
ALISSA COOPER: Good morning everyone, good afternoon, and good evening, whatever time it might be. This is Alissa. Can everyone hear me?

UNKNOWN SPEAKER: Yeah.

ALISSA COOPER: Great. Let's just give it one more minute. It looks like we still have [CROSSTALK]...

RUSS MUNDY: Russ Mundy.

COMPUTER VOICE: Joined.

ELISE GERICH: Elise Gerich.

COMPUTER VOICE: Joined.

RUSS HOUSLEY: Russ Housley.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

COMPUTER VOICE: Joined.

UNKNOWN SPEAKER: [Inaudible]

COMPUTER VOICE: Joined.

ALISSA COOPER: Okay. It sounds like we have [inaudible], it's 10 minutes after the hour so we can get started. We'll try to [inaudible]... This is Alissa. Thanks everyone for doing the call today. As usual, we'll do the roll call based on the Adobe Connect room, but do we have anyone who is on the phone but not in the Adobe chat room?

Okay. Sounds like everyone is in the Adobe Connect room, so that's great. So you can see the agenda for today's call. We have minutes to approve from last time, and then we're going to spend the bulk of the hour talking about the CWG name [inaudible] and the potential implications for the other two proposals, that I'd like to have a discussion if there is anything that we need to do from a coordination standpoint to help [AUDIO INTERFERENCE]...

...then we will have a bit of a chat about the future call schedule if Patrik is on, which I think he is. So, that's the agenda that we have planned for today. Jean-Jacques, I see you have a hand raised. Go ahead.

JEAN-JACQUES SUBRENAT: Yes. Thank you Alissa. Hello all. This is Jean-Jacques. About the approval of the minutes for the 8th of April. I just wanted to make sure that the Secretariat had, in fact, integrated the change Russ and I just had popped up, which was item three, I think, action item three, which was that Narelle and I chaired to draft a piece of paper.

And Alissa's remark was that the Secretariat... ...introduce in a form of, on the table, was already very [inaudible]. So Narelle and I could consulted that. We agree with Alissa's point of view, so we are withdrawing the necessity to draft anything at this stage. And we ask the Secretariat to make sure that, later, additional elements can be added.

So could the Secretariat just confirm that little point? Thank you.

JENNIFER CHUNG: Hi Jean-Jacques. This is Jennifer Chung from the Secretariat. I confirm that I have changed the action item, as requested. That has been sent to the ICG mailing list. I have not changed the action item on the actual minutes of the April 8th call. If you would like me to do that, I can do that as well.

ALISSA COOPER: This is Alissa. I think it would be fine to add, you know, add a note in the minutes that says that we later revised the action item. So that you can see what we talked about, but also the fact that we were...

JEAN-JACQUES SUBRENAT: Yes, this is Jean-Jacques. I would, yes Alissa, I agree with your suggestion. I think it would be added clarity, to added also mention in the minutes. And thank you Jennifer.

JENNIFER CHUNG: This is Jennifer. Noted both. I will do that.

ALISSA COOPER: Thank you. Kavouss.

KAVOUSS ARASTEH: Good day, good time everyone. I have a comment with effect to the minutes of day one, on page three. At the top of the page, first bullet, Russ also stated his disagreement. I want to amend that, Russ says he has doubts about the statements. There is not disagreement, it's doubt. Expressed, overstated his doubt, better say expressed his doubt with respect to the statement from.

So I had some doubt, and still I have that doubt. So this is not [inaudible], but it is doubt. Thank you.

ALISSA COOPER: Sorry. Could you explain which bullet point you're referring to? I didn't quite catch that.

KAVOUSS ARASTEH: Yeah, I said that the day one, and on page three, the top of the page, first one...

ALISSA COOPER: Day one of our face to face minutes?

KAVOUSS ARASTEH: Yeah, I want to just [CROSSTALK]... Yeah.

ALISSA COOPER: Okay. We approved those already, earlier in the week. So those have already been posted. The ones that we're looking at today are from the previous call, April 8th, but the Secretariat can make an amendment to the ones that have already been posted. Is that okay Jennifer?

JENNIFER CHUNG: This is Jennifer. Yes, that is okay. I will go ahead and make that change and confirm with Mr. Arasteh that it's correct.

KAVOUSS ARASTEH: Thank you.

ALISSA COOPER: Thanks. So the set of minutes that we have for approval today are from the, our last call on April 8th. These have been out on the mailing list for a little while. So the question is, whether anyone objects to approving these minutes today? All open, go ahead.

Any objections from anyone for [approving the April 8th] minutes?

Okay. Then we can consider April 8th minutes to be approved. [AUDIO INTERFERENCE]...

And now we can move on to the discussion of the CWG proposal, which Martin has kindly volunteered to give us an overview and his perspective. So take it away Martin.

MARTIN BOYLE:

Thanks very much Alissa. I need to flag up first of all that we haven't got yet, but are expecting fairly shortly, a version of the document that will then go out to consultation, we expect by close of play today. And the document, the most recent document, version 3.4, which came out today, was one of a series that came out in quick succession just before, and then after, a two day intensive work.

The plan that you've got up in front of you, at the moment in the Adobe room, is a rough outline of what we see as the model which will be used to underpin the proposal from the cross community working group. And while it's based within ICANN, there will be a legal separation between ICANN and the IANA functions operator, now baptized the post transition Internet, sorry, the post transition IANA, sorry, excuse me, PTI.

The [inaudible] is that, by the way, I'm getting a certain amount of echo in my ear. I'm not sure whether there is somebody who is not on mute. The concept of the PTI is that it would be an affiliate, a subsidiary of ICANN, and that in this case of a breakdown of the servicing provided by

the post transition IANA, the IANA function could be re-tended, but the ownership right of the IANA functions would remain with ICANN as being the contracting party, in this case, ICANN taking the role of the NTIA.

Around these two body structure, there are a number of potentially accountability and contract monitoring bodies. At the bottom right, we've got the customer standing committee, the CSC, which would do the normal monitoring of the progress of the contract, looking out for areas where service level commitments were not being met, looking at areas where there were perhaps, whether there were perhaps a growth in the number of complaints coming in.

And its primary role would be working with the post transition IANA to resolve those issues. If it was found eventually that it was impossible to resolve those issues, and remember here, we're talking about the names functions, that the CSC would be able to report those unresolved problems to the ccNSO, and/or the GNSO, who could then decide on further steps.

The second body, which is the middle of the page, the PRF, the Periodic Review Function, this would be essentially the mechanism for monitoring the overall performance of the function operator. Look for things that might need to be improved. Look forward to changing environment and so on. And this periodic review function would meet every five years, and would be along the same lines as the affirmation of commitment reviews, but would be embodied in an ICANN bylaw.

The PRF would report to the IANA Board, and the IANA Board would have the responsibility for implementing recommendations from the PRF, and it would then use that to adjust its contract with the post transition IANA. The ccNSO and/or GNSO could require there to be a special report. In other words, one that was out of sequence, that was then looking specifically at issues that have either come from the CSC, or from the community.

And in both cases, sorry. In the case of this, if the review showed action that needed to be taken and ICANN did not take it, then the ccNSO and/or the GNSO would report up to the accountability mechanisms currently in discussion in the cross community working group on ICANN enhanced accountability. So that is the overall framework of the design of the model, and the way that it would interact with the different bodies.

I think, sorry, with the multistakeholder community, I think has generally been outlined in Milton's quick and summary note on progress, and on the implications of that. I think for us now, there are a number of sort of areas of question that Milton highlights, and that I think the ICG needs to start thinking about.

Firstly, it's the initial thoughts on the compatibility of the general framework that the CWG names has come up with. And Milton identifies ways in which that might happen. In particular, in his paragraph 2.1.1 and 2.1.2, he discusses the options for the IETF and the numbers operating communities, to be engaged with, and that then is whether they engage with the post IANA transition, IANA subsidiary or directly with the ICANN owner of it.

And while, and Milton has come out with three approaches to that, and recommends one particular solution. I still think it is going to be something quite necessary for us, and in particular for the other operating communities to consider how they will respond to that, which solution will work for them.

And in particular, I think part of that is going to be for the operational communities and for the ICG, to think a little bit more in detail about the relationship lines between their solutions and the solution put forward for names. And in particular, whether the changes brought about by the names community, in particular, with the changing role of ICANN and the separate role of the IANA functions operator, as to where they would then have their MOU, or other contractual relationship.

The third point, I think, is something that isn't either in the paper or in the [inaudible] gram that is on the screen in front of you, and that is about authorizations. The CWG has agreed that the authorization function of the NTIA for the names community would no longer be needed, but we are still struggling a bit with who would then authorize changes of a more structural nature, significant innovating changes, things that led to changes in architecture, things along the lines of the introduction of DNS SEC, for example.

And we have got some words that are in place for dealing with that, but no final identification of who would authorize and how they would authorize any such changes. And I think the last point that I make is that the consultation, more generally, would go out towards the end of today, and will be open for 28 days. In other words, it will end on, is it

the 21st of May? Which then is just four weeks before the ICANN meeting.

And so during this period, obviously we will be expecting quite a lot of comments coming in. I would hope that we would get input from those who have been involved with the CRISP work, and of the IANA planned work. And at the end of the consultation period, we have about four weeks to put forward a final proposal, which should be presented to the ICG on the Thursday of the ICANN week, as our latest. And that also needs to go through an approvals process with the chartering organizations, with the cross community working group.

And we are aware of certain problems in that process as well. So, that's my sort of general introduction. As I say, I think for today, I would welcome hearing thoughts from colleagues on the issues that they think might be, need some sort of [inaudible] and early exchange between the numbers and protocol parameter teams. And any thoughts that people might have on the various relationships that those communities might need to have with the various elements of the hybrid model that the names community have come up with. Thank you.

ALISSA COOPER:

Thank you very much Martin. That was very helpful. I would like to ask first, if people have clarification questions for Martin, anything about his explanation of the proposal that they didn't understand. If we can start with those. So, I see three hands raised. If those hands are up for clarifying questions, then leave them up. If they're not, then put them down, and we'll come back to you in a second.

But I just want to make sure that we get the clarifying questions out first. And I have one of my own. I will put myself in the queue at the end. So I see Daniel. Go ahead.

DANIEL KARRENBERG: Hello, this is Daniel. Thank you very much Martin for this nice introduction. I have a pretty simple question. In the discussions of the CWG, was there any expectation that the other operational communities would sort of directly be involved in this whole scheme? For instance, in the diagram that we're seeing there is like three circles for direct customers, that may be a coincidence, but I'm just wondering whether any of that discussion that has happened.

Otherwise, my first glance at this doesn't seem to see any [inaudible] if this PTI hasn't set up, then the other operational communities could just interface with it as well, so that would actually work. Is that the intention? That's my question.

MARTIN BOYLE: Can I take this one immediately Alissa?

ALISSA COOPER: Yes, yes. Please feel free to respond directly to the question.

MARTIN BOYLE: Okay. Thank you Daniel. That's actually a very useful question. There has been a certain, because obviously, the work that we have put in has

been done almost exclusively with the naming community. And nobody has felt that we have any ability to speak for the other communities. However, as Milton's paper makes clear, he doesn't think that there is any particular incompatibility, but there would be, I think, a certain number of things that would need to be, probably, augmented.

So for example, while we haven't got yet to a decision on what the Board of the post transition IANA should look like, if this is now the heart of dealing with all of the IANA functions, I would expect to see some input from the other communities in the shaping of the Board, similarly reporting to systems of unresolved problems. If that was sensible for other communities to have a similar problem resolving interface with the post transition IANA, then firstly, the CFC would probably need to be augmented with the right skills and representatives.

And it would also need to have an option for reporting up persistent and unresolved issues, whether to the ITF, whether to the numbering community. It needs to be decided. And then those communities, whether they would maintain their current relationships with ICANN, or whether they would follow the IANA functions operator, and therefore have their relationship with the post transition IANA, I think is one of those questions that needs to be resolved.

But on the face of it, I can't see any real reason why there should be a barrier from the model for doing this. I think it is more a matter of, does it work when we try to do it to meet the objectives of each community. Does that fully answer your question Daniel?

DANIEL KARREBERG: Well, for the time being, yes. Certainly, just for one second, I would envision that the CSC stuff and so on, is a names sort of thing, and the other proposals have similar elements. So I don't think we should model those, but that's just my personal impression.

ALISSA COOPER: Thank you. Michael, go ahead.

MICHAEL NIEBEL: Thank you. Hello?

ALISSA COOPER: Yeah, we can hear you.

MICHAEL NIEBEL: Okay. My question is, with regards to the contractual relationships. I mean, the traditional model was that the customer communities have a contractual relationship with ICANN. Now, in the case of the names community, is there a contractual relationship, or how is this legal relationship constructed and with whom?

I mean, to guarantee the level of service or obligations. Are the obligations in a contractual form? Or is it an undertaking by the PTI? Or whichever? Thank you.

MARTIN BOYLE:

Thanks Michael. Yes, again, a very useful question. For the names community, quite frankly, it's all a bit of a mess really, because the GTLDs have contracts with ICANN, and that part of the relationship would stay in place. A very small number of ccTLDs have got contracts with ICANN, and likewise, I would expect that to stay in place. But as you say, both of these would now become customers of the post transition IANA, and I have yet to see any argument as to what that exact contractual relationship is.

And whether part of the relationship in the existing contracts would have to be devalued from ICANN into the post transition IANA. Not being a lawyer, I would have to sit and wait until somebody spells that one out to me. There is a bigger problem, and that is for the vast majority of ccTLDs that do not have any contractual relationship, or even any relationship, with ICANN.

And there is no anticipation that any of these will need to change their relationship with ICANN or with the IANA, but that it would remain an obligation applied by ICANN on the post transition IANA, that the post transition IANA would continue to provide a service to ccTLDs that are not members of ICANN, or that do not have any form of relationship with ICANN, and even for those which might not well be funding the IANA functions directly themselves.

So yes, all of it is a mess, but all of the existing relationships would need to be honored. Does that meet all of your question Michael?

MICHAEL NIEBEL: Thank you Martin. There is still, of course, as you rightly pointed out, quite some need for clarification. And it has all to do with the contract question. But for the moment, I take it as sufficient. Thanks.

ALISSA COOPER: Thank you. Jari.

JARI ARKKO: Yes. Hello. This is Jari for the minutes. I want to say a couple of things. I wanted to go back to Daniel's question. [Inaudible] that we want to keep our own mechanisms, it doesn't rule out participation in some board somewhere, but such participation would not make our contracting accountability rules unnecessary.

So we will have our own contract, our means of changing, and/or terminating the contract, and so forth. And I would be happy to work with the PTI structure as well, but just wanted to make that point clear. And then the other point was that [inaudible] feeling, at least on my side, is that, and I'm still collecting data, but it seems that the PTI structure is reasonably well compatible with our proposals.

As I think Milton noted in his email that the IETF generally does not want to [inaudible] renegotiate our contracts, and that's true. I think we should be able to hold our exit in contracts. So, just for the record, [inaudible] contracts are between IETF and ICANN, and the actual people who do the [inaudible] or the IANA department.

So it's actually a situation with future, if this goes forward, there is a sub-contractor internally. We contract with ICANN, but the people who

actually do it, and empowered to do it, are the [TTI]. I think that's doable without changing anything between IETF and ICANN [inaudible].

And the third thing I wanted to mention is that I [inaudible] email for the list on section 2.1.2, it speaks about the numbers proposal. But it also makes the general point here, when there are [negotiations] between, for instance, the CRISP team and ICANN, then at least we from the ICG have [inaudible] proposals from the operational community and does not trying to alter it. And we can make the point that we should actually require the same from ICANN.

And I very much agree with Milton's point here, and I think we had been very clear, all along, that the time to [inaudible] any proposal is being formed in the communities, and not after the fact. So that's important. That's all I have, thank you.

ALISSA COOPER:

Thanks Jari. So, I would like to make sure that we have all of the clarification questions out of the way. Sounds like we sort of transitioned into a broader discussion, which is okay if everyone has had their questions answered. So I see a hand, again, if you have a clarifying question, I think we can take one more, a few more, if people still have those, but if not, we can move on.

I did have one clarifying question, so maybe I'll ask that, and then we can sort of switch to the broader discussion. Which is, whether the names, does the names proposal Martin, speaks to this issue that we had discussed earlier with the other communities of, about the IPR and the trademark for IANA, and IANA dot org. Is there any mention of

what happens with that in the eventuality that there could be a separate operator, or a successor?

MARTIN BOYLE: Thank you. Everything has gone very quiet. Can people here me?

ALISSA COOPER: Yes, I can hear you.

MARTIN BOYLE: Okay. Thank you Alissa and Jari. If I can sort of go to Jari's point. The, his first one about keeping existing mechanisms and remaining with the contract, and the way of dealing with the contract, and the way of monitoring the contract, yes. I think we, right away through this, have just said, "This is what we would want to do." We don't think that there is anything incompatible with things that are coming up from the other communities, and certainly I don't think we would see us as being, for us to tell other communities what their relationship should be.

And whether the relationship should change between IETF and ICANN, or IETF and the post transition IANA, is something that I think the IETF have to work out, because obviously, that could have some spin off on where you're engaging in accountability of actions, versus it is recognized that other communities might well decide, at some stage in the future, that they wanted to separate from the wider grouping. And there is nothing in our proposal that goes against that.

As for your point Alissa, on the IPR, yes there was a small team that sat down and worked on IPR. I think, at the end of the day, it didn't make any direct conclusions, but said that some further work was going to be needed. I wasn't following it very carefully, I have to admit, so I can't remember exactly what the conclusion was. There has been a discussion, and I can hunt out that discussion at some stage after this call, and send around the reference to it.

I'm sorry, I can't go further just off the cuff like that.

ALISSA COOPER:

Okay. Thank you Martin. I'm just trying to mentally make a list of, you know, items that we might want to point out to the other communities, and that might be one of them if this proposal speaks to that. Okay. So I think Daniel has a clarifying question, and then we will open up to broader discussion. So go ahead Daniel.

DANIEL KARREBERG:

Yeah. Martin, you said in passing, sort of [inaudible] with the final stage when an approval, before sending this over to us. My view [is there some difficulties] and I think, if I remember correctly, you said we know about them. Would you like to care, telling us, a bit more about that specifically, how that might affect the timeline?

And if you don't want to saying then fine.

MARTIN BOYLE: Yeah, I'm sorry Daniel. I'm not quite sure I remember where I said that. If I did, certainly I was not intending to highlight the fact that we were having difficulties. I think we are fairly much in agreement on the approach, that it is quite a consensual document, and we're not actually seeing any specific reasons why what we're proposing would fail to meet, or fail to be able to match up to interface with the other applications, the other proposals.

So I'm not quite sure what I said that sparks you to think otherwise. I obviously said something slightly wrong.

DANIEL KARREBERG: Point is entirely mine in not listening carefully, probably.

ALISSA COOPER: Okay. Russ Mundy, go ahead, because you have a clarifying question.

RUSS MUNDY: Thanks Alissa. The question, the first question that I have, and I have to apologize. I have not followed the CWG work closely as I really would have liked to. But in developing the response to the ICG, could you say a few words, Martin, about how closely it tracks with tracks to the RFP we put out? And in particular, the section one, section two activities, where they're asking about describing what goes on, and both currently and how they envision it afterwards.

Because what I'm seeing on the diagram, and all of the discussion, is almost exclusively to deal with accountability activities. And very little

to nothing about the ongoing functional running activities. Could you say a few words about whether or not that's addressed in the written proposal Martin?

MARTIN BOYLE:

Thanks Russ. Yes. It's astounded failing of mine that spend all of your time on the bits that is giving you most difficulty, and forget to even have mentioned the stuff where there was a reasonably good degree of agreement. The reason most of my intervention was on the accountability was because that's where most of our discussion is being built.

The first two sections occupy currently, I think it's 11 pages, no nine pages plus an annex, of the final proposal. They go through and address, point by point, and they are then a certain number of other things, that as we move into the proposal, we continually go back and say, "This is currently being done. Does it stay like this? Does it need to be amended?"

So, for example, a fairly obvious one, which isn't completed yet, is on service levels, where essentially we're saying that the service levels need to be at least what they are at the moment, and there needs to be a mechanism for amending them as move forward. But there are certain service levels that need to be reconsidered now before the transition. And so there is also that link through, very much, on an operational basis.

So the fact that I didn't mention it was because actually, A) this was done quite a long time ago, and B) it was done with very little controversy. Thank you.

RUSS MUNDY:

Thank you very much Martin. And I guess the other, and it's maybe more of a comment than a question, if in fact, we have distinct and separate, both accountability kinds of activities and legal arrangements, between the three major operational communities, it looks like that has made our job in the ICG more challenging to do both an assessment and reach a conclusion as to whether or not this does result in incompatibilities or not, or if it will function in that separate way.

So I think that's something that we all need to think about.

MARTIN BOYLE:

Yeah. That is certainly Russ's point that has been very high in our own minds, and why I think Milton spends a certain amount of time trying to identify that interface. It certainly one of the reasons that we have been keen to make sure that we do have this initial discussion with the wider ICG, because these are things that, I hope, that when people read the report, the proposal, when it comes out later today, or early tomorrow depending upon what time zone you're in, that you will be using the time to think very carefully about where there might be issues on implementation.

So that's a point very well taken. Thank you.

ALISSA COOPER:

Thanks. This is Alissa. So, we have about 10 minutes left to continue this discussion. I think this has been really useful. I do want to see what Russ said, and kind of bring this back to what the ICG's role is here, and how we can helpfully move along this process, so that, you know, in the near future, we end up with a complete proposal that is consistent across the three communities.

And so my question is really, I think, about two different roles that we can play. One is to collect this list of issues and questions that the other two communities might want to think about and comment on during public comment period. And we've already started to do that. So I think with Milton's memo, and on this call, these issues regarding the contracting, you know, with ICANN versus the PTI, the composition of the PTI Board, some of these architectural issues that Martin talked about in his authorization of new features and functionality in IANA.

I would add the IPR to that list, and there might be others. So I would like to hear people's thoughts about whether they think we could, on relatively short order, say you know, within, up until maybe less than a week, just produce an informal list of questions and issues that we can send to the ITF and the RIRs, to flag for them, you know, the 28 day comment period is going on right now, your input about these things would be useful for the whole process that, to send a message like that.

And I'm happy to work on that if people, if we have the will in this group to do that. And I've heard informally from folks in some of the other communities that having that might be helpful, giving that the CWG proposal itself is a bit complex. So that's one question.

And then the other one is one that, Wolf-Ulrich raises in the chat room, which is a very good question, which is whether we as the ICG want to try and do a preliminary assessment of the proposal during the public comment period. You know, we already know what our proposal assessment framework looks like, so we can look at this draft version and try to provide some feedback to the CWG if we see items in there that we think would get caught up in our assessment process later.

So that's the second question for this group is whether we want to do that, and if we do, then we need some people who would be willing to review the document and start a discussion among ourselves about whether we have input to provide to the CWG. So I know we have a long view of people who wanted to make comments. If you could respond to those to questions briefly within your comments as well that would be excellent.

So we have, and please keep it short since we're running really low on time. So first we have Paul Wilson. Go ahead.

KAVOUSS ARASTEH:

Alisa? Hello, Alisa? Please. Alisa, please listen to me. [Inaudible] my hand is raised. You have not given me the floor. Please put in this statement. Kavouss Arasteh mentioned that in spite of his continual request to talk, time was not given to him. [CROSSTALK] ...given me the floor. I'm very sorry. I apologize, I'm very sorry.

ALISSA COOPER: I have, okay. In my view, I see Paul Wilson, then Michael Niebel, then Kavouss Arasteh, and then Joe Alhadeff. I don't if we're having problems with Adobe Connect, but that's the ordering that I see. So go ahead Paul, thanks.

KAVOUSS ARASTEH: Are you giving me the floor?

ALISSA COOPER: I have Paul Wilson up first in the queue. I don't know if Paul wants to speak, if he doesn't want to speak, then the next person that I see is...

KAVOUSS ARASTEH: I want to speak whenever you give me the floor. I'm waiting for your [inaudible]. Can I talk?

ALISSA COOPER: So I have Paul Wilson in the queue, but if he doesn't want to speak, then we will go to Kavouss. So...

KAVOUSS ARASTEH: Yes, I want to speak, yeah. I'm sorry, I want to speak. Alissa, I would have expected that you would allow me to make this statement. At the beginning of last night's CCWG, we asked the chairman of the CWG, the co-chair, whether they have sent ICG any document. They said that no document has been sent to ICG yet. There are going to put something on the topic comment.

I would have expected that like CCWG, you would have invited the co-chair of CWG to present a draft output of others, of anyone else. Because what I have today is contradicting. Mark said that ICANN would assume that the current role of NTIA. Yes, he was to in the document of [inaudible], that is the document published, or point that we will publish a draft by the CWG. It is mentioned that the customer standing committee, on page 22, has been established to perform the appropriate requirement, previously performed by the US Department of Commerce.

So who would do that? The problem is that they are too contradicting. The document that refers by Mark has no status. That is the memorandum of the legal advisor to the CWG. The document is valid, is the output of the CWG. So I would have expected that we invited the CWG co-chairs, to come and present this document, present this output, but not someone else, because it might be misunderstanding, misinterpretation, [inaudible] interpretations. This is what...

ALISSA COOPER:

Okay. Thank you Kavouss. Thank you. I take your input into how we should structure the calls. Certainly, I tend to think that it's not only the chair of any group who can, who is capable of understanding the work that they have put in. And I thought Martin provided a very useful summary. I think his point was that, in terms of who holds a contract with IANA, ICANN will be holding the contract with the PTI, and then in that sense they're replacing the NTIA, because NTIA currently holds the contract with ICANN, which has the IANA department.

But we can, if we want to continue the discussion of who should speak about which topic, we can, I think, do that on the mailing list. So in my view now, I see Joe, Jean-Jacques, and Alan Barrett. Paul, if you want to get back in the queue, we can put you in there, and then we're going to have to close the queue. So go ahead Joe.

JOSEPH ALHADEFF:

Alissa, I don't remember the order of your questions, but your question on should we take a crack, you know, at a minimum providing feedback to the draft that we're going to receive, whether it meets the requirements of our RFP, I think part of our RFP evaluation process is to provide input as soon as possible.

So if it's even to a draft proposal, it's helpful because it takes cycles out of the process. The question I would have is, should we ask the two other communities to provide us any feedback they have on where they might see any conflict with the proposal they have provided? Because that would also help eliminate some cycles.

ALISSA COOPER:

Yeah. So Joe, my thinking was that they can send that feedback right into the CWG, but certainly it would be helpful for us to receive it as well. So good point. And it seems that we have a major problem with the queue, because now I don't see anyone else's hand up, and I know that we had people in the queue previously who have been waiting. So I'm not sure what's going on with Adobe Connect.

So I think the next person we had was Jean-Jacques, and I see Alan has his question in the chat as well. So why don't we go to Jean-Jacques and we will try to resolve what is going on with the queue. Thanks.

JEAN-JACQUES SUBRENAT:

Thank you Alissa. This is Jean-Jacques. My remark actually is a bit wider than that, and does not respond to any of the points made by Martin in his excellent presentation. It's a general remark about jurisdiction, because when I hear his explanations and when I look at the chart, or the diagram, which is in front of us on the screen, it's very striking to see that the arrangements which I envisioned, for instance, the creation of the Board of PTI, for understandable reasons, that would be maintained in one single jurisdiction, which is of course, the USA, the California law.

Because it would be a department or a subsidiary of ICANN. That stands to reason. Now my remark simply to all of us, to keep in mind for the future, for the coming months, that if and when the question does come up on a wider scale of jurisdiction, then perhaps we can think of our proposing that there are two other levels of responsibility, which could become more international. Perhaps in a different jurisdiction from the US legal system, and that would be the PRFI and/or the CFC. Because I think there would be a lot of merit in having this kind of oversight body that constituted say under Swiss law, in Geneva for instance, which would give it a much wider acceptability around the world.

And not having operational responsibilities, which of course, the PTI would have. So that's just a thought for the future. It is not a reaction directly to it so far. Thank you Alissa.

ALISSA COOPER:

Thank you Jean-Jacques. So given the problems that we have had with the queue, and the fact that we are now going to run over time, I think we can close this discussion and we should take the remaining outstanding items to the mailing list. So please, if you didn't get your question answered during this session, please send it to the list. And we can have that discussion there.

I will also try to key up the list of potential questions and issues that we might want to send to the other communities, so we can see if we can come to some conclusion on that, and get that out shortly. Thank you very much everyone for this, and in particular, to Martin for briefing us all. And we will look for the proposal that actually goes out for public comment later today.

So just quickly, moving on to the last agenda item, the future call schedule. We are not planning on having calls in May, because we don't have a lot of work, as a group, in front of us. We can certainly schedule one if that seems appropriate. And it sounds like, you know, if people come together and want to provide preliminary feedback for the CWG on their proposals before the [inaudible] public comment period, then perhaps it would make sense for us to schedule a call before that public comment period concludes.

So if it looks like there is some activity on the mailing list, and people view, take up the task of reviewing the proposal and there is, a period of preliminary feedback that we want to provide, then we can schedule a call at the end of May. But as of now, we are not planning to have calls in May. So that's for your information.

And then the last item that everyone wanted to confirm was that, for our face to face meeting in Buenos Aires, we do not plan to take any decisions as regards to the CWG proposal or the complete proposal itself. And as far as I know, that hasn't changed. So we may, we are very likely to discuss the proposal, but we had decided previously that we weren't going to come to any formal conclusions until after the Buenos Aires meeting.

So that's my understanding. If anyone else has a different understanding, you should speak up now.

Okay. Great. So with that, I think we can close the call since we're a little bit over time. Thank you everyone for joining today, and we will continue all of this discussion on the mailing list.

[END OF TRANSCRIPTION]