SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Friday 20 May 2011 at 1300 UTC

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Alex Gakuru – NCSG
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ALAC
Carlton Samuels – LACRALO - At Large - WG co-chair
Cheryl Langdon-Or - ccNSO Liaison - APRALO
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Alan Greenberg – GNSO Liaison – NARALO
Olivier Crépin-Leblond – ALAC chair
Cintra Sooknanan – At-Large
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Eric Brunner-Williams - Individual
John Rahman Kahn - Individual

Elaine Pruis – MindandMachines

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Alain Berranger - Individual
Dev Anand Teelucksingh – At Large
Michele Neylon - RrSG
Baudoin Schombe - At–Large
Tony Harris –ISPCP

Gisella Gruber-White: Lovely. Thank you. Good morning, good afternoon, good evening to everyone on today's JAS call on Friday, the 20th of May.

We have Cintra Sooknanan, Rafik Dammark, Carlos Aguirre, Alex Gakuru, Cheryl Langdon-Orr, Carlton Samuels, John Rahman Kahn, Olivier Crépin-Leblond, Evan Leibovitch.

From staff we have Karla Valente, Glen de Saint Gery, and myself Gisella Gruber-White.

We have apologies noted today from Alain Berranger, and Dev Anand Teelucksingh. And we are shortly expecting Eric Brunner-Williams and Alan Greenberg on the call.

If I could please remind everyone to state their names when speaking for transcript purposes.

Thank you, over to you Carlton and Rafik.

Carlton Samuels: Thank you, Gisella. Good morning, good afternoon, good night everybody. Welcome and thanks for showing up for this call. We have the agenda draft here. If you are on the Adobe room, you will see them to the bottom left hand corner of the screen.

I thought we would look at the answers to the questions that were compiled by the staff. These are questions that were generated largely from the registry/registrar group of the GNSO. They were posted on line, and we resolve to have the questions compiled because some of them are repetitive. And we put the answers together - some of the answers will be repetitive and some to my mind just require a stock answer. So we'll wait for that.

Staff could put that up in the window for the next little bit. We want to spend no more than 20 minutes on that.

And then, there was a question of what do we do now? The...

Woman: Sorry.

Carlton Samuels: As you know, the working group had several questions, issues that we would attempt to address, and we've actually only addressed two of them. They are the main ones of course, but there are others that are - I think some of them are quite important because they support the other.

The two that we have answered, which is to say we've answered or put together a response for; criteria for applicant support, and with a baseline mechanism to determine who gets support. There were several other issues that we need to go...

It is the - from conversations and a couple of emails, there were some discussions in the community as to whether or not it would be useful to continue until we had some kind of indicative response from the Board.

While it might be useful to get an indicative response from the Board, my own view is that we have a charter. The charter provides guidance. We are a working group that was raised by the charter, so we continue to follow the charter. That's my own view. We can spend a couple of minutes discussing the two.

We do...

Cintra Sooknanan: Carlton?

Carlton Samuels: Yes?

Cintra Sooknanan: I'm not yet in the Adobe Connect room, so I can't see what version of the draft responses is being put up. But may I suggest that we use the last

version that I had compiled, because I kind of reshifted a lot of the responses and (among other) things. So I don't know if that might be a better starting point rather than going back?

Carlton Samuels: I would have to see what the staff has done first...

Cintra Sooknanan: Okay, no problem.

Carlton Samuels: ...before we take that decision Cintra.

Cintra Sooknanan: Okay. Sure. Thank you.

Carlton Samuels: And the final thing is we want to look at the outstanding elements. For the terms of reference, we will just spend 20 minutes on that. And finally, to talk about the format for the Singapore event as proposed.

So, those are the elements for this time period. I wonder if we could hear from everybody whether or not they think it's useful to go.

Any objections?

I see Rafik up. Rafik?

Rafik Dammark: A couple of questions - we have those questions from Wolf Ulrich from the ISP constituency, and he asked about (unintelligible) in the Council yesterday. So, we need to reply to them.

Carlton Samuels: Yes. If questions provided to the staff, Rafik, because they were helping us to consolidate all the questions in one place so we see the ones that are just plain repetitive. That's the whole idea of having them consolidated.

Can you say?

Rafik Dammark: (I forwarded) all the questions of the JAS working group, so I think Evan, Eric replied to one of them from the - from Wolf Ulrich. So, it's possible to combine them.

Carlton Samuels: Okay. So they would have them in this list. All right. Good enough.

Eric, you have a question? See your hand up.

Eric Brunner-Williams: Thank you. Eric Brunner-Williams for the record.

I'm actually responding to your open question of whether or not we should pause and wait for a indicative response from the Board - can you - my (unintelligible) continue as we do have a charter and we need not wait for an indication from the Board what their current (thinking is). Thank you.

Carlton Samuels: Okay, Eric. We're not at that stage yet, but we can get back to it. We note here your response to that. We're just trying to deal with the agreeing to the agenda. So, we did that. Now we want to deal with the report - the consolidated questions to ensure that we all agree with the answers that we provided.

So, the registry constituency, the questions are in the Adobe Connect room.

Karla Valente: No. This is Karla. They're posted in the notes. This is the latest version.

Carlton Samuels: Yes. They're posted in the notes and I'm asking the question of the members is there anything there that you see - especially the 3.2 question. Is there anything there that you think requires...

Eric Brunner-Williams: Carlton, this is Eric Brunner-Williams.

Carlton Samuels: Yes, Eric.

Eric Brunner-Williams: Thank you. I just wanted to point out that the proposal for a - scheduling the application fee into several payments, which Elaine was kind of enough to remind us about, that proposal - there was a proposed amounts and the times reflects an application fee for which no reduction has been made.

And, I would like to see if we can't make these numbers less tied to the un - to the general application fee and make them - oh, I don't know. I supposed percentages of whatever the Board ultimately decides is the fees for applicants in need. And - thank you.

Carlton Samuels: Can I ask a question about that Eric? If I were to interpret what you're saying, does that mean that we are saying that we should take the general application fee and the numbers that we provide should be a fixed percentage of those fees? Is that what you are suggesting?

Eric Brunner-Williams: I'm not certain myself, Carlton. I'm not unhappy with the idea that the applicant has to submit some kind of fee just to use the application input method. All the applicants are supposed to pay $5000 or $500 - I'm not sure what the numbers is.

Carlton Samuels: $5000.

Eric Brunner-Williams: In order to have the ability to input the - your application electronically. Is that - ICANN is doing electronic submission at this point.

The question is not so much the $5000 fee initially, although actually that's fairly arbitrary, but the amounts at the checkpoints that are proposed.

Carlton Samuels: Yes.

Eric Brunner-Williams: ICANN staff has created a series of checkpoints for their refund schedule. That is, they're addressing the problem backwards. They're starting

off the general applicant with a $185, and then decrementing that for each point at which the applicant exits the system unsuccessfully. And of course, that's from a full fee presumption, with 100% paid at the time of filing.

We're struggling with some idea of deferring the payments. Either we're - one possible choice is to defer them along the quarterly basis independent of the application stages that ICANN staff has created for refunds.

Another possibility, the one which is close to what I understand Elaine's reminder is, is to correlate the amount paid - or the payments with -- not the amount, but payments at six points on the evaluation process schedule, with the full payment or some percentage of the full payment being made at the completion of the evaluation schedule.

These are two different approaches to how time and money exist for the applicant. In one - in the first model, the application fee may be paid over what is presume eight quarters rather than three quarters, which is what the application evaluation process is projected to be.

In the second proposal, the one that Elaine reminds us of, whatever the amount is, its payment schedule is met over a three quarter period corresponding to what the ICANN staff estimates the evaluation period will be.

So, these are just two different ways of approaching time and money, and I'm not sure we want to pick one yet or pick percentages yet. But in responding to the question of how payment is deferred, I'm not sure that we should pick one initially before we even consider the other. Thank you.

Carlton Samuels: Okay. Thank you Eric.

I want to bring Evan in here, because what I'm trying to understand is what we should say to that. We put up a straw man for the $5000 figure, and they

asked a question about how did we arrive at that? And, that's what I would wish to answer.

But Evan, you have a comment sir?

Woman: Muted Evan?

Carlton Samuels: Evan?

Evan Leibovitch: Oh, that would help if I took myself off mute.

Carlton Samuels: Yes.

Evan Leibovitch: Small details.

Yes, so I wanted to first off answer the issue raised by Eric, and then maybe try and attack the issue you raised Carlton.

On - I put on the bottom of the Adobe room that we could just put in wording that for now says that - you know, we want to implement the concept of a phased installment plan. The specific amounts of those installments are to be determined once we find out ultimately what the final price is that a supported applicant is expected to pay.

So, I think we can be safe in trying to calculate things based on a yard stick of what they are existing, while at the same time trying to push for a reduced total fee and saying that the staggered fees will be adjusted down based on the final amount.

So, I think we can be sufficient in our wording basically being big like that, because we don't - you know, we're still working on trying to lower the final price. Until we do that, we can't know exactly how the staggered payments are t look.

Carlton Samuels: Okay. So if we - so just before you move on there Evan, if we take Eric's - we are not going to - we are going to be agnostic about the method, except to say we would support staged payments and reduction in the payments at every stage. Is that what I'm hearing you say?

Evan Leibovitch: Yes. And that we don't know the exact amounts at the stages until we have a better determination of what the final amount is going to be.

Carlton Samuels: Okay. Good. So that could be the philosophical basis for the fee reduction. But in answering this question over the $45,000 how would you suggest that we go about that?

Evan Leibovitch: You know - I mean, there's the politic answer and then there's the impolitic answer. The impolitic answer is this our best guess based on the fact that we've had very, very little support in helping to break down what the existing fees are about.

Carlton Samuels: Good. Politic answer?

Evan Leibovitch: So I mean to a certain extent, we have to be - if we're honest with ourselves, this is our best guess.

At the same time, we're trying to get - personally what I'd like to do is try to have some wording in there and saying that we probably have a difference of opinion even on the basis of the concept of cost recovery, as the GNSO had insisted. That when we think about cost recovery, we think about it as recovering the current real time costs of what it - of what the expense incurred is of processing an application.

We're trying to separate this out from all of the historical baggage that ICANN is trying to roll in and amortize in as part of cost recovery.

Carlton Samuels: All right.

Evan Leibovitch: When we think cost recovery, we're saying, "Okay. It costs ICANN this amount of money to process the application, to putting the mechanisms in place to make it live and so on, and that needs to be recovered." Fine.

What so far has been interpreted within ICANN as cost recovery takes that, and adds into that all of the historical policy development fees that I don't believe should be part of the cost recovery calculation.

Carlton Samuels: Okay. Does anybody - Cintra and then Alan.

Cintra Sooknanan: Thank you Carlton. I posted my rewrite on this response, but in light of what Evan has said, it would need to be adjusted to suit. May I just say as well, that staggered fees come up in a lot of questions to 4.1.2. So, I don't know if it's more appropriate speaking about it there in detail rather than at this point in time, or if we prefer to merge those two questions? Thank you.

Carlton Samuels: Okay, Alan?

Alan Greenberg: Thank you. The registry question is phrased as if there is a right and wrong answer to what is the correct amount.

Carlton Samuels: That's the point. Thank you very much. That's what I'm trying to get at.

Alan Greenberg: And, that's just not so. We have come up with a number which we feel is reasonable from a point of view of the various competing factors. There is no right or wrong, and we welcome suggestions as to why it should be changed to something else. But, it was a balancing act to try to come up with a number that met various criteria.

And we - you know, we've talked about what those criteria are, but let's not treat it as a right or wrong answer. It isn't. It's just a number that we came up

with that we put our finger in the air and try to feel which way the wind is blowing, and say this (one was used) to make some sense.

Carlton Samuels: Thank you, Alan. So I will tell you the impolitic answer that Evan mentioned would've been my choice for the answer, and you've just given the basis for it. But before we decide let's go to Eric.

Eric Brunner-Williams: Thank you. I appreciate what the past several speakers have said; Evan, Alan, and yourself Carlton, and Cintra, when you ask the philosophical question.

And my thoughts are that given the scrutiny that the applicants are subject to, and the reduction of risk that arises from that, that is the winnowing out the random speculators and so forth which ICANN cannot or will not eliminate from its general model of the applicant pool, we really arrive at something in 2011 or '12 that looks very much like the application process in 2004 and 2001.

That is there were applications, and ICANN selected (for them) some number which was less than the total for its own reasons, which seemed fairly good at the time. And the price for accomplishing that was $45,000, plus or minus $5000 depending upon which point in time you take; the 2001 or the 2004 round.

So if it was a price that worked then for a process that really is similar to what we think the evaluation of the JAS qualified applicants must go through, which is a - really a more rigorous evaluation than ICANN is proposing to conduct itself for the general applicants who are not seeking support, then the price is for politic as well as impolitic reasons probably correct. Thank you.

Carlton Samuels: All right. Thank you.

I get the sense, and this - let me just - that the impolitic answer is here's what we think. We made a stab at it. We made a stab based on historical evidence. We don't know what it's going to be because the fee structure and fee size is still in a state of flux. I mean, I'm paraphrasing it Evan - the impolitic answer.

Would the group be comfortable in just rewriting that answer to just say that question?

I see Cheryl typing. I just want to see what Cheryl is saying.

Would the group be willing to go along with that answer?

(Andrew):   Carlton, this is (Andrew). Could you just repeat the answer that you're proposing? I'm sorry. I'm a little turned around with all the different things that we're saying.

Carlton Samuels: We - and Cheryl just came up with it. We - I am proposing we modify the redraft answer in the chat - in the note space of the Adobe Connect along the lines of the impolitic answer that Evan suggested, which is - and Alan so succinctly addressed, which is to say the number we came up with was speculative, but it was speculative based on history.

We don't know what it is. We took a stab at it; however, we believe that it is reasonable, and even - but as - we accept that the fee structure and size of the fee structure is changing. That's the first part. And then we say (unintelligible) though, we support a staggered payment scheme whatever the fee structure turns out to be.

Would that be reasonable? And that's what I'm asking the group to say.

Eric is up.

Eric Brunner-Williams: Oh, I'm just indicating yes, I agree.

Carlton Samuels: Thank you, Eric.

Alan?

Alan Greenberg: I think we're mixing two different things, and I think there's no need to mix them. The staggered fee structure is something that we strongly support. It reduces the cash flow issues, and other than there is a significant issue of how does - what does ICANN do if you don't make the payment, do you just drop it altogether? Do you disappear? Do you get deferred? How does ICANN handle that? There's no real cost to ICANN to doing it.

The fee reduction, or fee subsidies, or anything else, is a separate issue. I don't think we should co-mingle them. Thank you.

Carlton Samuels: I could go along with that Alan. I don't think there's anything - I was simply making the case to say that we - that those are two principles that we agreed on. So that's fine.

So I take it everybody's agreed. We will change it to do - the text to refer - to reference what we just agreed.

Okay.

Evan Leibovitch: Carlton, this is Evan. Sorry. I stepped away from my Adobe Connect, so I couldn't raise my hand.

Carlton Samuels: Yes.

Evan Leibovitch: But, can we just make sure that we keep a line in there saying that we still agree with the concept of cost recovery, but don't believe that cost recovery

needs to reflect previous policy expenses, and should in fact reflect real time costs to process applications.

Carlton Samuels: Maybe we can - we could put that in and - that seems to me to be gold plating the principle. But, that's okay.

Alan, did you have something to say sir?

Alan?

Alan Greenberg: Sorry. I forgot to put my hand down.

Carlton Samuels: Okay, so it's Cheryl.

Cheryl Langdon-Orr: Am I unmuted?

Carlton Samuels: No, you're on now.

Cheryl Langdon-Orr: Oh, thank you very much. Cheryl Langdon-Orr for the record.

I hear what you're saying Evan, and I certainly have no problem in principle, and certainly would like to see that in the next milestone (unintelligible) report of the JAS working group and to expand this.

But all we all we need to do now is answer these -- might I suggest set us up for a fall and try and run us through a few gauntlet designed -- questions okay.

How did we come up with a number? Well, we pulled it out of thin air, but we thought about it before we did, and yes we do think it demonstrates viability based on experiences back in 2001, 2004. I think that's the approach. We should not herniate over what is someone pulling our choker chain here. Just (unintelligible)...

((Crosstalk))

Evan Leibovitch: Okay. I just thought that something like cost recovery was a hot word - you know, a hot button for them. That if we didn't at least indicate that we had an eye on it that we would be a target.

Carlton Samuels: Okay. I'm - I think we just close it and go with what we've had there.

Does Karla have her hand up? Karla, did you have a question?

Karla Valente: Yes. I think so. I want - if you could be so kind as to you know, tell me what is the final text on this.

Carlton Samuels: Okay. The final one I would say is what Cheryl just articulated. We just simply say yes. We put the $45,000. We believe it's reasonable, but is based on the history of 2001, 2004 rounds. And you know, if and when there's better information available, then we make the adjustments and that's a go.

Cheryl, it would be nice if you just put what you said in the chat, and then Karla would just copy it from the chat. Would you do that for me please?

Karla Valente: That would be very nice Cheryl. Thank you.

Carlton Samuels: Okay. While we wait for that to come up, is there any - if you look at the others, we need to move on folks. Is there any other thing that jumps out from the responses that anybody have a problem with? Looking at the other responses, is there anything?

All right. There's no questions.

So what we will do is that we will make the recommendations that is suggested from this chat and we will send off the response to the groups. We

will post the response to them. We'll post it on the list, and that will take care of that.

Can we move now to the next item on the agenda? And a preface of it is that we have the report and we are waiting for some kind of response/feedback from the Board. It was felt that we should await the Board response to give us guidance as to what we do next. That was one suggestion.

The other suggestion is no, we don't need to wait, and then we have a charter, we have terms of reference to that charter; we continue to work on the terms of reference of that charter. And I'm asking the group what is their sense of how we proceed in that question?

Eric is up.

Eric Brunner-Williams: I'm sorry Carlton for again being out of sequence. I was reviewing the text here and I've noticed the V6 issue appears to be co-mingled with - I mean, the answer is given after a passage on a question on the continuity instrument.

So whoever is rewriting this, the response about the deference of a V6 requirement should go with the question. Instrument obligation answer should go with the question also. Thank you.

Karla Valente: I'm sorry, Eric. This is Karla. Could you please tell me the question again?

Carlton Samuels: The question is the reduction of the financial continued operation instrument obligation. That is the one - he's saying that the V6 question shouldn't be co-mingled with this answer.

Eric Brunner-Williams: It should not be. It currently is.

Carlton Samuels: It should not be. Yes. Should not be.

Eric Brunner-Williams: So Karla, I'm looking at the registry question, could this put registry at a competitive disadvantage compared with the registry of support?

Carlton Samuels: That'd be V6.

Eric Brunner-Williams: And then it says in the next line, further reductions recommended, and then it continues on for a one line discussion of the continuity instrument. And then, it begins the answer to the V6 question, that in our opinion it does not create a competitive disadvantage.

And then, there's some further discussion -- I don't know where this came from -- about...

Carlton Samuels: That'd be V4.

Eric Brunner-Williams: Right. We're going to make reference to something that's currently ongoing in the (errand list).

Carlton Samuels: Yes. Well, I would agree with you Eric that maybe we want to not comingle IPv6 answer.

Eric Brunner-Williams: It just - it doesn't - that and the continuity instrument are two different questions so they should be answered separately. That was the only point I was trying to make. Thank you.

Carlton Samuels: (Andrew)?

(Andrew):   Can you hear me?

Carlton Samuels: Yes, I can hear you.

(Andrew): Yeah, Carlton, I was trying to refer back to the question that - the last question that you asked if I remember which was about what do we do next, right?

Carlton Samuels: Yes.

(Andrew): And I think that's a good question. I'm wondering whether we have enough feedback from - if I'm understanding correctly, we have effectively three different constituencies now in play, right? We have our two chartering organizations and we may or may not get them feedback from the Board.

And do we think - let's break it up into pieces. Do we think we have the - enough feedback from the chartering organizations? If not, maybe we give that a little bit more time. That would - based on those - the structure that we're working under, I think that that has to be our kind of first rule and then the second question is have we received anything back from, you know, from the Board or anybody else that we need to take into consideration.

Not having a clear sense of that, maybe other people have a clearer sense, I'd want to answer those questions first before we - because that will help us make our determination, don't you think?

Carlton Samuels: That's one way to look at it (Andrew). That's why we polled the question. I thought it was reasonable to pose the question. People have a different view, of course. And Alan, can you comment sir?

Alan Greenberg: I can try. I've already said in writing what I - or maybe not in writing, somewhere, that I believe we need answers from the Board. I'm not convinced we're going to get anything definitive other than one-on-one discussions, you know, perhaps in Singapore. You know, the Board may come back with something formal but I doubt it, so I don't think we can wait for that because it may not happen.

I think we're going if we're lucky get some feelings from individual Board members. We already have in some cases. You know, Mike Silber has - you know, who is not speaking on behalf to the Board, but has said a number of things in emails that give us some strong indication of which way he thinks we should go. We may get that from other people.

I think we need to keep on working on the charter items which is what the job we've been given and factor in any input that we get to the extent that it's relevant and we can use it as we go along, understanding that if we get some specific input, we may want to go back and revise something we thought we finished, but I don't see any other way of proceeding.

Carlton Samuels: Thank you Alan. Evan, you're up.

Evan Leibovitch: Okay. A couple of things. First of all, there's one other constituencies that wasn't mentioned that has, number one, specifically said that it is watching us. Number two, is talking about us as we speak, and that is the GAC.

I believe there is reason to believe based on conversations that have been had both with the ExCom and through other channels that the GAC is not only very closely monitoring what we're doing but is possibly to be very supportive of what we're doing.

And also, isn't the Board meeting in Turkey this week? Is it this week or...

Carlton Samuels: Yes.

Evan Leibovitch: ...or next week?

Carlton Samuels: Yes, it is this week. It starts actually today.

Evan Leibovitch: Okay. So we don't have a lot of time that we have to wait to find out if there's anything specifically coming out of the Istanbul meeting that affects what we're doing.

So in terms of do we have to wait, well even if we do, we're not going to have to wait very long to see if there's any official comment. So, you know, we can say we want to wait and see what they say knowing that we're not going to have to wait that long.

But I would also keep one ear and eye open to having a good relationship with the position of the GAC which could ultimately turn out to be one of our best sources of support as we move this forward.

Carlton Samuels: All right. Thank you. That was Evan. Cheryl, you're up next.

Cheryl Langdon-Orr: Thank you. And I'm also wanting to talk to Sebastian because he's in chat and not on the call, so I'll just finish my asking for any feedback on that.

What I wanted to respond to with my chartering organization member hat on, and that was to say to the workgroup, and Olivier might want to jump in here, as well, that from the ALAC perspective, in terms of the points you've covered and we've covered in the second milestone report, you've got endorsements from the ALAC. That's feedback that's certainly not dissatisfied. We're certainly not sending it back and saying we need different or the following questions responded to.

So on the work done and presented in the second milestone report, you've got feedback from one of your COs. What we certainly would like to see, however, is the rest of the charter purposes being looked at now.

We would also like to think that there will be sufficient navigability and flexibility in what the workgroup is able to do and if not, then as a CO we'd like to make sure that it is offered to the workgroup to be able to negotiate

and respond to any particular feedback that comes from the other primary interested stakeholder groups. And at this stage that would appear to be others in the chartering organizations, the GAC, and the Board.

Have I missed anything Olivier?

Olivier Crepin-Leblond: Thank you Cheryl. No, you very eloquently said what needed to be said, so I'm not going to waste any more time and pass the microphone and back to Carlton. Thank you.

Carlton Samuels: Thank you Olivier and Cheryl. I was hoping that you would have chimed in and said that. I know we discussed it in our ExCom conference so I knew where the go ahead space was on that.

Alan, are you up again or is this from the old time?

Alan Greenberg: No, I'm multitasking here and I keep on forgetting to put things down.

Carlton Samuels: No, not to worry. All right. Evan, you up again or is this from the old time?

Evan Leibovitch: Same as Alan.

Carlton Samuels: Okay. All right. So we have the view of the ALAC and it just happens to coincide with my personal views. I'm not suggesting that we have to use it, but it is for the group to decide.

Essentially we're saying that we have a task. The task is outlined. We are partially there. We continue. We move on. We move on with the knowledge that a response from the chartering organization or from the Board may create a need to shift focus. That said, it should not stop us from continuing the work. That's one view.

And the other view is that we should wait until we have had feedback from the other two important organizations which is the chartering organization which is the GNSO and the Board before we even contemplate doing anything else.

Those are the two views. I will tell you straight up that the first view is the one that I heal to and members might come in and say. Evan, your hand is up again?

Evan Leibovitch: No, sorry. It never went down. I'm not by my screen at this moment so if somebody could drop it, that would be great.

Carlton Samuels: Okay. I don't know if I can drop it.

Cheryl Langdon-Orr: Only Gisella or Karla. They have control.

Carlton Samuels: Olivier, you want to comment on this, sir?

Olivier Crepin-Leblond: Yes, thank you Carlton. I was just going to say that there have been a couple of things on the chat which have been sent from various people mentioning a possible meeting with - well a cross-constituency meeting in Singapore. I gather is this on the cards?

Carlton Samuels: Yes. This is the next element that I am going to talk about. We have that element on the agenda Olivier.

Olivier Crepin-Leblond: Okay. So it appears that there is support from that for a lot of people, so - thank you.

Carlton Samuels: That's what we're seeing here, especially from Sebastian's input in the chat.

(Andrew), can we come back to you sir?

(Andrew): Yes. Quick question for you Carlton. In principle, don't disagree with the position that you have staked out, however, from a practical perspective, if we continue to work, are we not presenting to all of the different constituencies a bit of a moving target?

That's the only concern that I would have is that where we - that the proposal that is being considered by one, if it's still in motion, it may be something else completely that's being seen by another group and that may make it more complex not less for us.

Do you have a good suggestion about how we address that?

Carlton Samuels: I would agree with you (Andrew), that that is a risk. I am taking the position - and this is just me now. I'm speaking just as one member of this group.

(Andrew): Yeah, sure. No problem.

Carlton Samuels: That it is a manageable risk at this stage. I don't know how others feel about it. But that's...

(Andrew): I guess my concern is only this, chief, is that if we go through the - if we respond to one group, right, and let's say we put out everything, then we get comments, we start responding to each of them individually, I just want to make sure we don't create confusion amongst the other audiences as we're trying to respond to each of them in turn and that whatever we give ourselves a doable task in the sense of having, you know, different - what is effectively one set of changes as opposed to three or four different sets of changes.

Make sense?

Carlton Samuels: Somebody fell off.

Cheryl Langdon-Orr: Carlton...

(Andrew):   It was more a practical question than anything.

Cheryl Langdon-Orr: May I respond to (Andrew)?

Carlton Samuels: Yes, yes, of course Cheryl. Please.

Cheryl Langdon-Orr: Thank you. (Andrew), I hear very clearly the risks you're outlining, but I'm not sure that we'd be offering up different alternatives. At the moment everybody has a second milestone report. It is what it is. So there's no risk there.

                   We have also a couple of questions which need to be responded to from a sub-constituency of one of the COs.

(Andrew):   Right.

Cheryl Langdon-Orr: That needs to be done.

                   We also have topics in our charter that have not as yet been addressed. We can safely get onto those pieces of work which are supportive of and how do we do what we suggested in the second milestone report. They'd still be in the formulative phase when we interacted with these other interested parties.

                   So I see that as less risk and more advantage.

(Andrew):   And if that's the way you have it in your head and the way we proceed, that makes perfect sense to me. My only concern was that in the efforts to respond to some of the questions that we're getting, for example, from (Jeff), that we don't want to create confusion amongst the other audiences who are just getting to our (review). That's all.

Cheryl Langdon-Orr: Which is my response to those questions is keep is simple; short, sweet, dismiss.

(Andrew):   Fair enough. Makes sense.

Carlton Samuels: Okay. So I think Evan - well I think Evan is from the last time still.

Evan Leibovitch: No, this one is genuine.

Carlton Samuels: Oh, genuine, okay. Go ahead, I'm sorry.

Evan Leibovitch: No problem. Okay, I just want to bring to the working group's attention a call that was made earlier this week between the Executive Committee of ALAC and representatives from the GAC. There is an action item coming out of that that the GAC wants to have some meetings between its subject leads on the JAS related issues, as well as members from this working group.

So that indicates two things; number one that we have very active interests from the GAC that wants to have deeper involvement in what we're doing rather than just observation and occasional commentaries that it tosses over the wall.

At the same time, it also means that we need to designate a couple of people that should be available for this group should it happen.

Carlton Samuels: Okay. That's good. Cheryl made a suggestion about this meeting and there's two issues, and probably we can segue to the next one because of that. The proposal is that we have a meeting in Singapore. We have proposed and it's being scheduled; put on the schedule, an open meeting of the JAS working group in Singapore.

Sebastian has proposed that there is some discussion prior to Singapore with concerned parties from the Board and from the GAC to iron out and kind of tie down the form and feature of the meeting.

Cheryl sensibly suggested that we could have the meeting at one of the - as a drop-in on one of our JAS calls which makes perfectly good sense to me. Might I suggest that we seek to schedule this drop-in on next Tuesday?

Cheryl Langdon-Orr: I don't think we can control that.

Carlton Samuels: Well suggest, not control, but certainly suggest. Would that be useful?

Cheryl Langdon-Orr: I think - Sebastian is not on the call but he's in the chat. Clearly there's a lot of moving - sorry, this is Cheryl for the record. There's a lot of moving targets going on at the moment and we appear to be in a position where something advantageous might be may be able to be organized.

Organizing anything between now and the Singapore meeting is going to be pretty tricky, but we have two meetings a week that clearly define windows that whoever is working on organizing such a call knows they can plug into.

And I think that would be the way to go through - between now and next week, anyway. Let's see what can happen. Let Sebastian know that the JAS workgroup will welcome such a direction. As it is, he has said he will start to liaise between you two coaches, cut in from the Board, the GAC group and I said don't forget the two chairs of the chartering organizations.

So that's the group who needs to negotiate the timing and there's times that should be fairly easy to plug into.

Do we have the time for the Singapore meeting yet?

Carlton Samuels: Karla, can you answer the question?

Karla Valente: I'm sorry, I was working on the text to send to all of you. I only heard do we have the time for the Singapore.

Cheryl Langdon-Orr: Yeah, that's it, yeah.

Karla Valente: So what do you mean by that Cheryl, do you mean a time for us to have a public meeting or what time for us to meet like we did in San Francisco?

Cheryl Langdon-Orr: Well the first is the one I was concerned about, public meeting.

Carlton Samuels: Yes.

Karla Valente: Oh, I didn't - I don't have anything booked yet for this group to have a public session which we can do.

Cheryl Langdon-Orr: When was the cutoff for - is the cutoff for those sorts of bookings?

Karla Valente: The cutoff for making a schedule?

Cheryl Langdon-Orr: Yeah.

Karla Valente: The cutoff to make a schedule was last week.

Cheryl Langdon-Orr: That's what I thought. So is there a snowball's chance in hell of us getting a public meeting in Singapore?

Karla Valente: I don't - I wouldn't say so. I asked last week if the group wanted to have a meeting and I didn't have any reply. I can go back to the meeting's team and ask them for a slot. I believe we need, what, one hour?

Carlton Samuels: Yes, actually we did. I replied and Rafik did reply and said yes we were - we prefer a public meeting.

Cheryl Langdon-Orr: Well wherever the meeting is, if it's an hour that's fantastic.

Carlton Samuels: Yes, we said an hour. It was...

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: So that was...

Cheryl Langdon-Orr: But if we are going to involve and it would appear that involvement is desirable from at least representatives of the Board and the GAC then there are days that will and others that won't work for this, which is why I was asking the question did we have a time already booked. We don't.

So if we now are going to try and organize such a time, we need to coordinate it with the staff who are also organizing the schedule for Board and GAC.

So I guess Gisella that's you and Glen and Karla have to work that out with the others if such a thing is even possible.

Thank you, Carlton.

Carlton Samuels: Thanks Cheryl. Olivier you have a hand up?

Olivier Crepin-Leblond: Thanks very much Carlton. I was just going to comment on the fact that yes, I remember being carbon-copied on your reply, so we did ask for a - or you did ask for it and I hope that we get it or that you get it or that we all collectively get it.

One question I did have with regards to a call in the interim before Singapore, a call that would be the JAS, the GAC and I guess some members of the Board is whether this is actually allowed by the charter. If I recall correctly,

our charter says that it will correspond with the Board and with the - well, with - yeah, with the Board and the GAC, I guess, through its respective organizations - chartering organizations. So does anyone have an answer for that?

Carlton Samuels: Thank you Olivier for bringing it up. Cheryl?

Cheryl Langdon-Orr: That's why I said to Sebastian in chat include the chairs of the chartering organizations because...

Carlton Samuels: Yes.

Cheryl Langdon-Orr: ...they have to actually technically run the meeting.

Carlton Samuels: Rafik has raised his hand. I don't see him on the thing but I do...

Alan Greenberg: Alan does - has also.

Carlton Samuels: And Alan, so can we have Alan then Rafik please.

Alan Greenberg: Yes. I'll remind Olivier he sent a rather strong letter to the Board saying don't talk directly to the workgroup, talk to the chartering organizations. So the answer yes, we can have a meeting with the GAC or with the Board. They have to say we're interested through the chairs of the chartering organizations. Olivier is empowered to then pass that on to the working group or the ALAC is empowered and the ALAC can give Olivier the right.

Carlton Samuels: Yes, I think you're right about the process there, Alan. That's what I recall. Rafik?

Rafik Dammak: Yes, I do agree with Olivier and around, yeah, we need to discuss with our respective - hear from ALAC and the GNSO. And so maybe to make things more quick, to start the discussion by sending an email to Sebastian and also

to (Stefan) and Olivier is here, so he will be here and that he may do so and we can check how we can proceed.

I'm not sure how there will their reaction from the GNSO Council, but regarding what's happened before in other context that it can be quite polemic but maybe we can maybe find a workaround or solution. Thanks.

Carlton Samuels: All right, thanks. And Rafik, note that you said it, would you - take to send the email as the co-chair for the JAS group to those parties and outline what we think here?

Rafik Dammak: Okay. I will work on that. (Unintelligible)

Carlton Samuels: Thank you.

Alan Greenberg: It's Alan, I'm not near my computer right now but if I could get in.

Carlton Samuels: Yes, Alan, please.

Alan Greenberg: Yeah, I don't think this should come from the co-chairs.

Cheryl Langdon-Orr: No.

Alan Greenberg: I think this should come from the chair of the ALAC telling the chair of the GNSO he's doing it and we're not expecting it to be joint at this point. If it is, so be it. That would be nice, but it's not likely to be and the chair of the ALAC is requesting is and presumably the chair will be empowered to do that formally next Tuesday, you know, or get it ratified.

But presumably the chair has the right to do that and then get it ratified by the ALAC after the fact next Tuesday, but it should come from the chair or the ALAC or the working group and to the Board or whoever it wants.

Carlton Samuels: Okay. I could go along with that clarification from Alan. So it means that we ask Olivier - Cheryl, you're up.

Cheryl Langdon-Orr: Just very briefly, I think Olivier if I may encourage the following, we have the chat history here with a Board member's interaction with us and it a desire to take a next step organizing perhaps a pre-Singapore interchange with the workgroup and, indeed, a Singapore public interchange on the topic.

If you were to contact Sebastian and establish clearly in email copied to the chair at the GNSO what has been said at this meeting to clarify what exactly are the intentions and to put some first steps together and just do a cc to the workgroup chairs, I think that would have all our political bases covered and our pathways in communications properly attended to.

Carlton Samuels: All right, good. Karla just put in the chat, she made a request for a session in Singapore and wanted to know if there is any conflicts that we foresee in other words, being aligned with the Board GNSO session, any preference a day and time.

Cheryl is the one who is most familiar with these kinds of issues. Would you care to answer that for me please?

Cheryl Langdon-Orr: I'd be happy to. Cheryl, for the record. Painfully so, for example, the GAC meets on Wednesday so anything that happens on the Wednesday the GAC won't be coming out of their sessions or you may get a single observer, so...

Carlton Samuels: So you hear that Karla, you don't want...

Cheryl Langdon-Orr: Avoid like the plague. Your best days are the Monday or the Thursday. And if it's the Thursday, it has to be Thursday morning depending on what the Board's plans are.

But you don't just need to deal with the Board GNSO, session, the GAC is an essential part of this equation and talking to their secretary would answer those questions, but historically when we've looked at joint ACSO activities in the past, Wednesday is a very poor choice of day for the GAC, Tuesday tends to have issues for a whole lot of others and that really leaves the Monday or Thursday.

Karla Valente: Thank you Cheryl.

Cheryl Langdon-Orr: And good luck at this stage. Good luck with it at this stage. It may have to fall back to something on the Sunday. Luckily, the - if that's the case, then it is not a public meeting but rather a meeting of the ICANN component parts which have vested interests as stakeholders. It wouldn't be a public forum as such, other than you'd have remote participation. So that would be a possible fallback position.

Karla Valente: I'm sorry, this is Karla. Why if it is on Sunday would not be a public?

Cheryl Langdon-Orr: Because the ICANN meeting has actually started on the Sunday. GNSO meets, ALAC meets, some GAC but not all GAC are there and the Board is there, but - in fact, most GAC are there. But it's - it wouldn't fit in the Monday to Thursday or Monday to Friday public meetings of ICANN Singapore (42).

Karla Valente: Yeah. Thank you. I just note that the ICANN meetings are officially starting on Sunday.

Cheryl Langdon-Orr: Well if they are well then that's fine.

Carlton Samuels: Okay. But I hope Karla you have enough of what Cheryl has said to guide us.

We're going to Rafik and then Alan and we have to close folks. It's top of the hour, three minutes past. We started at five but I want to keep it to that. Thanks. Rafik?

Rafik Dammak: Thank you Carlton. Just now we are talking about scheduling, on the Wednesday I think - I'm not sure but in the Wednesday evening I have me and also Alan, we have the GNSO Council public meeting, so anyway, we need to check the ICANN meeting schedule to avoid any problems. Thank you.

Carlton Samuels: Yes. I think Cheryl pretty much got it. I mean, I would trust her with this. She knows it backwards, forwards. I think she pretty much covers the holes that we have to plug and the ones that we have real opportunity.

Alan, you're the last one sir.

Alan Greenberg: Yeah, just a quick thing, let's make sure we distinguish between a meeting that is open to the public and one that is scheduled as a formal public meeting. They are, in my mind anyway, slightly different. Thank you.

Cheryl Langdon-Orr: (Unintelligible).

Carlton Samuels: There would be to my mind, too, yes.

Anyway, folks, I - we have to put up there, but for all of this discussion we are proposing that the chair of ALAC makes a communication to, A, establish the public meeting request and B, to consider a pre-Singapore meeting proposal to the chartering organization and where we can invite Board and other interested parties.

On that note, folks, we are at the top of the hour. We have exhausted the hour. I thank you all for joining us and we will see you next week. Thank you all.

Woman: Thank you.

END