
YUKO: Thank you. Hi everybody. This is Transition Program Facilitation meeting number 14, on 6th of September, 2016, at 14:00 UTC. I will now hand it over to Trang.

TRANG NGUYEN: Thank you, Yuko. Well, hello everyone. For those of you in the U.S., we hope you had a nice Labor Day weekend, and if you are elsewhere in the world we hope that your first weekend of September was a pleasant one.

Thank you for joining us today on the number 14th Transition Program Facilitation meeting. It's hard to believe that September is here. As you know, September is a big month for us. The IANA Functions Contract currently has an expiration date of September 30th, which is the last day of the month, and we are all working very hard to assure that everything that needs to be completed for the transition is completed by that date. So for today's call, we'll take a look at the schedule and show you where we are with all of the tasks. Fiona from NTIA is also here with us today, so if there are any questions regarding the letter that NTIA sent to ICANN last Wednesday, that can be addressed as well.

But first, we can go to the next slide, please.

We thought it would be a good time to take a look at this graphic which many of you should be very familiar with. This is basically the three phases of the IANA Stewardship Transition that we've shown you many times in the past.

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.

Just a quick review of where we are. The Phase 1 essentially represented the intense work that the community underwent to develop the IANA Stewardship Transition and Accountability Enhancements proposals, which culminated in the delivery of the ICG and CCWG Accountability proposals to the ICANN Board at ICANN 55 in Marrakesh. And as you recall, the ICANN Board then forwarded the proposals to NTIA on the last day of the meeting, which marked the beginning of Phase 2, which is the phase where NTIA reviewed those proposals. So, while NTIA reviewed the proposals, ICANN worked with the community, including the CCWG Accountability and CWG Stewardship Councils to draft the revised ICANN Bylaws based on the recommendations that were in the CCWG Accountability proposal. And after a 30-day Public Comment Process, the revised Bylaws were transmitted to NTIA, were approved by the ICANN Board on May 27th and transmitted to NTIA. And then on June 9th, NTIA issued its report and found that the proposals met the criteria necessary to transition the IANA Stewardship to the multistakeholder community. And so that marked the end of Phase 2, as you see there. So, that led us to where we are today, which is Phase 3, finalization of the implementation.

As you know the implementation planning work actually started well before the final proposals were delivered to the ICANN Board at ICANN 55. If we can move to the next slide, please. Next slide, please. Thank you.

This slide, as you can see here, shows that we've completed the majority of the tasks necessary for the IANA Stewardship Transition and the four remaining tasks will be done before September 30th. And just a quick review of what those four remaining tasks are.

The first one is the finalization of the Naming and Services Agreement. We have been working closely with the CWG Stewardship, as well as the external counsel Sidley on finalizing these. We have received instructions from the CWG to work directly with Sidley on these agreements and have been doing so, reporting back to the CWG on the status of that work on a regular basis. And then also bringing up to the CWG an irrelevant topic for discussion, and on that with CWG call we closed on essentially all of the open topics for the Naming Agreement. There may be some minor tweaks to the wording of one specific paragraph that we may need to do, but I think for the most part, that is in pretty good shape. And as it relates to the Services Agreement, ICANN and Sidley are still working through the issues on that agreement. There's about a handful of issues left and we expect to be able to resolve those as well.

And then for the IANA Operation or Escalation Processes, those were also closed with the CWG on last week's call. And as those processes are included in the Naming Agreement, we'll mark that as complete when the Naming Agreement is finalized.

And then, if you look down in the blue area, the one remaining piece of work there in the track three, which are all of the work relating to the CCWG Accountability proposal, that is the Independent Review Process, or IRP Enhancements. The CCWG Accountability has a subgroup called the IOT, or IRP Oversized Taskforce, that has been meeting and working diligently on the supplemental procedures to the IRP processes. So they are meeting regularly and are working towards that. I think they have just a few items left for discussion. So that work is ongoing.

The last item that we have on the list, which is being led by the community as well, is the IANA Intellectual Property Rights, or IPR.

I think, yes, Lisa is on the phone today, so instead of me providing you with an update on that work, if I could ask Alyssa [inaudible] provide an update on where we are with that?

ALISSA COOPER: Sure. Thanks Trang. Can you hear me ok?

TRANG NGUYEN: Yes, we can hear you just fine.

ALISSA COOPER: Great. So, for the IANA Intellectual Property matters, thanks for brining that up on the [inaudible]. So there's three agreements, they're out for public comments right now and that will end next week. In the meantime, the group that has been coordinating around the agreements, which include all the different communities, the IETF Trust and ICANN, has been working to finalize the last few items that were still open when the documents went out to public comment. We actually have a call right after this call, where we will likely finalize a few more of these technical matters that we didn't quite wrap up before publishing for public comment, and there's a few items that the CWG has been working through as well as far as defining [inaudible] and filling in a few of the gaps that remain in the agreements.

But overall we are on track. Once the public comment period concludes, then we'll have a brief amount of time to analyze public comments received, have the communities assess that analysis, and incorporate any adjustments into the agreements. By the time that the communities need to agree to them and the IETF Trust will need to sign as well as ICANN will need to sign before the 30th. But, we think we have enough time to get all of that done. Thus far, we've received just two public comments, both supportive ones, from the NRO and the [inaudible]. So, that's the update on the IPR.

TRANG NGUYEN:

Thank you, Lisa. Let me stop there and see if there are any questions on any of the updates that we just provided before we move on. Any questions or comments? OK. I see no hands up in the Adobe Connect room or anyone on the phone, let's move on.

So, as many of you know, and as we previously reported, on August 12th ICANN submitted a report to NTIA reflecting essentially what we have just shown you here, which is that the majority of the work had been completed and that the remaining four tasks will be done before September 30th. NTIA reviewed our report and responded that barring any significant impediment, NTIA intends to allow the IANA Functions Contract to expire as of October 1st. And last Wednesday ICANN received another notice from NTIA reiterating that NTIA intends to allow the IANA Functions Contract to expire as of October 1st, barring any significant impediment, but that they would like to provide us with notice about options for contract extensions to preserve NTIA's right

under the contract during the interim period should there be such a change in circumstance. And I'm reading that part off of the letter there.

So that's the notice that we've received last week from NTIA and I know Fiona is on the phone, so are there any questions or comments as it relates to this notice that we received from NTIA last week? Jonathan, please go ahead.

JONATHAN:

Hi Trang. It's difficult, but I just wonder if there is any additional insight Fiona can provide, I suspect not. I think it's probably clear from the letter, but if there is any other insight or maybe some indication of what might be a significant issue, so we've got a sense of that, that would be helpful. But I understand they may not. Thanks.

FIONA:

Hey. So, this is Fiona, can you guys hear me?

TRANG NGUYEN:

Yes, Fiona.

FIONA:

Great. So again, I think the letters are pretty clear. We try to be as clear as we can in our communication with folks on this kind of stuff. But as you will be aware, or possibly are aware if you've been following any of the conversations that have been happening here in Washington, there are still a handful of members of Congress that have very strong views

about the transition and have strong concerns about it continuing. There's possibly a hearing, maybe as early as next week or the week after. And I think from our perspective, given where we're headed into a congressional cycle with the budgeting and everything, it would really just take simply a one line addition to the budget process for Congress to force us to extend the contract. So I think we needed to make sure that we legally preserved all the options that we had to do such, which is why we sent this notification.

So again, we are very committed to the transition and it's still our intent to do so, but we needed to make sure that we had all options available to us. And I think contextually, if you're not familiar with U.S. budgeting processes, and I'm not sure why anyone would be unless you live and work here in D.C for the government, in Congress our fiscal year ends September 30th, so October 1 is the beginning of the new fiscal year. And Congress will need to pass a new budget by October 1 or pass what is called a Continuing Resolution to keep the government open. I mean, it's likely this will be a Continuing Resolution, given that Congress's first day back is today. And the bar in terms of adding in that one line to a CR, it's not necessarily all that difficult. So it's really important that as this process continues this month, that to the extent you guys have strong views about the transition, it's important that Congress hears the views of stakeholders and helps clarify any misperceptions, and lack of factual understanding of stuff.

If that helps, Jonathan?

JONATHAN: Thank you, Fiona. I think that was very insightful and exactly the sort of thing that's helpful, additional insight that's useful to hear. Thank you.

TRANG NGUYEN: Thanks, Fiona. Any other questions or comments?

OK. Well, that is actually all that we had for today. Are there any other topics or other comments that anyone would like to bring up on today's call? Very quiet group today. Alyssa, please go ahead.

ALISSA COOPER: Thanks Trang. Do you think the calls are going to continue after the transition? Or this is the last call, assuming all goes well?

TRANG NGUYEN: I actually had been thinking about that as well. If all goes well, I'm not sure that we would need a call next month. I guess it would depend on where we are closer to the September 30th date, and then we can sort of, maybe play it by ear. I know this is the last call that is on the calendar, so I was going to wait until sort of, the middle point mark of this month and see where we are, and whether or not we should be scheduling another call towards the end of the month. I guess it would all depend on what happens by the mid-month mark.

Are there any thoughts on whether or not we should schedule another call?

ALISSA COOPER: Well, what you said makes sense to me. I was kind of curious if you think, you know PTI's are operating and the [inaudible] are operating under the transition plan arrangements. Whether these calls will still be needed, I don't think they would be. So that's kind of what I was wondering about. But as far as having one more or something, depending on how the [inaudible] goes, that also makes sense. So, I would advocate no future calls, [inaudible].

TRANG NGUYEN: Yes, thanks Alyssa. Jari, please go ahead.

JARI ARKKO: Thank you. Hello everybody. So, I'm optimistic that this will go through as planned, and I also am supportive of not having calls afterwards. But I do know that while this has been a big project for us, life will go on and it's back to business as usual, so we all are working together, collaborating in this IANA space, and we'll have to probably make some adjustments and see how things run, and so forth. So, I'm sure we'll be working together in some other forums and maybe further evolution of the system. That is our job. So, looking forward to that, actually.

FIONA: Hey, this is Fiona. Maybe just to highlight for folks that if we are forced to extend the contract, the current option period of the contract is a full year. So, if we follow the current terms of the contract and we extend it, because of Congress or some impediment appears, the contract will be extended through next September.

TRANG NGUYEN:

Thanks, Fiona. Jari, did you have a follow up or is that...? No hands? Thank you. Anyone else? OK. If not, then let's proceed right now under that plan. We'll see sort of where we are at by the mid-month mark and then make a decision on whether or not we should schedule another call towards the end of the month. And yes, what Jari wrote in the chat room, yes.

So, let's go with that plan and we'll see where we are by the mid-month mark and then make a decision on whether or not to have another call towards the end of the month. If there is nothing else anyone would like to bring up, then we will give you some time back in your day.

Alright. Well, thank you so much everyone. Have a great day or evening, wherever you are. Goodbye.

JARI ARKKO:

Thanks, Trang.

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