think they are really issues for the CCWG, do we want to contemplate pointing them out to the CWG?

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ALISSA COOPER: Good question. I think there's someone in the queue who is going to answer. But first I have Lynn. Thank you.

LYNN ST. AMOUR: Thank you. Lynn St. Amour. I like your proposal, Alissa. And I think it ties in with a conversation we were having this morning that said perhaps some more text that explains a little bit about what the current reality is had a place here in the text as well. Maybe there's a way to put those two together. Even here in the room sometimes, when people speak, it sounds like we had one monolithic process for managing across these three OCs, through policy oversight and implementation. And we split that apart to go do this work.

And, in fact, that's not -- that's not real. I mean, it is a distributed model that's been implemented and operating in a distributed manner. And so I think, to the extent we can be a little thoughtful about some of the text we put in, maybe we can include that but I think also merge it with your point and not have to have a separate section, which is one of the things we commented on earlier.

ALISSA COOPER: Thanks, Lynn. Kavouss.

KAVOUSS ARASTEH: Yes. To answer Daniel's question, if the complexity relates to the accountability issue and the community empowerment and the appeal

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process, it is CCWG. If it relates to the PTI, CSC, IFR, so forth, CCWG cannot take any action at all, because it is receiving from the CWG. So, if somebody wants to do, address it to CWG. CCWG cannot deal with any of these issues relating to the PTI, to the CSC, to the IFR, to all of these things, because it is outside its mandate. Thank you.

ALISSA COOPER:

Daniel, did you want to respond?

DANIEL KARREBERG:

Yeah. Kavouss, I was talking about C1 and 2. There's no PTI in there or -- yeah. These are really -- to me they're speaking towards the accountability issues. But that's -- you know, let's not waste more time on this.

I just had a short chat with Paul Wilson. And we are prepared to actually address the, quote, complexity, unquote, issues and suggest some language also in the vein that Lynn is suggesting. So we're volunteering for that, if that's acceptable.

ALISSA COOPER:

Great. Thank you.

Can the two of you write the summary as well? All right.

So Let's sign -- yep. Yes. The answer is yes. You have a buddy. You have to do it together. So let's give those two actions to Daniel and Paul.

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Thanks. Okay. I think -- what is the next slide? I think that's it. All right.

Yeah. This is the next slide. So we're onto the next topic. No, we're not onto the next topic? Go ahead, Kavouss.

KAVOUSS ARASTEH:

I'm sorry, Alissa. Because I'm very closely following the CCWG, what was your decision on C1 and C2? If you want to refer to the less complex, it would be very, very delicate and dangerous at this point to talk about this issue because you implicitly supporting the MEM proposal of ICANN versus the sole member of the CCWG saying that, yes, your system is complex. Throw it away and take the MEM. Whereas, at this stage there is discussions. So I think it might be misinterpreted. Could you kindly say what is your outcome?

ALISSA COOPER:

C1 and 2 -- go back, please, sorry. C1 and 2 are not about complexity. C1 is about ICANN being turned into a for-profit corporation. C2 is about the Board altering its rules during the recall procedure. My suggestion is we write in the summary -- we point to these in the summary that these are comments we received and that is the extent of our action. Yeah. Okay.

Okay. So now we can move on to the next. So we're now on the topic of the role of the ICG during the implementation phase. And at the end of this topic we will also come back to the question about completeness of the proposal. Because we, essentially, talked about these two things together yesterday.

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So we had that whole conversation yesterday that wandered into what should the role of the ICG be during the implementation phase. We, actually -- we got some comments in the public comment period that were related to this, which we didn't talk about yesterday. So I thought I would just flag those before we continue the discussion.

So we had a few comments about the implementation phase, specifically. The one comment saying that the communities needed to determine how they were going to remain involved, given that there are decisions to be made during the implementation phase. Another one that asked us specifically to consider a mechanism that allows the communities to confer and cooperate during an implementation phase.

I think we talked kind of at length about the comment received from the ICANN board yesterday which invited a prioritized list of implementation items and made some other points as well.

And then we also received a comment about the implementation decisions being open and transparent and, again, inviting the ICG to have a continuous coordination role.

Then there were also some, I think, kind of general more general comments about the post transition landscape not necessarily just during implementation but potentially afterward. So one commenter who thought there would be value in ensuring that we have channels open between the operational communities. The comment from the IAB talked about what the existing channels are, about the liaison relationships, and stated a preference for preferring informal coordination going forward.

And then again the ICANN board talked about the need for coordination for registries that are jointly managed. So this is even after

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everything has been implemented, this is about the ongoing need for coordination.

So just wanted to flag those for people since we had our own internal discussion about this. But we also got some thoughts from the community.

So with that, I think we can pick up where we left off yesterday. I think we had kind of divergent views yesterday. Some people felt that the ICG, once we send the proposal off to NTIA, we can pack up and go home and disband and get on with our merry lives.

Some people thought we shouldn't continue -- Russ, what would I do without you and your reminders about our party?

So option number 1: Party and go home. Option number 2: Yeah. I think another option that was floated was that the ICG remains constituted in a sort of very lightweight -- if the communities need a way to talk to each other, we can help them do that or something along those lines. And then I think there was a third idea, which was a little bit more substantial, which is that, to the extent that there needs to be some confirmation that as things get implemented, they actually match what is in the proposal or what the communities were intending, that the ICG would have some sort of role in that verification process of some sort.

It's all very vague, because we don't know exactly how it's going to work. But that was what I heard yesterday. And I, of course, have a queue. So let's begin with Daniel.

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DANIEL KARRENBERG:

Okay. This is Daniel Karrenberg. I'm in the let's party and go home camp with one very notable caveat is that I think we shouldn't go home until we have confirmation from NTIA that they have no further questions to us.

I think it would be unwise to disband before that's certain.

But, at the same time, I think we shouldn't wait indefinitely for NTIA to make up its mind to ask questions. I think we should indicate to them sort of what our endurance is. So, to be very concrete, what I think should happen is we -- we have consensus that we're finished with our document, that it's complete.

At that point, we ask our chairs to communicate with CWG. And as soon as they get the green light from CWG that their dependencies and their conditions are met, that they then transmit our deliverable as planned to NTIA via the ICANN board without any further meetings or actions from us. When we are ready, we're ready.

Why am I suggesting that? I'm suggesting that in order to basically fulfill our charter. We say we make this deliverable, and we shouldn't give any impression to the other groups that we're going into a revision of that unless they tell us really that they no longer support what they send us. And that's a new situation, and I wouldn't even mention it.

But we should basically project very longer that we consider we're done. The only gating function we are waiting on is the CWG thing because we wrote that -- we said we'd confirm that. But once that's confirmed, it's an automatic action to transmit the whole thing.

And we also write into the deliverable that we'll hang around to answer any questions for clarification from NTIA and from NTIA only. I'm just charging to put some stakes in the ground.

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I think I'm absolutely opposed to any vagueness and continuation of us as a group. The only condition I'd be willing to even discuss is concrete language as to a new charter because I think it's -- the worst thing that can happen is a committee without a charter doing work or contemplating work that's not really specified. So if someone else is going to propose that we stay around beyond what I've outlined, I would only consider it if they provide me language, provide us all language on what the charter for that should be.

And I think I've overstayed my welcome already. So I will leave it at that.

ALISSA COOPER:

Thank you. I have eight people in the queue. So if you could -- Appreciate your comments, Daniel. But if people could keep it short, that would be good. We also don't have a ton of time left in the day with all the things we need to get done.

So with that, I will go to Kavouss.

KAVOUSS ARASTEH:

Daniel addressed one of the points I wanted to mention, and that is our existing charter is ended up to the transition. If during the implementation -- I don't know what that "implementation" means. Implementation means full implementation, partial implementation. That is another issue.

But if we want to exist after the transition during the implementation, we need to have a new charter because the current charter does not

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address this task. We have done our job -- or we are going to do our job, finish it, send it to NTIA, and then waiting with their approval. Not approve, no doubt until they approve we should wait. And after they approve that, during the implementation, if we need to exist, we should have a new charter.

But I think it is too early to start the discussions because there's so many things going on and I don't think that before ICANN 55 there will be any reasons that we start to say whether we should disband or not disband ICG. It is good to discuss it among ourselves but nothing going outside because it depends on so many things.

Our roles depends on the CCWG in terms of the CWG because if the CCWG does not meet the CWG, then it has impact on us. Let's just wait until something happens.

But I agree with the part of the comment of Daniel that if we need to exist after the transition, during the implementation, we need to have a new charter to clearly explain what is our mandate and what is our situations. Thank you.

ALISSA COOPER:

Thank you, Kavouss.

So that's a good point in that we do have 17 hours of meetings planned in Dublin. We could certainly punt this to then. I mean, I guess, when we originally put this on the agenda, I was feeling nervous because we had gotten comments about it. People were asking me about it. So I sort of felt like we needed to have some answer.

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But maybe we don't actually need to have an answer today or any forward progress. Is that what I said yesterday? That's because we were going to discuss it today.

DANIEL KARREBERG: Maybe I misheard. I was in a different universe. My recollection is that we said we would punt this to Dublin.

ALISSA COOPER: I thought we were punting to tomorrow -- I thought we were punting to today. Does anyone feel that we need to do this now?

MILTON MUELLER: What are we crowding out by doing it?

ALISSA COOPER: Things we do need to get done, like we got to finish your question on RZM. We have IANA IPR. We have a bunch of topics we haven't quite talked about yet that came in from the public comments. So I appreciate that was the longest queue of the day, and everyone's going to get out of it. Maybe we should just punt to Dublin. I see no objections. Save up all those great thoughts. Bring them with you on the airplane. Great. I love it when things work like that.

So let us go to IANA IPR if that's okay. Jari, are you prepared to do that?

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JARI ARKKO:

Question. Can we project the two images? Or the first one. So on the mailing list, I had sent some suggested changes to our proposal -- the executive summary and then Part 0. Basically just updating the situation with regards to what the communities have said about trademark and domain name issues; that there's now more agreement than there was at the beginning of our public comment period. And then indicating that the communities are working on this topic or they are coordinating this and that work remains. And the questions we received during the comment period are relating to this topic that they will be answered or processed as part of the implementation work rather than something we do now.

Wow, that's really small. Can we make that bigger?

So the main changes here are just that we are indicating that the CWG has also provided an indication that they can live with the requirements from the numbers proposal. When I say "requirements," I actually mean the requirements they had, not the suggested example implementation which was IETF Trust. I don't try to say anything about that at the moment.

So maybe I will just let you read that for a sec and see if you have any comments.

So there's two parts here. This is the longer one. And then there is another part that's a condensed version of this on the executive summary. It's in the email blast as well.

Daniel.

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DANIEL KARREBERG: Just an idea. Since this is settled, does it to be in an executive summary? Do we need to call attention to it in an executive summary? We consider it settled so it's done, right? So we don't need to -- we can actually delete it from there because it's not an issue anymore.

JARI ARKKO: Yeah. I think that will be possible.

I mean, we have a section on compatibility. We have to have something in that section, just to say that there are currently no identified compatibility issues.

Anybody else? We can still discuss --

ALISSA COOPER: There is a queue in the Adobe room. I honestly don't know who the first person was in the queue. >>JARI ARKKO: If there is no one who is willing to speak on this -- are you still reading and wondering and you need more time?

PAUL WILSON: Just for clarity, what we seem to be saying is that we will stick with the proposal for the IETF Trust and that that is now supported by everyone.

And if that's the case, then that certainly sounds like a solution.

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I thought that there had been some enduring problem with the IETF Trust as an option and that's why the ICANN board came up with an alternative solution or an alternative proposal which was to establish a different trust to hold the I.P.

So, I mean, I may have missed a conclusion of that discussion. But I thought I would just put it on the table and make sure that we actually have covered it.

JARI ARKKO:

Yeah, that's a good point. So as far as I know, we haven't actually decided that essentially in any of the communities, that that's the right solution.

What I was trying to do is that we have a requirement that essentially states that it shall not be the IANA functions operator that's holding the IPR but rather an independent entity. And that's the requirement, and then the IETF Trust part of that is the example implementation.

Looking at this text now, maybe that could be clarified and actually use the words "requirement" and maybe an example or a suggested example implementation. And that will be easier to understand how the word "requirement" then later -- what that means in the subsequent text.

PAUL WILSON:

Yes. I think that third paragraph really isn't clear to me at least that the only example that's mentioned in any way is the IETF Trust. And so it may be -- it may be taken that the IETF Trust would just be the de facto

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default solution. So if it is still a case of IETF Trust or a similar independent acceptable option, then I think that should be said explicitly.

JARI ARKKO: I think that's reasonable.

MILTON MUELLER: Could I jump in? Is anybody else in the queue? I'm sorry.

I haven't heard about this alternative ICANN board proposal. Is that something that came up in this famous three-hour phone call? No? The ICANN board made a statement. They did not come up with an alternative proposal. So as far as I'm concerned, you know, we're in or very close to implementation phase here. And I'm not very comfortable with people coming up with completely new ideas as to where this is going to go at this stage of the game.

Also, the legal advice that the CWG received, the main argument they made against taking it away from ICANN was that if we didn't -- if we created a new trust, that that would be a very complicated and potentially contentious process.

I thought that the IETF Trust was coming up with all kinds of statements regarding its capability of doing this. So I hope that we are still talking about the IETF Trust as the only actual known implementation channel for this requirement.

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JARI ARKKO:

I will let the queue go forward. I will just briefly respond to you. I mean, I have a personal opinion about this, how we should do this. But I was trying to go by what the communities have said. And so far my understanding is that they have sort of explicitly communicated to CWG, for instance, that they are willing to live with this, the requirement part of it. Of course, we have opinions about how the implementation should be done. But that doesn't have to be part of this.

Kavouss?

KAVOUSS ARASTEH:

The discussions now after the intervention of Milton is that we need to modify paragraph 3. We mentioned that at the beginning of paragraph, it is out of discussions. Or in view of that, that the available options currently on the table is the IETF Trust, that we do not exclude other options. But we don't have anything as such. So we try to make it a little bit more qualifying explanations rather than deterministic that that is the only way.

But this is the only -- this is the options that we have on the table, IETF Trust. Other options are not excluded. But as Milton mentioned, we have not studied that and we don't know. And it is better not to comment on that at this stage. Thank you.

JARI ARKKO:

Thank you.

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Joe?

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff for the record. Not having a horse in whether it's the IETF Trust or not, I would say a plain reading of the addition of the last sentence in the second paragraph makes it seem like CWG has agreed with all the elements mentioned in the first paragraph. So the reading of that does give the impression that the IETF Trust has been approved. Whether good, bad, or indifferent I have no opinion. But it's just plain reading-wise, that's an issue.

The only other issue I would raise, which I think nothing here is incorrect related to that, but it was raised in at least, I think, two or three comments -- and I think it wouldn't be a bad idea to clarify because it's implicit in everything we say and we mean it to be that. But there were a couple of comments that asked for the clarification of the specific statement that it's being held in trust for all of the communities. And I think that statement is actually a good clarification statement to make, and it is rooted in the comments we received.

JARI ARKKO:

Thank you. Good points. Alan.

ALAN BARRETT:

I think the CWG stated it was fine with the principles or the requirements in the numbers proposal. And I don't think it stated that

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the IETF Trust is the answer. I think that's an implementation matter. We need to figure out whether it will be the IETF Trust in its current form or whether there will be some changes made to the way the IETF Trust operates or whether there will be something new. That is still an open question for implementation. So I think I agree with Joe that the text at the end of paragraph 2 needs to be changed to make it clear that we're not settled on the IETF Trust.

Then I think Paul Wilson said that there was some problems with the IETF Trust proposal. I don't think that's clear either. I think some questions were raised. But I don't think it's clear that the questions are, indeed, problems. That's still to be worked out.

JARI ARKKO:

Thanks. Mohamed, did you want to speak?

MOHAMED

EL BASHIR: Thank you, Jari. I just want to add my voice to the people who talked about the confusion in the second paragraph. As well, my understanding, it hasn't been settled and still open. But I think the essence of the CWG and the board statement that both are welcoming a third body holder of the IPR, they did not actually agree or specify the IETF Trust. So I think it needs to be updated with this principle in mind.

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JARI ARKKO:

Yes. And as noted, many of you have commented on that. It was not the intent to try to claim that that's been accepted, only the requirement part. And that will be clarified.

Alissa.

ALISSA COOPER:

My suggestion would be that you maybe go back to the comment, the public comment that we received from the CCWG, because it's very explicit about what they are agreeing to versus not agreeing to. And that, I think, may yield edits to all three of the paragraphs, potentially. In particular, in talking to some of the folks in the CWG before they put that public comment in, I think that the language in the first paragraph here doesn't precisely mirror the language from the CRISP proposal created some confusion. In this paragraph it says that the IETF being suggested as the repository. Those are words that we made up that aren't actually in the CRISP proposal. The way that they phrase it is a little bit different. So I think what's imperative here is that this text exactly reflect the text from the CRISP proposal, to the extent possible, given editorial issues.

And I would also say that, if it creates confusion, which it appears that it does, that the part about the IETF trust could be dropped entirely from this section, since what we're trying to reflect here is what the proposal actually is. What the proposal is, is for the holder of the IPR to be independent of the IANA functions operator. That's what the communities have agreed to. Everything else is an implementation detail. So that's my suggestion.

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Also, we do have another topic or two that we are going to try to get to before 3:15 when we break. So just might want to close your queue

JARI ARKKO: Let's close the queue. I like the idea of dropping that. I think that, actually, makes a lot of sense. Narelle?

NARELLE CLARK: Narelle Clark, for the record. I think what I was just about to raise has been clarified by what Alissa has just said. This text -- I was originally going to voice some concerns about whether or not what if the IETF trust cannot take this? What will happen then? What does that do to this whole process? But I think Alissa has taken us back to the more generic form of words that is proposed and that then leaves a whole bunch of things open. It doesn't solve my bigger problem, which is what if this does all fall apart in implementation? But that's just an implementation detail. I'll thank you. Pass.

JARI ARKKO: Thanks.

Kavouss?

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KAVOUSS ARASTEH:

Yes. With respect to the part added to the second paragraph, it is not appropriate to delete that. You have to retain something, but not the one that appeared on the Board. Perhaps we should seek to the origin of this idea. And perhaps the way to put it what was the views of the CWG? And we should be careful whether it is view of the CWG or it is view of the chair of the CWG. It's two different issues.

So, if it's the CWG, we should put it verbatim what they mentioned, but not to dropping the issue of the IETF trust. Otherwise, what else would be so? Today we should mention there is one option available on the table at this stage. We should mention that clearly. But can you clarify where it has come from, where it is indicated. And is it indicated same language as you put or indicate differently? Thank you.

JARI ARKKO:

Kavouss, can I push back a little bit? Because I think what I'm hearing around the table is the important part is the requirement. And the IETF trust part of it is causing confusion. But what we're trying to convey here is that the communities are on this topic and they're coordinating and it will all be solved and it's an implementation issue.

Now, there are interesting questions about the implementation issue. Exactly what can we do legally in IETF trust, or do we have to have some form. That is to be determined. So I don't know if it makes our life any easier if we add something about the IETF trust here. We still have to do the same thing. And I think it's important that our proposal reflects that this is kind of under control from the perspective of the plan and then there's some implementation steps and that's all.

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Am I making sense, or do you still believe that we need to list IETF trust here?

KAVOUSS ARASTEH:

No. I was thinking, talking about second paragraph, the addition. If you put whatever we received from the CWG rather than what is there. So what they have said really with respect to that. Has indicated that they can work, this is what they said exactly? Or this is what you infer from or interpret from the statement? So it is put exactly what they said. Thank you.

JARI ARKKO:

Yeah, I will do that. In summary what I heard, we're going to delete the summary part, because that's no longer required. We'll use the requirement word in the first paragraph. We are going to use exactly the same language as the CRISP proposal had and what the CWG response used. And we're going to say that the IPR is held for all communities. I mean, that was kind of obvious, but it needs to be explicit. It wasn't so far. So, with that, I will make another version before next week. And moving on to other topics.

ALISSA COOPER:

I think we should take our break right now, and then we'll come back at 3:35. 3:35. And we will pick up Milton's RZM question and try to get that done so we can get it out the door to the CWG. 3:35. Is that okay? Half an hour, yeah.

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JEAN-JACQUES SUBRENAT: This is Jean-Jacques. I'm going to leave you now.

ALISSA COOPER: Thank you, Jean-Jacques, for staying up so late.

JEAN-JACQUES SUBRENAT: Thanks. Bye-bye.

[Break]

ALISSA COOPER: Let's get started again. We're going to start with a very quick item. If we could project Milton's latest e-mail from the list. This is the latest. Go ahead, Milton.

MILTON MUELLER: Okay. Well, this is a question as reformulated. Most of the edits were simply improved language and more precise specification of the nature - the part of the proposal we took it from. So this is, basically, the same question with, as I said, some improved language. I don't suppose you want me to read it. You can all read it yourselves on the list or up there on the screen. It's, basically, citing that part of their proposal that talks

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about the root zone maintenance and IANA functions operator roles and asks whether -- whether CWG also intended to imply that ICANN or the IFO should not become the root zone maintainer without the proposal to make that change first being subject to a wide community consultation. And we also asked them what they mean by "wide community consultation."

So in terms of the -- who was it who suggested that we ask ourselves how difficult it would be to answer these questions? Is this the Mundy scale?

And on the Mundy scale of 1-10, we said 3. In the sense, I think, it is fundamentally clarifying what their intentions are rather than rethinking what they proposed. But there is some potential for fractures of how people might interpret that. But I don't think those things will crop up, based on my reading. And also I think if we -- if the people who are integrated with the names OC can make it clear how many public comments were concerned about this, I think there would be even less trouble coming up with an answer to this that, basically, says, yes, there would need to be a community consultation.

ALISSA COOPER:

So by implication do you think the time frame for response here could be our preferred by October 7 but acceptable by October 14 assuming we send it today or tomorrow or something?

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MILTON MUELLER: Yeah. I think, if "expected by ICANN 54" means October 14th at the latest, is that what you're asking me?

ALISSA COOPER: Yes.

MILTON MUELLER: I think that's about all we could expect.

ALISSA COOPER: Sorry. I jumped the queue. You have a queue.

MILTON MUELLER: I hope I'm not running the queue.

ALISSA COOPER: I can do it, if you like.

MILTON MUELLER: Yeah.

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ALISSA COOPER:

Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff. I have a question not about the substance of the question. I think the substance of the question is perfectly fine. But the question says we want the answer to this question. And I'm not sure what we do with the answer to this question since we've decided it's not in our scope to deal with the issue. I thought we needed the question to be answered so that the community got the answer because it was clear to us that this was a question of the community. We were forwarding it as a relevant question of the community that is relevant to a process that is not ours. So in some ways I would expect NTIA to be given the answer and us to be copied on it or the NTIA and the two contracting parties to be given the question for the answer and us to be copied on the answer.

But the way it's phrased is we are the exclusive person requesting the answer. And I'm not sure that makes perfect sense to me, because I don't know what we do with the answer.

MILTON MUELLER:

Well, we could say the public comment period raised questions for the CWG. But I think, number one, the answer is it is important for the CWG itself to clarify. We've already heard again from Keith Davidson that certain stakeholders, if this question is answered in a certain way, could withdraw support for their proposal. And the message needs to go to the NTIA that, in terms of how they handle the modification of the root zone maintainer function, that it should be done in a way that is

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consistent with the CWG proposal. And, if the CWG proposal means you can't change those roles and you can't merge those functions into ICANN without either wide consultation or consensus or both, then I think a lot of people who made those comments will feel that their comments have been addressed.

JOSEPH ALHADEFF:

Yeah. I don't -- as I said, I didn't disagree with an iota of the substance of the comments. We're on all fours that this question needs an answer. Absolutely. We're on all fours that this question was asked legitimately within our comment process.

The question is: If we see a dependency between the answer to this question and our ICG process, then absolutely the answer comes to us.

But, when we were having the conversation and I mentioned there could be dependencies, there didn't seem to be a whole lot of appetite for highlighting this as a specific dependency. I don't have a problem if we agree this is a dependency, we want an answer, then I think the question is phrased correctly.

If the answer is we were only passing this along because it wasn't part of our process, then I think the phrasing just has to be that this is being sent. It's relevant to our process for us to be aware of, but we're not taking any action related to it. So it's just question as to form.

And I know we're running short on time, so I don't want to belabor this. Because, at the end of the day, this is not a fall on your sword issue to me. But I want to make sure we're addressing the answer to the right community.

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MILTON MUELLER: Well, I don't think there's any question there are dependencies. We state that in that write-up that I need to revise in the memo that I did which was discussed this morning. So the NTIA recognized aspects of the IANA functions contractor inextricably intertwined with the VeriSign cooperative agreement. And we insert that it's difficult to assess the ICG's proposal's impact without knowing how these roles or if these roles will be modified.

ALISSA COOPER: Daniel and then Russ Mundy.

DANIEL KARRENBURG: Daniel Karrenberg. Thank you.

What Joe said, basically. And, as a suggestion for a way forward, I think this needs to be bookended by first motivation of the -- of this. It shouldn't start, "The ICG has a question." It should start, "We have received our comments" in this vein. And, therefore, we think this needs to be clarified.

And the other bookend at the end needs to be -- and I'm totally with Joe here -- is what the disposition of the answer would be.

And I think, from the discussion that I've heard here in this room, I think, if we say we received these public comments and these comments and, therefore, we raise this question, or this needs to be

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clarified, we can say at the end that it needs to be clarified outside our process. And do we have no disposition for the answer. So we will not take action on the answer.

And I think those two things are essential. I would be very uncomfortable if this went out like this. Besides, it's very impolite to just barge into it and say we have a question.

And I agree with what Kavouss said earlier. "A reply is expected" is not the right way to phrase this either.

So that needs to be improved.

ALISSA COOPER:

Okay. So --

MILTON MUELLER:

Yeah, so the "reply expected" is in brackets. We had a humorous conversation about that this morning. So you, basically, are saying you wanted me to put, "based on comments received" before "the ICG has a question"?

DANIEL KARREBERG:

My suggestion was to say the ICG thinks that this issue needs to be clarified.

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And my rationale for this is that it's not our question, because we have no disposition for the answer. We just think it needs to be clarified and other people have to hear the answer, not us.

MILTON MUELLER: By "ICG disposition," what do you mean exactly?

DANIEL KARRENBURG: What do we do when we receive the answer? As Joe has said, there is not much we can do.

ALISSA COOPER: Go ahead, Russ Mundy.

RUSS MUNDY: Russ Mundy for the record. I think I have the answer for what we do with the answer that comes back. And what we do is have some text in our summary of public comments as to whatever we hear back. You know, we're not going to, if you will, do anything actively with it in terms of telling somebody they can or can't do something. But we write it down in our summary. And obviously the summary of public comments will be available to NTIA, and I expect them to read them. So I think that's a reasonable thing to do with the response.

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ALISSA COOPER: Kavouss.

KAVOUSS ARASTEH: Yes. I, once again, agree with Daniel that we don't have a question but we receive a question. Perhaps we should say in examining the comment received by ICG, the following questions were raised or was raised and then we table the question. And at the end, the CWG is requested to comment on the matter for any further action, as appropriate. Who take the action we don't know. But we ask them to comment on the matter. And we say that in examining the comments, we have encounters or we have considered or we have faced or we have identified the following question and raised the question and then asked them clarifications or comments for any further action, as appropriate. Thank you.

ALISSA COOPER: Go ahead, Milton.

MILTON MUELLER: I've modified the first sentence as follows: Based on comments received in the ICG's public comment period, the ICG seeks clarification from the CWG on the following matter. Blah, blah, blah, blah, blah. By the way, the idea that these subtle changes in language are going to, like, shake the earth, I don't know.

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ALISSA COOPER: Okay.

KAVOUSS ARASTEH: What is the end of the paragraph? The clarification for any subsequent actions or it's required, as appropriate? We don't take any action. But it's required by somebody.

MILTON MUELLER: To repeat what you said the first time, precisely as you said it three minutes ago.

KAVOUSS ARASTEH: Three minutes ago that CWG is requested to provide comment or clarification for any further action, as appropriate. We may not take action, but someone else may take actions. Thank you.

MILTON MUELLER: Last sentence now is: The CWG is requested to provide comment or clarification for any -- for any other further -- for any further action, as appropriate.

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KAVOUSS ARASTEH: For any further action, as appropriate.

ALISSA COOPER: My suggestion -- I'm sort of wondering if we would close on this now. It sounds like we need to do a little more tweaking potentially and let people look at it and not just edit it through the air. So take Kavouss' suggestion into account and recirculate on the list. And, hopefully, we can close on this on the list in the next couple days is my suggestion. We have a few other things we need to cover, and we have 70 minutes left.

Okay. So let us return to the topic of completeness because that's one thing we said we were going to do today.

So yesterday when we were talking about completeness, we got into this whole discussion about all of the implementation items and prioritizing them and so on. There are a couple things that we need to do, I think. We have a section in Part 0 that talks about whether the proposal is complete. And we asked the community that same question, and we got a lot of responses. So one thing we need to do is figure out if we need to summarize the responses in the summary document. I would say probably yes is the answer to that.

We need to decide whether there's something we need to write in the proposal itself about its completeness. I think, again, my answer would be yes, although I'm not sure what we say precisely or what we would change from what we already have there. And then there's a question about providing -- if the ICG has any role in laying out what all the implementation steps are, what their ordering will be or prioritizing them.

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So to me those are the three key questions. We don't have to know what we're going to say necessarily for each of those three. But I think the first question is: Do we need to do any or all of those things?

Daniel, are you in the queue or is that from before?

DANIEL KARREBERG:

It was from before. This is Daniel. It was from before, but I just try to give a first shot at the answer to your question. I think we need -- we definitely need to address the completeness comments that we got. I think it would be a gaping hole if we didn't.

I think, as they are projected, number one is a no brainer because that's just what we intend to do anyway. So we need to -- we've said actually in the proposal so people who make these comments are re-emphasizing what we're saying, that this needs to be done before.

And to me, personally, the rest of them just look like implementation issues. And if we get sort of rough consensus on that, then we are, basically, done with this. Just somebody needs to write it up, and I'm not volunteering.

ALISSA COOPER:

Okay. Thank you.

Joe.

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JOSEPH ALHADEFF:

Thanks, Joseph Alhadeff. I think yes as to summarization. I think if we have the raw material where we could develop the inventory of what the implementation elements are, that's fine. I'm not sure we do, but I think we probably within around the table have the expertise to do that.

But then I don't think we are in any position to prioritize implementation steps. I don't think we have the knowledge and I don't think it's within our remit. I think to the extent that that question needs to be answered, it needs to be answered back to the communities. And I don't think it impacts their proposal. I think it's just a question of saying these things we think need to be done in this order, if that's something they can say.

So I think one is only in our remit. Two is likely in our remit but we might need to call out for help on completeness or at least make sure people validate that we got the list right. And then three I think is absolutely outside of our remit.

ALISSA COOPER:

Anyone disagree with that?

Milton.

MILTON MUELLER:

Where is this list, 1, 2, 3, coming from?

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ALISSA COOPER:

Sorry. Number one is -- there were three tasks. The first one was: Do we need to summarize these comments in the summary document? The second one was: Do we need to create the inventory of implementation issues, which we already did a little bit in the proposal but it's not complete.

And number 3 is do we attempt to prioritize them, which was the request from at least one comment.

So go ahead.

MILTON MUELLER:

So, yeah. I don't think we need to prioritize them. I don't think anybody except maybe Elise propose that we prioritize them. I think the question is: Do we serve as a clearinghouse for the resolution and communication of these issues after we've created this list in number 2?

ALISSA COOPER:

Okay. Go ahead, Elise.

ELISE GERICH:

I just want to note I did bring it up in the meeting. However, I believe the ICANN board sent in a formal response in the comment period for that. So it's also one of the comments from the multistakeholder group.

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ALISSA COOPER: Yep. Okay.

Keith?

KEITH DAVIDSON: Keith Davidson. Just in terms of the "summarize," I guess it depends what you are going to do with the document. If the document's going to be publicly available, then I think we do need to summarize and incorporate the additional comments that have come in along the way. Otherwise, it's appearing that we're ignoring the submissions of some that have raised some fairly valid issues that we've discussed along the way.

ALISSA COOPER: Yeah, I think that's definitely the intent, is for it to be part of this public document.

Daniel.

Joe, are you still in the queue?

Daniel and then Joe.

DANIEL KARREBERG: Just to talk to Alissa's 1, 2 and 3, I fully agree 1 has to be done. Two, I think, we should do because we already have some of these things. And as you say, we have the expertise around the table. But we should be

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very careful in giving -- to not give it the appearance that it's a plan and also not give it the appearance that it's a complete list.

So I would formulate it something like this. We should summarize all the implementation steps that we are aware of at this point and not put them into a time sequence, not give it -- like, this is the implementation plan. And we should very carefully say this is the list that we're aware of and it's -- doesn't make any claim to be complete.

And number 3, no, totally outside our remit.

ALISSA COOPER:

Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff. It was actually just to get a clarification from Milton on his last point of when you said being around to make sure that the implementation occurs, would that then potentially conflict with implementation perhaps occurring after our life span is exhausted?

So that was just a question because I think some of these implementation -- the ones that are there before transition are likely to occur while we are still here. But there are some that are going to be occurring afterwards, and I don't think we can take any responsibility for those. So I was just clarifying that you weren't meaning a longer term than presumed.

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MILTON MUELLER: I don't think -- I think you're getting into the topic of how long we exist, and I thought we had agreed to defer that issue.

ALISSA COOPER: We did. Right now we are talking about what do we need to write down in text.

Kavouss.

KAVOUSS ARASTEH: Yes. In order to address the issue raised by Daniel, perhaps we should put at the beginning of the list or somewhere saying "the following are" or "includes but not limited" and add without any order of priority nor with any dates of priority or priority dates. We just list them as a list, as a shopping list. Thank you.

ALISSA COOPER: Yep. Good points.

So I think people are generally in agreement about what the course of action is here. We have two things that need to happen. We need a summary of the comments written, and we need the inventory of the implementation steps appropriately caveated.

Does anyone want to take that on before I try to identify someone?

[Laughter]

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The person who I was going to name is -- just said no. Really, Russ Mundy? You were my person I was going to ask for this. We haven't actually given you that many items lately.

PATRIK FALTSTROM: But I have as the chair of SSAC.

ALISSA COOPER: Your boss is going to complain to me right now.

PATRIK FALTSTROM: No, no, move on. Sorry.

RUSS MUNDY: And do we need the output by?

ALISSA COOPER: We are going to talk about that shortly. But provisionally what I have been thinking is all of the summary tasks would be October 6th, which is a while since that document potentially doesn't really need to be done as soon.

And the inventory list, that's a good question. Would be the next Sunday time line, like September 27.

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You are allowed to say no.

RUSS MUNDY: The next week for me is just unbelievable. I really can't.

ALISSA COOPER: I will try to find someone offline. Okay. I'll do that when we take a little break.

So that brings us to the set of things we haven't talked about yet, which starts on some other slide. 36, can we go to slide 36, please?

So process issues, this came up briefly earlier today. And you can tell this was, like, the very late part of the night when I was putting this slide deck together. I ran out of energy.

So there were some commenters who raised issues about the processes that were run. And I didn't have time to summarize the comments.

So it's sort of the same questions. I think we certainly need to summarize them for the summary document. But the question is whether there's anything we need to say in the proposal itself in response to commenters who criticize the process or who lauded the process. So that's the question.

Joe, did you want to speak to this? I know you focused on this in terms of what people thought of the process.

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JOSEPH ALHADEFF:

I think the major complaints related to the process were issues that actually were raised to us before we finished this proposal. And in at least one of those cases, those issues were then forwarded to the communities and the decision was they were addressed. So, you know, I'm not exactly sure. There were not as many process issues in the other ones that I read. That doesn't mean that they didn't exist in other ones.

I will say I didn't make an effort to capture all the people who said nice things about our process, so we may need to go back and do a little spelunking if we are going to try to capture the commitment of people to our good things because I was taking the glass-half-empty approach to the comments, not the glass-half-full approach.

So I -- unless a lot of other comments came up with process issues, I don't think that was the major problem that the comments raised.

The only other issue which is a little unrelated to process was the issue from a couple of comments related to linguistic timing, cost of participation in the process, which are just structural elements of the process that you can't avoid.

Again, something I don't know that we can deal with.

ALISSA COOPER:

Milton.

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MILTON MUELLER:

Yeah, I paid a lot of attention to the process comments when I was processing the comments.

[Laughter]

It is getting late.

And there's, basically, three sorts of comments that we might want to pay attention to. One of them are the people who reject the legitimacy of the entire process because U.S. government set the parameters. And then there are a couple of developing world commentators who said, you know, we don't -- we don't understand what's going on. We don't feel like we had the full opportunity to grasp this and participate. There's two or three of those.

And there are multiple, maybe a dozen or more, explicit expressions of how inclusive and diversified the participation was, which I could pluck out and send you if you want specifics. Or you could just make the more general statement which is, I guess, where we were going.

So that's my overview of it. There's no -- surprisingly, there's no very specific things in the numbers OC "this particular thing happened." But I think those were caught at the first stage rather than at this stage, right?

ALISSA COOPER:

Okay. Milton, if you are willing to do that, I think I can take on the task of synthesizing that into some words. But if you are willing to do the list of them for me since you read the comments in detail, that would be great.

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MILTON MUELLER: You want a list of what exactly? The particular commenters and the nature?

ALISSA COOPER: Yeah. And if you have some classification like these were the people who thought the process went well, that would be helpful. So I'll take that as an action.

Okay. Seeing no other hands go up on this, we can move to the next slide. Yannis. Great.

So we also asked a question about the institutionalization of the NTIA criteria over time.

Does anyone who -- any of the reviewers who reviewed a lot of comments want to speak to this? Again, this -- I didn't really have time to make a summary slide. This is the end of everything.

MILTON MUELLER: Sorry. I'm working on the process comments. I'm tuning you out.

ALISSA COOPER: I was going to suggest also that I can take the action on this one and try to write the summary, since this is part of that defense of the proposal thing that we need to do. Okay. I'll do that then. So I'll take that one.

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Then we have the editorial things, which is in a different part of the deck. Oh, you guys are so on top of it. Okay.

So we did have a couple of requests that were much more sort of editorial in nature. And I don't know that we need to go through them point by point here. I was, again, thinking that I could look back at the text and -- well, maybe we should actually go through them point by point, because they're each a little bit different.

So the first -- in the first one, this actually would go -- letter A would go with whoever is going to create the inventory of implementation issues, I think. Because this was a point raised by the IETF that there were some things missing from the implementation issues list. So that I think goes together with whoever takes that action.

The second one that someone noted that the IETF proposal itself is a draft that is expired. Because that's what happens to drafts when they don't get published as IRCS. They expire. Go ahead, Jari. You want to speak to this.

JARI ARKKO:

They don't actually expire. It just has an expiration date. It does expire, but it's within the process, just to be clear.

ALISSA COOPER:

Can you clarify it will remain with an expiration date that's in the past until after we are done with our process, just to clarify, right?

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JARI ARKKO: Yes.

ALISSA COOPER: Nobody thinks it's a problem. Okay. Good.

We got a suggestion that the diagram that we included, which came from XPLANE, was not clear in the sense that the arrows between the operational communities and PTI versus ICANN were not all quite lining up to what the proposal itself actually says. So this one again, I'm happy to take that on having worked with XPLANE on that diagram at length. And I can make a proposal back to the list, and particularly back to the numbers folks since it was related to something unclear about the numbers relationship. Everyone's okay with that? Okay.

Then the last one -- it's not really an editorial issue, but I didn't know where else to stick it. There were a bunch of comments about freedom and free speech in relationship to the IANA functions. And I thought it's possible there were enough of these that something needed to be clarified. But I wanted to hear from folks who read more of these and, if anyone thinks anything needs to be clarified in this respect. Kavouss, go ahead.

KAVOUSS ARASTEH: Yes. Attending the working party for CCWG, which partly addressing this issue after tens and tens of meetings and hundreds of pages of background documents, there is no conclusion other than the very high-level statement to answer for. So I don't know how we want to address

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this issue. So I don't think that we need to take any action on that.
Thank you.

ALISSA COOPER: Joe.

JOSEPH ALHADEFF: The majority of the comments I read that raised free speech did it in that any transition of IANA would harm free speech. And that was repeated in every category as part of the answer to every question, which does not, to me, raise to the level of something that necessarily needs to be responded to.

But the one question is in the editorial issues. And I -- I don't remember the number of this document. But I remember there was in one submission a really big thing about the inclusion of a document that they didn't want to have included. ICP1 or something of that nature. And just a question -- oh, you're ready? Okay. If that was dealt with, then I'll stand down. But I just remember that was a significantly large issue in one of the editorial requests.

But, as far as the free speech thing, I don't -- you know, I think in some things some of these are just out of scope. Because they just go against the entire structure of the concept. And I don't think those are necessarily comments we need to deal with. But I do think at some point we need to talk about some things were out of scope. Because we seem to have taken that off the table as one of our comment

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parameters. And I think out of scope is a comment parameter that is useful also.

ALISSA COOPER: Okay. Thank you. Keith Drazek.

KEITH DRAZEK: Thanks, Alissa. Keith Drazek, for the transcript. Following on Kavouss's comments and also supporting Joe's, the topic of freedom of expression and free flow of expression is something that has been discussed in the CCWG accountability. It's a topic that actually, if you go back to NTIA's testimony at some of the Congressional hearings a year ago, that Larry Strickling actually referred to the freedom of expression and the free flow of information specifically in his testimony in the context of the NTIA's criteria, openness of the Internet, things like that. I think that's probably where the linkage came from. But I think it is more appropriately addressed in the CCWG accountability and not in the -- coming into the ICG.

So I think it's reasonable to acknowledge this, say it's out of scope for the ICG and our work, and refer it to the ongoing human rights discussions that are taking place in the accountability working group. Thanks.

ALISSA COOPER: Okay. That seems like a reasonable way forward.

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Kavouss, are you back in the queue?

KAVOUSS ARASTEH: Yes. Because I think I heard that you want to take action on that.

ALISSA COOPER: No, no. No, acknowledge that we received the comments and that's it. So -- so, yeah, I think the action there is to acknowledge receipt of the comments related to freedom and free speech in the summary document. And we'll find an owner for that. Okay.

That brings us back to broad community support, which is somewhere else in the deck. 8. I think slide 8. Okay.

Well, this question is not phrased so well any more. So maybe we should have rephrased.

I think the question we wanted to come back to was do we think the proposal has broad community support. Now we may be in a position to answer that. We have been through all the categories of comments that came out of the analysis. So, unless anyone has a comment that they feel that wasn't addressed, we can talk about this. Go ahead, Kavouss.

KAVOUSS ARASTEH: Yes. This is a question that came to our mind. What is the criteria of bold support? 80%? 75%? 100%? What is the criteria? Thank you.

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ALISSA COOPER: Daniel, are you in the queue to answer that? Go ahead.

DANIEL KARREBERG: Sure. Our charter is to produce this document. And, actually, our charter mentions -- I don't have it on my screen right now -- something about, you know, the process and the support. And it is not operationalized in terms of percentages. It's operationalized in terms of asking us to make the determination.

And that's, I think, why Alissa put it on here.

So, to answer Kavouss's question, I think it's subjective for each and every individual in this room. But, as a collective, we have to get consensus that this is the case.

Otherwise, we cannot proceed. So, yeah, that's subjective. So that's my answer to Kavouss's question.

So, getting to answer the question, I thought about this long and hard personally. I talked with and I've witnessed the development of the proposals in -- very closely in two of the operational communities. I've reviewed, I believe, the majority of the public comments that we've had. I've made myself available in various fora to hear people's opinions about this.

Specifically, as our proposal got more mature, both separately in the operational communities and then as we have collated it. And my personal judgment is that, yes, this has wide community -- broad -- yeah, sorry. Broad, yeah. Broad -- all dimensions. It has community support in all dimensions.

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So I believe we can move forward.

ALISSA COOPER: Thank you. Lynn.

LYNN ST. AMOUR: Lynn St. Amour. I was actually going to refer to the consensus document we used for ICG, which Kavouss was actually instrumental in pulling together. And I think there's a useful description there, which says -- I won't read the whole paragraph but, basically, "Determinations of consensus do not fit into a formula, and the concept of what is a small minority will need to be determined on a case-by-case basis." Just goes on to say, probably more relevantly, "While consensus of all stakeholder communities is the objective, it seems clear from the NTIA requirements, that the objection of an operational community will preclude the ability" -- sorry. I'm actually reading from the wrong parts.

Let me just stop and say that I think, actually, the notions we had about how we determine consensus and what we were looking for in the processes from the OCs is they determine consensus can be applied to this work here. And I do think that we have met that and that, in fact, does enjoy a broad level of support.

ALISSA COOPER: Thank you, Lynn. Kavouss.

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KAVOUSS ARASTEH:

Yes. My difficulty from the very beginning about this NTIA expression "broad community support," which was undefined and very vague. So, if we avoid to refer to broad things that, based on the comments received, the view of the ICG is that the support for the proposal is achieved or is meant for something like this. But, without talking about broad support, because it is difficult to say broad support. You have to mention this is dependent on a case-by-case issue, subject by subject. But we should not talk about broad support, because we will be asked what is broad support. In fact, I have been asked in many areas by many people about what you, ICG, believe is broad support. And my reply was that this is not the text of the ICG, but this is text of the NTIA. They said broad support. And I don't know what they mean by "broad support." But they put it in a more cautious manner not saying that we have any interpretation what is broad support is.

Thank you.

ALISSA COOPER:

Thank you, Kavouss. I mean, I think one thing we could do is describe the breadth of the support if we wanted to. Because we got comments from a -- from, you know, all different kinds of commenters, I would say. That's one thing. We could try to be descriptive if we wanted to explain what the breadth of the support looks like to us. Martin.

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MARTIN BOYLE:

Thanks for this. Martin Boyle. I actually quite like your proposal's way of moving forward. I think, though, there's also the fact that the three operational communities themselves have been through processes that were essentially based on developing consensus proposals. And that, in my mind, is actually very important. It goes back to the fact that even with all the difficult discussions that we've had in CWG, that we've never, ever had to resort to voting. It's always been a coming to that balanced decision. So I think that is something that is worth reflecting.

And then the second thing I think is of going through the proposals. And I'm sure I saw one of your charts that did this, that gave some sort of idea of how much the comments that we received were supportive of that outcome. And, again, without actually wanting to go into definition of the broadness of the support, there was from that something that was very much more than just a bare majority of getting through. And it came from across a wide range of the communities. So -- and that's where I'd link back to your suggestion, which I think is admirable. Thank you.

ALISSA COOPER:

Thanks. Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff. I'd actually go one step farther back than Martin. And that is the composition of this group and the fact that this group has been liaising with its stakeholder communities. And those stakeholder communities have had an opportunity to interact through this group throughout the entire process.

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So we didn't just limit ourselves to the fact that -- I mean, we had an interactive process among the stakeholders that are represented in this group. The communities then did their own outreach processes. And, finally, there was an open consultation process related to the final proposal itself that was the amalgam of the three proposals that already had gotten endorsement through an open community-based process. So I think this is a very much belt-and-suspenders exercise that can be highly touted in its procedural forms that actually were all designed to develop, you know -- perhaps to Kavouss's point, what we can talk about is there was a broad community exposure. And then we can say that there was a majority of people that supported the proposal as a result of the comments we have seen.

Because I think the breadth of the exposure was very substantial without having to make a judgment on characterizing the support as being broad or not.

ALISSA COOPER:

Lynn, are you still in the queue? No. Kavouss.

KAVOUSS ARASTEH:

Yes. Let me repeat what I said in the CCWG. If you ask a politician a question, he never says yes or no. If it is French, it's [speaking French]. If it's English, it's "well," but it's never yes or no. So we as ICG should never directly reply to that, it has broad community support or not. You have no problem of referring to the support of communities, operational communities. There is no doubt. They have support. But broad community support is beyond that. We should try not to directly

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answer that question. Put in a way that it is descriptive but not yes and no answers.

ALISSA COOPER: Okay. I think we're -- Michael.

MICHAEL NIEBEL: Michael Niebel. I'm just wondering it's not about formulation. It's also about getting the message that the NTIA needs to say our criteria are met. So are we satisfied with the diplomatic formulation that this is the message that is needed?

ALISSA COOPER: I think some of this might shake out more when we actually have words written down in front of us possibly because I think I'm hearing support for us to describe -- let me try that again.

I think the people in the room are in favor of us describing what we think the support for the proposal is. I think from that it will be quite clear to anyone who wants -- I'm not sure it will be clear. But anyone who wants to then pass judgment about its breadth can do so. I believe -- these words will be under a heading that we already have in the document called "broad community support." So I think we can -- we can finesse this in such a way that everyone is satisfied with what we say and that we reflect, I think, what Joe and others have said, which is

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that we all come from communities where people -- many people seem to be in favor of this thing. So we can say that more eloquently.

I see no other hands going up. Kavouss, is your hand up? No. Okay.

So I believe we have an action item to describe the community support for the proposal, and I think this one goes to the chairs because we already said we were going to do this yesterday essentially. So...

Okay. So with that, let us take a 10-minute break. We will work on all of the action items and the wrapup, and we will come back with a list of what needs to happen next and what we are going to do going forward.

So we will be back at 4:35. We have seven minutes.

[Break]

ALISSA COOPER:

All right. We're going to -- we're going to wrap up here so please come on back and find out what action items we assigned to you while you were chatting. We set a record. I know, really, it is like musical chairs for action items.

[Laughter]

We set a record. We have 20 action items coming out of this meeting. So it's pretty fun times. Plus the ones from yesterday. This is only from today? 20 from today? Oh, my God. Okay. All right.

So we have separated these into three buckets according to the timing. First priority are the ones that may result in us communicating something back to the operational communities. So as discussed, if we

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need to do that and we want feedback from them before Dublin, we need to do that very quickly.

So here we have the ones that people took. Milton has the RZM one. We have the subteams for all the PTI tasks. Martin took the one about ccTLD issues. And then we had an editorial thing on one of the slides. So just quickly, does anyone think -- we will wordsmith these a little bit more because we did this very quickly. But is there anything missing as regards to something we might do that will generate -- could generate a communication with the operational communities?

Okay. So we just need to confirm that people are ready for that to go. Okay. I'll just respond and ask for objections. Yeah, okay.

All right. So then moving on, the next set are the ones where people have signed up to write text for Part 0 of the proposal. So these are the ones where we are giving people essentially a week, a little more than a week to get in an initial draft of this. So we can then have some back and forth on the mailing list before the call and try to hopefully finalize a bunch of these bits of text.

One thing we didn't really talk about is sort of the group editing of this. I would suggest that people, when you're doing this, send in separate documents. Don't edit directly on the Word version of the proposal because the formatting is sensitive. We'll have -- when we're all done with these, we'll have the secretariat incorporate them together.

(off microphone).

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ALISSA COOPER:

Exactly.

[Laughter]

It's going to be another late night.

Okay. So that's, basically, a week from today. There's a whole bunch of those.

Anything missing?

Okay. And then the third set, so these are the ones for the summary document. And so we put the deadline a little further out on these so that everyone isn't working on all their things at once. My assumption has been we may be able to, quote-unquote, finalize the summary document around the same time that we are meeting in Dublin. But if it takes a little bit longer, that's not the end of the world either. So we can take a little more time with this one.

And Lynn has graciously agreed to at least take a first cut at the completeness one. So thank you, Lynn.

[Laughter]

I owe Lynn a drink in Dublin. These are all October 6th, yeah. So this is a couple of weeks out.

(off microphone).

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ALISSA COOPER:

Good question. So we put a question to the communities about whether the three proposals are compatible and interoperable. That's what it is, yeah. We'll edit these so they make sense. We just tried to capture the gist.

Okay. So then our decisions that were taken. We decided that we're going to aim to get the proposal into a perhaps not completely final but almost as final as possible state in Dublin. I'm not sure about the second sentence of that first decision actually. I don't think we actually did that. I think it's just the first sentence. Yeah.

We have tabled our discussion about the role -- can you actually live edit that so people don't get confused? You can take it down and edit it, if you would like.

We can talk through the other two in the meantime. So the second one was we were tabling our discussion about the role of implementation until Dublin.

And then finally I just wanted to note Manal has graciously, very graciously, agreed to co-edit the summary document with you, Joe. So you have that filled in.

JOSEPH ALHADEFF:

Could we actually have the same process because folks might be using different templates and things like that, that they submit their versions to the secretariat to kind of create the master. And then we'll edit the master?

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ALISSA COOPER: Yeah, that's fine. Although I would say people should just send them to the list.

JOSEPH ALHADEFF: I'm just saying it would be useful just from a formatting perspective to start having kind of a master copy, and then we'll edit that master copy.

ALISSA COOPER: Yep. That's fine.
Kavouss.

KAVOUSS ARASTEH: Yes. Could you go back to the decisions part.

ALISSA COOPER: They're just editing the first one right now.

KAVOUSS ARASTEH: The part that is mentioned, "ICG seek assurance from CWG "--

ALISSA COOPER: That's the part that's being deleted.

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KAVOUSS ARASTEH: Comments but not assurance. There is no assurance because the issue is under CCWG and ICANN. I don't think in Dublin anything will happen, and there is no assurance at all. So maybe comments from CCWG whether or not the criteria are met.

(off microphone).

ALISSA COOPER: Yeah, there we go. Yes, Mary, and that Narelle.

MARY UDUMA: Thank you. Mary for the record. We talked about the principle of our work. I don't know where that one comes in, the principle of sending comments to the operational communities. There were three or four things that we listed. That would be the principle guiding our process of sending comments.

ALISSA COOPER: Right. What you're saying is you want another decision listed that we decided -- Okay. So what did we decide?

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MARY UDUMA: Okay.

ALISSA COOPER: We decided that... Daniel, what did we decide?

DANIEL KARRENBURG: So we decided that when we are communicating with the operational communities that we characterize the communications in four categories. And I think they were your idea: One, editorial; four, meets substantial process and public review. And two and three, I don't remember exactly how you formulated it, but you did it much better than I can now on the fly.

I think that's important to capture. And I believe also -- and that's just my impression -- that there was widespread support among -- in the room that when we communicate with the operational communities about their proposals, we also indicated the potential disposition of the answer. It's kind of related.

ALISSA COOPER: Okay. I think that's good enough. And we can also go back through the transcript to make sure we know what the action item -- what the decision is.

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Good point, Mary. Thank you.

Narelle.

NARELLE CLARK: Sorry. This is Narelle Clark for the record. This is just a minor semantic one. But "to table" means something different to me than it does to others. When you table a discussion for --

ALISSA COOPER: Yes, yes. We will wordsmith.

NARELLE CLARK: Can you make that clear? I'm confused.

ALISSA COOPER: It is not even really a decision. We decided not to talk about it. We're going to talk about it. It will be on the agenda.

[Multiple speakers]

ALISSA COOPER: It will be in Dublin.

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NARELLE CLARK: I am just getting confused.

ALISSA COOPER: Thank you. Good point. Kavouss? No. Okay.

Okay. So just the last item, the chairs have talked about the idea, maybe it would be a good idea for us as chairs to write a blog post this week to update the world about our progress and have a little bit of good news. I mean, I think it would be good news. We made a lot of progress here.

I think we think the proposal has community support, and it should go forward, and we were aiming to finalize and staying on time and all of that stuff. A feel-good blog post, if you will. But we wanted to check with people if they think it's okay. And we will work through the coms team to figure out where to place it and so forth. Does anyone object to the blog post?

MARY UDUMA: Go ahead, Mary. I think your PowerPoint presentation that you made is a good starting point. It summarize most of the things, especially the statistics. I think it's a good thing and suggestion that we do that. Tell the world where we are at and that we had over 60% support.

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ALISSA COOPER:

So, yeah, we can do that. I would want to kind of rerun the numbers a little bit and might not have time to do that before -- I'd like to get the post out soon and get the numbers correct in the proposal. We might need to be very vague and not give exact numbers in the blog post. But, yeah, okay.

Daniel.

DANIEL KARREBERG:

I think the blog post is absolutely a good idea and I support should be done. I would be careful -- I would stress the achievements of this meeting. I would be careful in raising expectations about the time line until we have actually agreed on a time line. And I don't think we have agreed on a time line. So I just advise caution. That's all.

PATRIK FALTSTROM:

Patrik Faltstrom here. I think our intention was exactly as Daniel was saying, is that we already had a discussion on what we chairs can speak about. And that is things we have actually decided on. As you say Daniel, as we see on the board, there are other things we decided on. And those are our action points. And those three decisions are taken and that's it. We don't have to go into substance in a blog post. We just say we make progress. This is a process that converges. We're happy. And that's it and nothing else. So as soon as we go into substance, that's not where we are. So thank you.

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ALISSA COOPER:

Joe.

JOSEPH ALHADEFF:

Thank you. Joseph Alhadeff. I just wanted to support Daniel on that in the sense that I had heard again finalized in Dublin. And I think those are dangerous words that -- plus, I wonder whether we should have a two-blog post strategy. Because I think the one blog post -- one, I think keeping some of this in the public eye isn't a bad thing, from a PR point of view. And I think the one blog post can talk about the comments we received and review the elements of this meeting. But, if actually more information comes out after the next meeting that's coming up in a week or so, that might be the basis of another blog post. Because we might actually have more information. So there could be a concept of, you know, this could be a little bit of the stream that's getting us ready for Dublin. But just a thought.

And the last thing at one point or another we had talked about the fact that it was useful for NTIA to give us any heads up they could related to us understanding our own process. And I just wonder if it's worth having a communication again since there was a proposal out. And I don't think we've kind of heard much of anything from them as to what we need to pay attention to if, perhaps, there's an informal communication from the chairs related to them if there's any guidance they'd like to give us as we're looking to the edits. Because, if it comes in after Dublin, it's sillily less useful than if it comes in before.

ALISSA COOPER: Yeah. That's a good point. I think we can try to do that informally, probably.

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Okay.

We will write this -- we will write the -- we will write a blog post this week for sure. And we'll think about if we need to do more coms activity after next week.

So -- we're three minutes over, which means we need to finish because people need to go.

I did get one request, which is that, if people are not leaving tonight and you want to get together, go talk to Lynn. She's going to be the -- Lynn's going to be social queen tonight. No, Lynn is going to be social director tonight. I'm getting on an airplane, so I'm leaving. But, before we wrap up once again, huge thank you to these fine ladies right here. The secretariats.

[Applause]

Many, many, many thanks to the interpreters who we made work over lunch.

[Applause]

And to the tech team and the support staff. We had really good audio and everything. No glitches.

[Applause]

And, last but certainly not least, the scribes, without whom I would not be able to keep up with the meeting, wherever they are. Scribes in the cloud. Thank you.

[Applause]

And to all of you. I recorded a little video today for the ICANN Web site. And I think I said this group has hit its mojo or something ridiculous. But

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I really think that's true. I think we've, like, turned into a really effective working group. So thanks. Thanks, everyone. See you in Dublin.

[END OF TRANSCRIPTION]

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