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ALISSA COOPER: Hello, everyone. We have the meeting recording started, thank you. Here we are all back again to go over the outstanding items that we had from the face-to-face targeting the operational communities. I see that all of these have come in, some of them just in the last few minutes, so very much appreciate everyone's hard work over the last several days.

Before we jump in I should ask, as usual, do we have anyone who is connected to audio but who is not in the Adobe Connect room today? Okay, sounds like we're all in Adobe Connect, which is great.

I think we should launch right in. I will turn it over to Russ Housley and Alan Barrett, or the sub-team, for slide two. I would ask, for all of the sub-teams... I personally have only just looked at the mails and I see that you've done a lot of thorough analysis. We will probably be asking you to, in the places where you have said that we need to send the question to an operational community, we'll probably be asking you to give a sense of what you think the question should say on the fly a little bit so we can start to get some text for those, at least capture it in the minutes or the action items so that we can [work off] of that and try to [have] questions [ready] shortly.

With that, I will turn it over to Russ and Alan.

ALAN BARRETT: I can start. Would it be possible to project the e-mail message that I sent? There we go, thank you.

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.

Under [BA], clarify that the IETF and the RIRs will contract with ICANN and PTI. I think that's pretty clear, both from the IANA plan proposal and the CRISP team. It's also been confirmed in a comment from the IAB and in the draft SLA which the RIRs have put out.

I keep losing the ability to scroll in this [message]. I'm not sure what's wrong there. Okay.

ALISSA COOPER: We each have individual scroll control. Is that correct, Jennifer?

ALAN BARRETT: Okay, now I've got my scroll ability back. That's much better. Okay.

Also, in our FAQ, we said that the IETF and the RIRs would contract with ICANN, not with PTI. I think that's clear enough already and no action is needed from the ICG.

Under [B2], the contracts from the IETF and the RIRs would clarify that subcontracting is allowed. I think that's done. The existing MOU or SLA from the IETF [inaudible] subcontracting, and so therefore [inaudible] [allows it].

The draft SLA from the RIRs explicitly says that subcontracting will be allowed with permission and that permission will not unreasonably be withheld, so I think that covers it. We also have an entry in the FAQs which says the same thing. Again, on this I think no action is needed from the ICG.

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The [B3], the subcontract between ICANN and PTI needs to be worked out during the proposal phase. We think that it's an [inaudible] issue that it does not need to be worked out during the proposal phase. It can be worked out during implementation. Obviously, any contract would need to satisfy the requirement of the CWG for names, and also satisfy the requirement of the IETF and the RIRs for numbers and protocol parameters. So here's two items [inaudible] no action is needed from the ICG.

Under [B6a], proposal should clarify that the IANA function review applies only to names and that the Customer Standing Committee applies only to names. I think we agree that clarity is needed.

Also, there's a similar issue with the term IFO or IANA Function Operator in the names proposal where we think that they use these terms to refer only to names, but it's not completely clear. So [inaudible] is that the ICG should ask for CWG stewardship for confirmation that these terms apply only to names, and once we get an answer, perhaps the FAQ and part [zero] of the combined proposal can be edited to provide more clarity.

Next, [B6b], numbers and protocol communities do not plan to participate in the IFR or [CSC]. I think the protocol parameters community has made it clear that they do not intend to participate, but it's less clear for numbers. I thought that numbers said something about if they participate it will only be related to the [.arpa] domain name. I couldn't find a clear e-mail message or other public statement that said that. It's just my vague memory. So I'm imposing some ICG actions to ask CWG whether [.arpa] is included in the [CSC/MI] processes and to

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ask the CRISP team whether the numbers community will participate, and whether the answer depends on the status of [.arpa]. And when we get answers to edit the FAQ and part [zero] to provide clarity.

Point [B6d], complying with IFR recommendations should be mandatory for PTI. I got the impression from the proposal that it's not mandatory, that PTI ought to comply with recommendations, and if the community feels badly enough about that, they could initiate [inaudible]. But it's not completely clear. [inaudible] ICG could ask the CWG for clarification on these points.

Item B7, there was a comment that the NRO is not capable of holding a contract with ICANN. I think the summary is incorrect. The RIRs were not mentioned in this context. I think comment 105 said that the NRO is not capable, but it would be bad idea for the RIRs to take over [over] them.

On the question of with the NRO is capable, I think the question is moot because the contract will not be from the NRO. It will be between the five RIRs and ICANN. On the question of whether it's a good idea for the RIRs, I didn't write anything in the summary, but I again don't think the ICG needs to take any action.

Then comments right at the bottom of the slide. There was a question about whether text should be included in the ICG proposal, and I think, yes, editing part [zero] of the combined proposal to provide clarity is probably a good idea, but editing the CRISP proposal would trigger another round of public comments. I think we should avoid that, if possible.

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I think that's the end of this report that Russ and I wrote. Thanks.

ALISSA COOPER: Thank you, Alan. I have a few questions, but we have a queue. Milton, go ahead.

MILTON MUELLER: Yes. I just wanted to ask two questions. One of them is a minor one about [B6d] about PTI compliance with IFRs. I was under the impression that the IANA function reviews were things would apply to or bound ICANN rather than PTI itself. Are you talking more about recommendations for improved practices or are you talking about separation?

ALAN BARRETT: This came out of comment #105 and it [inaudible] draw that distinction between ICANN and PTI. It was talking about whether PTI should be required or whether it should be mandatory for the PTI to do what they're told as a result of a review. I don't think that really answers the question. We'd have to read comment 105 and the relevant part of the proposal again for more clarity. My feeling is that PTI refuses to do something that comes out of a review, then the community still has recourse to initiate a separation process. So even if you say it's mandatory, they might somehow not do it anyway.

Oh, I see a comment in the chat from [Raf]. It's comment 80, not comment 105. Sorry, I'm looking at the wrong part of the document.

MILTON MUELLER: Oh, okay, well maybe we can set that aside, but maybe the question is whether it's ICANN compliance or PTI compliance that matters. It's kind of a muddy area. I think the more important question I had was one of the big policy goals of creating PTI is to separate the IANA functions from the policy functions. And the reason you have so many questions about subcontracting is because in some ways that is perceived as a threat to the separation.

I think the question you say no action is needed repeatedly. There's no question that I think based on your answers I agree with you that subcontracting is possible under the current arrangements, but it also seems like a refusal to subcontract is possible. So what if we go into the transition basically with PTI being nothing but names? I think this is not consistent with the policy objectives of the whole proposal, and I wonder if that's a problem. In other words, if protocols and numbers are kept inside ICANN and not put into PTI, I think that's a problem with the overall objective of separating the IFO from ICANN.

I think the questions that you're getting are really concerned about that more than they are about whether subcontracting is actually possible.

ALAN BARRETT: Okay. If I could respond to that quickly, perhaps there's an action for the ICG here to recommend to ICANN that we think that the IANA functions, the three parts of it should be kept together and that implies that ICANN should subcontract numbers and protocol parameters to PTI.

MILTON MUELLER: Well, the recommendation is not so much that they should be together, but that the IANA functions operator should be separate from ICANN proper, the policy maker, and that therefore during this period in which the existing IANA department is still going to be the IANA functions operator, protocols and numbers should make sure that they subcontract to PTI or contract directly to them, as I wish numbers would do, instead of keeping them inside ICANN as a separate unit. Does that distinction make sense?

ALAN BARRETT: Yes, okay. I think I hear what you're saying. Maybe we can discuss this later, but there probably is an action for ICG there to strongly suggest that the three should be put into PTI and not give ICANN the option of keeping part of them [inaudible].

MILTON MUELLER: Okay, that's great. I'm sorry I wasn't able to participate in the list discussion. I was too busy with the other stuff. We can do that on the list.

ALISSA COOPER: Alan, do you mind if I just jump in here for one second? I thought we had a conversation at the face-to-face which was I think sparked by a question from [Enise], where the results of that was I took an action to make it more clear in part zero that the expectation is that all of the functions in terms of the operations and the staff and so forth will move

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to the PTI and that was supposed to be clarified in part zero. That text is due on Sunday and I have started writing a little paragraph about that where I can also talk about subcontracting, just to make it clear in the proposal.

That was going to be my question back to you, Alan, which is B1 and B2, you say that no action is needed. But I think that action that I took already will end up adding text to part zero to clarify this. That would actually be my suggestion, that we write into the proposal what the diagram sort of already assumes but that we had failed to articulate in narrative text, which is that the expectation is that all the functions will move to the PTI and the arrangement between ICANN and the PTI [inaudible] contracting will be made.

Okay, Russ says that [inaudible].

ALAN BARRETT: Thank you. That makes a lot of sense, so we'll change B1 and B2 here from no action needed to text will be added to part zero to clarify. Then, Alissa, you're already busy with that text. That's great. Thank you.

ALISSA COOPER: Thank you. My other question was on [B6d]. Following on Milton's question, do you feel that we need to go back to the proposal and… Well, I guess I will phrase it this way. I think when we write this question it needs to reference the specific text in the proposal that discusses the IFR and special IFR decisions to the extent that there is text. If there isn't any, then I can understand where the question came from. But I think

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that if you could pull out the reference in the text, that might help clarify what the question might be per Milton's intervention.

ALAN BARRETT: Yes. Okay, that sounds fine as well. I guess Russ and I will be asked to draft the questions so we can do it at that time.

ALISSA COOPER: Great. Yeah, for the others of these, it's not I think… If you have specific references in the text, that's fine, but I didn't think they were completely necessary [as] they're a little bit more general. Is there anyone else who has questions or comments for discussion on slide two?

The request that I will make to you and that will later make to the other sub-teams is if you can provide question text by 20:00 UTC today, do you think that's workable?

ALAN BARRETT: Yes, okay, I can do that.

ALISSA COOPER: Okay, thank you. Please send to the list. Some of these, literally, I think you could turn them into questions. They are almost already in format of the question. They just need a question mark. I appreciate that. I see Russ is saying no. But Alan says yes. So let's aim for that. Send what you

have to the list and we will try to get these turned around I hope by, I guess, 24 hours from then, 24:00 UTC tomorrow if possible.

Let's move on to the slide [3c]. Wolf-Ulrich, go ahead. Wolf-Ulrich, do you have audio?

WOLF-ULRICH KNOBEN: Hello. Alissa, can you hear me?

ALISSA COOPER: Yes, we can hear you.

WOLF-ULRICH KNOBEN: Okay. So we had some exchange in our team since yesterday, and we tried and I tried to summarize what we did so far and to solicit some questions, which I circulated some [inaudible] around that.

With regard to slide 3, there were also included items from point B and B6 which we identified to have been dealt with I think already before by Alan and others. So we concentrated on the C3 and C4. There were items and comments regarding, let me say, more or less two [inaudible] with regards to the PTI Board. One about the board's powers – the PTI Board's powers – and connected to that also the question with regards to the limitation or remit of the PTI and other comments regarding the process as to select the board members and the composition of the board members.

I think I could summarize. I would like to go to those detailed comments. I would like to summarize what we did here. That is we came out with, or I came up with, three questions at the end from that. One is regarding to the PTI Board powers. I think that it's said in the proposal and there were several clear requests to limit the board powers to the oversight responsibility of the operational oversight of PTI. That was not [inaudible]. When I looked into the proposal, it was not very clear because, on the one hand, it was the PTI Board responsibility should be… That it may… One could read from the proposal that the minimum statutory required responsibility and powers could refer to the PTI [inaudible] PTI Board, which made a difference with regards to the [inaudible] documents.

So the question here is whether the interpretation is right, that the limitation [or] the reference to the minimum statutory required responsibilities and powers should be done to the PTI Board. That is question with regards to the interpretation. I would suggest then that a related text should be related by the CWG if that interpretation is correct. In that case, it should be provided in text.

As well as there would be [inaudible] to have a more, let me say, summarizing text with regards to those minimum statutory required responsibilities and powers, because some comments were asking that this may be a wide range and it should be more detailed. That is the question as well.

Secondly, with regards to the last responsibility with regards to the operational issues of PTI, questions were raised. Who is at the last end could be responsible for that? Some were raising the concern that this

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should be the ICANN Board, rather than the PTI itself or the PTI Board. So in order to avoid pinpointing of the operational issues, [inaudible] them both.

The allocation of this responsibility should be undoubtedly clear that the basic request from the comments. And in this regard, we suggest that a question to the CWG whether this is also covered or if this is also the opinion of the CWG that it should be undoubtedly clear, and then we would ask for a related text.

The third question which is derived from those comments is with regards to the remit of the PTI and the PTI's Board. There is the question whether the understanding is [inaudible] that the PTI should operationally take over the IANA functions, the present tasks one by one, and then should be limited to these functions. On the other hand, if what PTI's Board obligations just refer to the operations oversight, that was not clear and that was related to your question as well, Alissa. It was not clear from some comments because they raise concern that this might be not clear that the PTI's Board obligations are just related to the operations oversight.

There would be also a clarifying question to ask the CWG whether this interpretation is correct. Otherwise, if there are other opinions, then they might provide accordingly the text.

The other questions with regards to the board selection process are [inaudible] and they are clear. There is an open question whether this might belong to the implementation phase, because I have heard [inaudible] from others it was discussed already to some extent. The

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CWG came up with the best solution at the time being because different requirements have been brought up, but no solution yet. And the only question is whether, here from my point of view, whether ICG should ask for a more specific, let me say, frame of the ideas. Framing the ideas with regards to the composition selection of the board rather than to ask for a specific procedure right now.

So these are the questions which have been solicited from these comments. Thank you.

ALISSA COOPER: Thank you, Wolf-Ulrich. If people have questions or comments, please get in the queue. Milton, go ahead.

MILTON MUELLER: Yes. Some of these questions were discussed extensively by the CWG when we were coming up with the proposal. I was just in the process of digging up a proposal to see maybe they weren't properly reflected in the actually written proposal. For example, in terms of the accountability, who has ultimate responsibility, we had huge and long discussions about that. That's why PTI's board, the majority of it is appointed by ICANN, because some stakeholders thought that they wanted ICANN to have ultimate responsibility. With the majority of the PTI Board being controlled and accountable to ICANN, the idea was ICANN would have ultimate responsibility for performance of PTI, but that the board would conduct oversight of the actual operations of IANA.

In terms of the composition of the board, again this is discussed at length. It was agreed that the board would be small, not large. That it would not try to reproduce the policy community, that there would be two independent directors and three appointed by ICANN. I thought that this was all pretty clear in the discussions that we had, so I'm not sure why it isn't clear in the proposal. I think if it clear in the proposal, we can just refer to paragraph XXX. [inaudible] other questions. I think [inaudible] remains accountable to the broader… Again, I think that's just a comment that should be… Number two is kind of… I think it has the wrong idea about what PTI is. PTI is a contracted subsidiary of ICANN.

Accountability is two things. One, it can be fired. It can lose the contract through the IANA functions review. I think that comment [two] is already basically taken care of.

The other thing is that its board is controlled by ICANN. I think we can make our job a bit simpler with some of these questions by just saying that they are already taken care of in the proposal.

ALISSA COOPER: Milton, could you be just a little more specific about whether you think any of them are not already taken care of? Obviously, Wolf-Ulrich's analysis agrees with you about two, but there's this question on point one, which is making a very specific suggestion about paragraph [1112], and then there's the other two for points three and four and five. Do you think all of them are taken care of or could you go through them one by one please?

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MILTON MUELLER: Yeah. I think that one is taken care of because that wording "minimum statutorily required responsibilities [and powers]" was what was intended. I remember that very distinctly.

ALISSA COOPER: The question is whether that was intended to apply to the PTI itself or as suggested by the edit there, is it intended to apply to the PTI Board? That seems to be to be the question. The first paragraph written about the PTI Board, and it says the PTI will have a Board of Directors and have a minimum statutorily required responsibilities and powers. The first part says it will have a board, and then it says it will have the minimum such-and-such. So the question is, is that meant to apply to the board or is that meant to apply to the PTI as a whole?

MILTON MUELLER: I think it was the former, definitely. The board would have the minimum because it was conceived as a California non-profit public benefit. I think that recommendation has some specific legal substance, although I don't recall exactly where that is, where that phrase came from. Probably somebody should look this up.

WOLF-ULRICH KNOBEN: This is exactly from the wording [1112] which [inaudible] here. This is [inaudible]. I also saw this is according to the laws and according to the advise, and certainly it must refer to the PTI Board rather than to the PTI itself. So this question should be clarified. So whether this…

MILTON MUELLER: Okay, so you just put the word [who] in there. I think that's fine, yeah.

ALISSA COOPER: Okay. So then, Milton, could you speak to the one that he has listed for 3 and 4-5. Do you feel that there are questions to be asked or there are not questions to be asked?

MILTON MUELLER: I'm just [inaudible]. Yeah, I think that the proposal… Criteria for board member selection. Other than that two of them were independent. There was no specification. It might be worth asking CWG a question as to whether it wants to give further guidance on this. As long as… Able to grasp and attend to any public interest of human rights concerns. If the board might say that's policy and that's not what IANA should be doing. So where did that come from? Is that from a comment, that somebody said that IANA should be doing human rights or public interest?

WOLF-ULRICH KNOBEN: I didn't see that in this relation.

MILTON MUELLER: In the text for number four [you] say criteria for board member selection to be established e.g. professional knowledge, geographical

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balance, community representation, conflict of interests, gender balance, able to grasp and attend to public interest.

WOLF-ULRICH KNOBEN: Okay, yes, I remember. That was one comment, yeah. I don't know exactly which one, but there was one comment mentioning this. Yes.

ALISSA COOPER: Okay, so I think…

MILTON MUELLER: I think that the independent director selected—

ALISSA COOPER: You're okay with the course of action suggested, essentially. Basically, what you were saying is that for point two here, you agree that no action is required. For point one you agree with the suggestion to ask for the edit of the "who" edit. And then or the others, you agree that we could at least ask the CWG if they want to provide further clarification.

MILTON MUELLER: In order to avoid having the CWG go through the same debate it already had on the criteria for board member selection, I would add the [proviso] that taking into account the neutrality and implementation role of IANA in the non-policy making role or something like that, do you want to specify any criteria?

ALISSA COOPER: Okay, thanks. Jari, go ahead.

JARI ARKKO: Yes, good morning. I think [inaudible] you guys now ended up in discussion with Milton. I just wanted to up-level slightly and say that from the comments that I read, I think all [inaudible] issues that have been adequately discussed in the working group during the process. So I would characterize this as not bringing up completely new things that must be addressed, but rather requests for further clarification or further details. There was one case, I thought it was interesting and one of the comments was the ping-pong between the PTI and ICANN boards. The couple of comments who suggested that selecting ICANN board members and the directors might be a useful thing to do.

Again, this should be clearly phrased in terms of you've done your job at the CWG, but here's some additional consideration from comments. Do you want to add more detail to your proposal [because of this]?

The other thing is I don't think we should directly carry proposals from individual comments, like [put this] criteria. If you look at the set of comments, you actually get different proposals. They all relate to how does the board get selected and I think that's the [inaudible]. Not to make a suggestion that [inaudible] some things to deal with public interest or human rights, which I personally think is not right at all, because again, this is not [inaudible] [implementation]. Thank you.

ALISSA COOPER: Thank you, Jari. Martin, I had seen you in the queue, but now your hand is down. Did you want to speak?

MARTIN BOYLE: I did, but I think all my points were answered by Milton, so I lowered my hand accordingly.

ALISSA COOPER: Okay, thank you. Wolf-Ulrich, go ahead.

WOLF-ULRICH KNOBEN: Yeah, thank you. I agree with Jari for not to go in those details. My question here was whether we should at all file a question with regards to board composition and the procedure to elect the board. This is [here]. It seems to be a task for the implementation and the criteria, to set up criteria for board members and to set up the election procedure.

I would like to avoid [inaudible] specific questions or make some suggestions to that. Rather than there was the idea and the question whether we should ask for a kind of framing in more detail, as it is already done upon the discussion within the CWG. But [inaudible] from the discussion right now that it was discussed several times there, and then it's the question why we should file a question at all.

So if we ask the opinion that it's an implementation issue, then my suggestion would be not to file any question with regards to those points. Thanks.

ALISSA COOPER: Thank you. Okay. It sounds like where we are coming to is on the point on the specific thing in paragraph 1112 we ask the question about the one little text change, and that is specific question – this came up in the comments. Do you accept this change?

On board member selection, I think what I am hearing is what Wolf-Ulrich just said as well, which is that even though we received many comments about it, we also are very aware that this was discussed at length and it's known to be an implementation detail and there is some framing the proposal itself about what the qualifications of the board members need to be. So we actually need not send anything at all related to that. That's kind of what I was hearing I think from the last few speakers.

Then the question about the sort of ping-ponging and the separation of obligations between the boards and so forth, we can again point the CWG to the fact that we received these questions and tell them that if they want to provide further clarification, that would be welcome, but it's up to them.

Am I getting that right? Those are our three takeaways for this and the second one has no action associated with it.

WOLF-ULRICH KNOBEN: If that is the common view, then I will adapt the question I already drafted accordingly later on today after the call.

ALISSA COOPER: Any objections to that? Martin, go ahead.

MARTIN BOYLE: Thank you, Alissa. Not an objection, but I just wanted to seek a bit of clarification. Will we at some stage be collecting together those areas where we've decided not to take any further action, to report them back, so that those people who submitted comments know what we've done with the comments and why we have done it?

ALISSA COOPER: I think the summary document would be a good place for that. Do you agree? I think that was one of the motivations for writing the summary documents in the first place. Go ahead.

MARTIN BOYLE: Sorry, that's fine by me. It's just that, if we do, then for example, on two in this one, the broader community as well as the operational communities represented in the CWG and so on, I would actually note that we have got the IANA functions review and it was the IANA functions review point which brings in the broad community oversight into the process. I think that particular commenter has either narrowed down the range of activities or is assuming that multi-stakeholder needs to be at every level in the process, and I think we have discussions on both of those in the CWG. Thank you.

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ALISSA COOPER: Sorry, I was talking. I was on mute. We will assign actions for the summary document offline on the mailing list. I think the action from this one is Wolf-Ulrich will circulate text for the questions associated with slide three before 20:00 UTC today. I think my only other request is, again, if you can specifically reference the parts of the proposal that are relevant in your question. I think that will be helpful.

So let's move on to the slide 4-5 group. I will turn it over to Martin.

MARTIN BOYLE: Thank you very much, Alissa. My involvement in this has been severely limited by travel time and other obligations, but I think that I was still the only person on our group who has put anything in on this and I've only had an opportunity to look at the slide with [D1] on it.

I think the e-mail I sent around – and sorry for copying it to the rest of the group quite so late – hasn't had any discussions [inaudible] at the moment [entirely] [inaudible].

I think one of the issues I ran against was the fact that we have got here a PTI that will be the IANA functions operator for the names community and the subcontracted IANA functions operator for the numbers and protocol parameters communities. As a result, it seems to me that we probably, for a number of the comments that we received, need to address the communities separately with questions because the questions are different depending on whether they're going to the CWG or to all of the operational communities.

The general point under D was that more clarity was needed about the escalation process prior to separation, and when I looked into this, because I thought that the basic process was defined and reasonably clearly defined for the CWG, it appeared to me that there were two things that people were asking for.

One was quite a lot of clarity or almost trigger points that would allow a separation process to be started and the other one was associated with the fact that we have got a process for the names community to replace PTI with another operator, but of course it is possible for the numbers or protocol parameters to replace ICANN with another operator. And I'm not sure I've got the information [inaudible] allows me to respond on that.

Because of the wide range for [inaudible] general comments, it seems to me that we should turn or could turn to the CWG recognizing that there are mechanisms for issue resolution and an escalation path for any separation process that was related to issues of operational significance, and that would go through an independent IANA functions review [team] and out to [sequence one].

That all seems to be quite well-defined. What perhaps is less well-defined is that once the escalation has been initiated, how the separation review team will be formed. There is an annex on this. Again, I thought it was reasonably clear and that's why I would suggest that we really just flag that and allow or invite the CWG to look and see whether they think more detail is needed at this stage.

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For the other operational communities, I think that we're looking at their own escalation processes if they decided to replace ICANN by a new operator. Therefore, again, I think it's an invitation simply for them to consider whether they believe clarification is appropriate at this stage.

I think it might be worthwhile me just pausing here and see whether there are… Yes, I see there are already two people with their hands up in the room. We deal with each of these points separately. Can I refer back to you, Alissa, for inviting people on?

ALISSA COOPER: Sure. Go ahead, Jari.

JARI ARKKO: I just wanted to comment this question for the moment from the point of view of the other two OCs. I would actually argue that the escalation process has been a significant topic of discussion in this community. For the case of IETF, for instance, it doesn't just go on [inaudible] even before. I remember seeing proposals similar to the one in the ICANN board contribution, for instance, dating back two or three years.

All of this was basically clearly [inaudible]. So if you look at the actual IETF proposal, for instance, if you search for the words "dispute" there's quite a lot of material about how things get escalated from the operational practical level to the [ISG] and then at the level of [ISC] or IAB, and then there's final dispute resolution. Any additional detail or any additional steps or process would actually be harmful to our ability

to make sure that the people is accountable and running well. That's been a clear opinion in the community.

I for one do not think it would be worthwhile to ask about this, but I do recognize this being several people asking for details. I did not have time to check what our part zero does, but maybe this is one of those cases where the ICG could list some material and better explain and highlight at the beginning what the thinking and what the process. I would support that.

ALISSA COOPER: Thanks, Jari. Milton?

MILTON MUELLER: I agree with what Jari just said, and I actually also think it's true of the names proposal. If there's anything questionable about the names proposal it's that it's process is so specified and so elaborate that it's almost ridiculous. I think the idea about specifying particular criteria that would lead to a separation is actually wrong-headed, that if you have all these oversight committees, even the CSE and the IANA function reviews and the special IANA function reviews, and these people want to separate, it's up to them why they want to separate.

It could be any reason, and by specifying something, you would eliminate options for the community to hold the IANA functions operator accountable. There's so much of a status quo bias built into the system that specifying particular criteria for separation would just be adding another one to the hurdles that have to be mounted.

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I think after two or three processes, if the community decides they want to separate, we have to trust their judgment at that point that maybe that's a good idea.

I'm just not sure. A lot of the comments – this is my second point. A lot of the comments that did talk about separation were concerned specifically about the different communities going separate ways. I wonder if Martin gets to this later in his comments or that's not something that gets discussed here.

ALISSA COOPER: Thanks, Milton. I think that is basically the next point, so let's just finish the queue on this and then we'll move on. Alan?

ALAN BARRETT: In the draft SLA from the numbers community from the RIRs, there's a section on dispute resolution. The essence of it is we'll start with [consentual] resolution. We try to discuss [things out]. Then we move onto arbitration. I think there might be another step. I don't have the document in front of me right now.

I think the numbers community would be reluctant to put any more details on criteria. My personal feeling is not the official view of anybody is that if there's a need to change the operator to cease using ICANN as the IANA numbering services operator, that will be such an unusual, unforeseen event. It's unreasonable to write down the details of how we'll do it. I think we need to leave that for the time when it's necessary, if it ever is necessary, [inaudible].

ALISSA COOPER: Okay, thank you, Alan. I think, as I just put in the chat, what it sounds like to me is necessary here is for there to be some… It sounds like all of this is specified already in the separate parts of the proposal, and for clarity's sake, it's based on the fact that we clearly have commenters who were wondering about this. We can add some overview text to part zero that essentially points to the sections in each of the community proposals. That would be my suggestion for what we do here.

Milton? Okay, Milton's out of the queue. Okay. I think that's the action from this. We will figure out after the call who has that action. Martin, please continue. We are [inaudible] run a little short on time. I definitely want to get to our other questions about the [inaudible] and ccTLDs that we have text for, so please move quickly.

MILTON MUELLER: Thank you very much, Alissa. Yes, certainly I agree with that. I put in the general comments, and in particular I was conscious about the dangers of trying to set standards or triggers particularly for an unlikely and probably unseen event.

Under 1A, there was a comment that I think is not quite accurately categorized in the slide. It is more about whether if there were an emergency action that could or should be an accelerated process. A little bit associated with that was that one commenter identified that part of the separation process should be to carry out a high level risk

assessment and that that should include the financial impacts of changing the operator.

Now, I actually think that probably in the case of A, there is a possibility of a need for urgent action and that that urgent action probably would preclude the actions [inaudible] in B. Meanwhile, if it's not desperately urgent, I have a certain sympathy with the line outlined in B that you should be getting wider implications associated with the transfer.

However, I think that that probably is something that is the role of the Separation Community Working Group (SCWG) to work out. My simple proposal there was that we go back to the operational communities and ask them if they agree with this suggestion, could they send verbatim text. I noticed where I say "with this suggestion" I probably really meant "with these suggestions" and we deal with 1A and 1B at the same time. So I [pass the call] back for any input on either of those points.

ALISSA COOPER: Anyone have comments on that?

MARTIN BOYLE: It's looking like people are reasonably happy with that as a line. So then onto 1C with the separation coordination process. And this got quite a number of comments in. Therefore, it does seem to me that we probably need to go back to the operational communities and invite them to consider how operation, or at least information exchange of some sort, with the other operational communities.

There's been an exchange on list on this in the short time since I put the e-mail around this morning. I'm quite happy with the solution that's being put forward by an exchange between Daniel and Patrik, so agree to establish and that we go ahead to each community and simply ask them whether they would be willing to agree to establish some form of coordination. If you agree to include this in your submission, please send us verbatim text rather than going out to all three and asking them to coordinate. Again, I pass the floor to any comments.

ALISSA COOPER: I have a comment on that. I think I agree generally with the [thrust] of the suggestion. I think if we're going to send this [inaudible] out to all three community – and it really is kind of a cross-cutting issue – my suggestion would be that we send them… We ask them if they agree to establish whatever it is [inaudible] coordination mechanism. I don't have the exact words in front me. But rather than asking them to each separately send us verbatim text that we then just reflect that agreement in part zero, essentially. Because, I mean, what will we do with three different versions of verbatim text that all say the same thing? I think it will make more sense if we ask if they agree, and we ask them precisely what they are agreeing to, and then we just reflect in part zero that the three communities have indicated that they agree to establish a coordination mechanism in the event of a separation. We can work out the precise words on the list, which we will need to do very quickly, but that would be my suggestion.

MARTIN BOYLE:	Thank you, Alissa. Yes. I hadn't read on to the end of the paragraph. I think you're perfectly right that so long as they all agree that exchanging information between them is a good idea, then we can put that in zero.
	With that, I would move on to 1D, which is concern over the expanded GAC role in the Separation Working Group. The way I read this particular comment is that it could have wider implications. Frankly, I think that the CWG and the CCWG have discussed this material at length. There is no clear conclusion on it at the moment.
	I do actually have a bit of hesitation about reopening it, so very tentatively I put forward the we would be grateful for your confirmation that the wider implication of this are being considered by. It seems a little bit [inaudible] of us, so I'm happy for that to be no further action. But I thought I would at least flag it and allow people to object or support. Thank you.
ALISSA COOPER:	Any comments on this one? Anyone think that we do need to do something here? Milton, go ahead.
MILTON MUELLER:	Yes. I think it's good to simply call attention to this comment. It's good to note the dependency on the CCWG, which is actively debating this issue. In some ways, simply flagging it and asking for this confirmation and Martin suggests I think it's a good idea. It doesn't take a lot of effort and require a lot of response.

ALISSA COOPER: Okay. No other objection, so I think we'll take that on board. Martin?

MARTIN BOYLE: Okay, thank you. My [inaudible] remains in place, I take it, from what Milton just said. The last one, 1E – and that was certainly as far as I got in the analysis – is entirely associated with the RIRs and that they must establish a dispute resolution process. I'm not aware of where that particular proposal lies, so I would defer to anybody from the RIR community to respond. Thank you, Alan.

ALISSA COOPER: Go ahead, Alan. I think you were just telling us about the dispute resolution process.

ALAN BARRETT: I just pasted the URL into the chat for the draft SLA from the RIRs to ICANN. It's unlikely that this will be the final contract we are negotiating with ICANN, but the resolution section is likely to remain in a similar form to what you see there. I think it's sufficiently detailed and clear.

ALISSA COOPER: Thanks, Alan. I think that's right on. Okay. Martin, did you make it all the way through slides four and five or are there any points that you didn't get to?

MARTIN BOYLE: I'm afraid I didn't get through slide five at all, so points 2-6.

ALISSA COOPER: Okay. Does the sub-team for slide four and five have a plan to get to those today?

MARTIN BOYLE: If we do, I am not aware of it.

ALISSA COOPER: Okay. Who else is even on the sub-team, the people who are making jokes in the chat? Milton, you are on the sub-team. What we need is someone who has time to do this on very short order for slide five. Is there anyone on the call who is willing to look at slide five and make recommendations about ICG action? Martin, thank you. Just do as much as you can and the chairs will try to pick up the rest, although again, today seems to just be a bad day for everyone. That's fine. Martin, just send whatever you have before your close of business today and we will try to get a resolution on slide five on the list. Thank you.

Now, let's move on. We have ten minutes left and we need to look at the questions for the CWG about the [inaudible] and the ccTLDs. Let's see here. Can people see the text? All right, I cannot see the chat window anymore since I'm sharing my screen. Okay.

Let's skip the preamble. This is the body of the two questions that Milton had authored. I tried to bring the most up-to-date version I think is what's in here, but I apologize if it's not entirely up to date. We'd like to come to a final conclusion here on this text. Milton, do you have

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anything to say about it or should we just ask for comments or questions?

Go ahead, Russ Mundy. Russ, if you are speaking, we cannot hear you. Can we work on Russ Mundy's audio? I can't hear him. Russ, go ahead. You should be unmuted now. Okay, unfortunately, it seems that we're having trouble with Russ's audio. If you can type your thoughts into the chat, Russ, that's the alternative I guess. Does anyone else have intent to comment on this? Okay, Russ says he's fine with the second item.

Okay, so the suggestion is we need to include the URL to the ICANN Verisign proposal, which we can certainly do. Maybe, Russ, the best thing to do since you don't have audio – oh, you already sent text about this. Okay. I will look at what you sent and incorporate it into this document. It sounds like we have some other questions that we will be incorporating for the CWG anyway, so that will go back out to the list shortly for everyone to review.

Milton had the question about the brackets. I think when we had the exchange with the CWG about the IANA IPR, they indicated that the brackets essentially meant placeholder text that was not actually agreed by the group. I think that's probably what the brackets mean in this case as well. We will finalize all of this on the list later today, hopefully, to get this sent out tomorrow.

Moving down to the ccTLD language provided by Martin. You've seen this on the list. Milton, go ahead.

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MILTON MUELLER:	Okay, thank you. The sound went out for a while. On the brackets, I wondered whether the brackets were there because that was a dependency on what the actual CCWG proposal was in that it references members. Was there actually a disagreement within the group? In other words, was the brackets the group saying we don't know exactly what the CCWG is going to propose yet, whether they have members or not, so we're bracketing this or are there people who actually think that this change should not be approved by members? Anybody who was involved in that discussion [inaudible].
ALISSA COOPER:	It doesn't look like anyone has a firm idea necessarily. I think in any event, your question will get us what we need as far as an answer. If we can move down… I know people are having trouble with the audio and we are almost out of time. But I wanted to see if there are any further comments about the ccTLD questions, if people feel like these are ready to go. Martin, go ahead.
MARTIN BOYLE:	Thanks, Alissa. It was about the previous issue. I've just checked up on Annex S and Annex S was the term sheet produced by legal counsel. I think that was just a placeholder put in by the advisors. I think it would be quite reasonable to go back and ask CWG for their further thoughts on that. I have no comments apart from I've been quite happy with the various modifications that have come in on the text that I've provided. Thank you.

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ALISSA COOPER:

Okay. Any further items to raise on the ccTLD text? Otherwise, we will consider it done. I actually realized that in what I'm projecting now I'm missing one of my own editorial suggestions, but I will add that.

Could we secretariats – I will stop sharing my screen – if we could just show the action items in a moment once we think that they're done. Everyone else, just bear with us for one second.

We're working on the action items. Just give us one more second. Since some of them have deadlines today, we want to make sure that people now what they're supposed to do. Well, actually, it didn't even get all of these on there, but that's okay. We'll just pick through them and make sure we send the complete list to the mailing list.

Alan has agreed to write up [inaudible] questions based on slide 2 by 20:00 UTC today. Wolf-Ulrich is going to write up the questions based on slide 3 today. Martin said that he would send his analysis about slide 5 today as well. Then I or someone – we will figure out – will add the part zero text about escalation and the bigger picture concerning the PTI. I will also start incorporating the questions that came out of Martin's analysis that we have already agreed to into this document for the CWG, the questions that we will be sending to the CWG. I will send that back around.

I think the question is because we haven't done the slide 5 analysis, it may be a few more days potentially before we actually finalize the questions to the CWG, or at least another two days perhaps, depending on how quickly people look at their e-mail. But we have some questions that are ready for the CWG, so we could send them in two batches or

we could wait and send them all at once. Do people have a preference about whether we send the CWG questions that are ready today or whether we should wait?

Martin says two batches because there's a CWG call tomorrow. Okay. Does anyone object to sending two batches? Okay. Let's do this. The ones where we have clear agreement by 20:00 UTC today I will send to the CWG with an indication that there are more coming. That includes f the [inaudible] question one is not ready, we won't send it. Then we'll send another set when they're ready, hopefully before the end of the week.

Anything else from anyone? We're five minutes over.

[END OF TRANSCRIPTION]