

**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)  
Work Team (WT)  
TRANSCRIPTION  
Thursday 03 December 15:00 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT) meeting on Thursday 03 December 2009, at 15:00 UTC Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but **should not be treated as an authoritative record**. The audio is also available at:

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**Participants on the Call:**

Jeff Neuman - Registry Stakeholder Group - Work Team Chair  
David Maher – Registry Stakeholder Group  
James Bladel – Registrar Stakeholder Group  
Tatiana Khramtsova – Registrar Stakeholder Group  
Paul Diaz - Registrar Stakeholder Group  
Alex Gakuru - Non Commercial Stakeholder Group  
Brian Winterfeldt – IPC  
Wolf Knoben – ISCPC  
Alan Greenberg - ALAC

**ICANN Staff:**

Liz Gasster  
Marika Konings  
Margie Milam  
Glen de Saint Gery

**Absent apologies:**

Avri Doria - Non Commercial Stakeholder Group

Jeff Neuman: Great. So if I could have Glen or Gisella if she's on the phone, whoever's on the phone do a role call.

Glen deSaintGéry: So Jeff, it's Glen.

Jeff Neuman: Okay.

Glen deSaintGéry: Good morning, afternoon everybody. On the call we have Jeff Neuman, Alex Gakuru, James Bladel, Alan Greenberg, (Tatiana Kramskovski), Paul Diaz, David Maher, and Wolf-Ulrich Knoben. And for staff we have Marika Konings, Liz Gasster and Glen deSaintGéry. Have I missed anybody? Thank you Jeff, over to you.

Jeff Neuman: Okay. Thank you Glen. Welcome everyone. It's December 3, 2009. This is the call of the PDP work team.

I'm going to first issue an apology. I'm calling from a hotel so I got dropped once before. So if I get dropped and I apologize, I'll dial right back in and Marika could take over for the minute or two that I get dropped.

So just let me know if you can't hear me. Just send me a note or speak up and I'll try to get to a better area.

With that said we have a few things on the agenda. In the last couple weeks there have been some notes about the face-to-face, proposed-face-to-face meeting and discussion on the council list. And you probably have all seen by now a request that has been drafted by Marika, a formal request for us to review and send to the PPSC first and then to the council for this face-to-face meeting. And so I want to go through that.

There's a proposed timeline of finishing our work that was also sent around. And then we can go through the draft for stages one and two if people have questions on those and then go back to our regularly scheduled work on Stage 4 which is the voting and implementation. So are there any questions on the agenda?

Wolf-Ulrich Knoben: No. It's Wolf speaking, Jeff. So - well I have to (unintelligible) - I have only just 50 minutes from now. So I have time to leave in between.

So I would like - I understand that you are going to start with your request for a face-to-face meeting. That would be okay so that I could cover that at least.

Jeff Neuman: Okay. I don't know if everyone else got that. On my phone that was kind of - came in and out. Is it just me?

Alan Greenberg: It's Alan. It wasn't clear but I could hear him.

Wolf-Ulrich Knoen: Pardon me? Didn't you hear me?

Alan Greenberg: I - Alan did.

Jeff Neuman: Okay. I can hear Alan clearly. I don't know. It's probably my phone. I'm sorry. So you said you have about 15 - 50 or 15 minutes?

Wolf-Ulrich Knoen: No, 50 so roughly one hour so...

Jeff Neuman: Okay. All right well so why don't we get then right to the face-to-face meeting request because I think was kind of the most talked about on the list.

And Marika sent that out I want to say November 30. At least that's the date of the document itself on Adobe right now.

Does anyone have any comments or questions on that? I see Marika has got her hand raised.

Marika Konings: Yes. This is Marika. And I sent another note to the PDP work team mailing list earlier this morning European time of a response from (Denise Michelle) to an email that (Stefan Mergolla) sent on behalf of the registrar stakeholder group to the council list in which he basically explained that, you know, as the process currently is, as there's no, you know, proper process for the council to approve or disapprove. He's kind of needing that this is not a PDP working group as such -- it's not linked to a GNSO PDP process, it's actually a board-

instructed work activity -- that at this point in time if I understand the email correctly that yes of course the council and - should be consulted and it could have an input in, you know, the work team's proposing but that it's basically a decision from the PDP work team and in concentration with staff who's ultimately responsible for signing off the budget and the travel allocation for such a meeting.

And that's to play that in context that yes we have a request from the table. But I think in the context of that email it would be more sharing with the council of what the PDP work team is planning and as well with the PPSC if the people feel that's appropriate and disregard - and to see if there's any, you know, input into how the PDP works in just structuring the meeting or any feedback like that. So I just wanted to put that in context with the request that's up there now.

Jeff Neuman: Okay. So let me go to Paul and then James.

Paul Diaz: Thanks Jeff. Marika, and please pass on to (Denise), I did see the note. Definitely have problems with the note from (Denise) in that, you know, the - what she's saying is unfortunately in a lot of ICANN speak and double-speak.

Yeah. I'm sorry I cannot call this group that is looking at the PDP process a PDP working group yeah, technically may be right but come on already.

To make the argument that this is a - an exceptional group that, you know, falls outside of process technically doesn't need the council's approval to do certain actions. But we're going to go to council, you know, because it's the right thing to do. It just smacks of one of these here we go again where staff is, you know, noodling the language to such an Nth degree that, you know, it leaves everybody kind of looking and going say what.

Anyway, you know, the point - I mean it's been pretty clear. The registrars have been very clear where we stand on this idea of a face-to-face.

So I'm not going to belabor the point. But at least for our efforts this morning and moving forward I want to echo what Wolf has already posted on the list.

This request absolutely must have a more clear description of what the agenda is going to look like for the potential face-to-face. It's got to be included in this document not as an attachment. You know, I think we better have a - basically a punch list for the face-to-face meetings that we can very clearly show we either achieved what we set out for or we came up short.

As we've noted as registrars, you know, this request is - no matter how staff may want to dress it up is going to have a high precedent value. There are so many different - I think half-a-dozen other PDP workgroups underway, all of which are behind their original schedules.

I mean if they see this they're going to expect - if this goes forward I think that that bar needs to be set very high in terms of, you know, why it's being requested, what exactly we expect to get out of it and be very clear, very detailed in the request paper itself to, you know, make it clear to the council that, you know, we're doing this and you've laid out why very nicely but, you know, what we expect to get out of it. And then some more sense of the process both in terms of what the agenda will look like, what our goals are and basically the list that we will hold ourselves accountable to.

And then finally I think we better start talking about thinking about the thing that has sparked some debate on this about who goes, who gets funded for this because, you know, that's going to be another thing. Obviously more people get funded starts driving the cost up very quickly especially depending how far they have to fly in from and, you know, the whole question about participation or, you know, doubts that a certain member has posted to the list. You know?

If folks aren't on these calls in any way, shape or form consistently, you know, is it really appropriate to now be funding them to fly in? You know? I just personally have a very, very hard time reconciling that statement.

I don't know if necessarily this group, certainly not staff, should be determining who goes. But, you know, I think the group should have some recommendations or some language to the council at least to say look, if you're going back to your constituent group or stakeholder group and identifying who the individual, maybe individuals are going to be, you know, here are some rough criteria.

And it can't simply be some group calling out we want our own seat at the table because, you know, we are a part of the process. If they've not been participating they haven't really been part of the process. So again for the precedent value I think we have to make this all very, very clear to folks up front.

Marika Konings: Can I just respond, Jeff, to some of the - or ask some questions to Paul actually to some of the points he made?

Jeff Neuman: Yeah, sure. Why don't you do that? Then I want to go to James.

Marika Konings: Okay because Paul, one question I would ask for you because we did include a very detailed timeline -- so, you know, we don't have to give an answer now and it would probably be helpful as well to share it on the mailing list -- but what kind of further details would you like to see on, you know, what would be the focus of the meeting. Because I was hoping at the time I would very clearly set out the pace of where we want to be at the time of the face-to-face meeting and what the objective would be to, you know, bring everything together. So I would really appreciate input from you and as well others on the call.

And then to some of the points you made on, you know, who should go and how should funding be decided that's I think why, you know, one of the criteria -- we've discussed it as well on the work team -- is that, you know, again this is not, you know, a PDP. It's not about, you know, constituency or stakeholder group positions or, you know, setting out where they send.

This is really about bringing this work to closure. And, you know, I think that's why we've advocated as well that, you know, those that are in attendance should be either, you know, members that have been active in this process and have followed discussions, have attended the meetings or have specific expert knowledge or expertise of the PDP process. Because after all, I think this is really about bringing the pieces of the puzzle together. And it's not about, you know, starting up a whole new discussion or a clean slate.

So I think, you know, that's from our perspective. So that's just the point I wanted to raise.

Jeff Neuman: Okay. Thanks.

Paul Diaz: Should I respond, Jeff, or do you want to go to someone else?

Jeff Neuman: If you - yeah, quick response.

Paul Diaz: I can be within a minute literally. Marika, I appreciate that you've developed the long timeline. And okay, this is the problem.

The draft that I saw did not include the proposed approach so my bad. I'm glad to see that what you now have up in Adobe is not what I saw in the first draft that had gone out.

So okay, all I want to do is make very, very clear for the council as they have all the information at their fingertips and not have to look to an appendix one I think. And since I'm looking at it the first time I would just suggest that I think

for the group we have to have a section that says basically what our agenda for the face-to-face will be so that we do have what I've colloquially called punch-out list that, you know, the key things that we claim we are going to address and hopefully settle in draft form at that meeting again just so it's very clear to everybody.

The other thing as far as, you know, representation one outlook I totally agree with you Marika. I think it should be the people who have been involved.

I have a hard time when we do and/or -- it seems we're stressing the or -- that other participants who have something to add may come in because quite honestly they may be excellent ideas but if they've not been part of this group, not been actively participating it's a huge assumption to think that they're going to listen to all the mp3s. And I think we're going to spend far too much time at a face-to-face going over old history, bringing individuals like that up to speed with the group.

Would much prefer that the weight is focused on people who have been participating. And if there's extra things, okay, so be it. But the preference should strongly be toward those who have been part of the process all along.

Alex Gakuru: I'd like to contribute something. Alex here.

Jeff Neuman: Okay. Let me - Alex, let me go to James, Wolf, Alan and then I'll come back to you.

Alex Gakuru: Okay.

Jeff Neuman: Yeah. So let me go to James.

James Bladel: Yeah Jeff, just for the sake of time I want to reiterate most of if not all of Paul's earlier points. The technical differences between this group and the PDP working group I think will be lost to future working groups who will look



to this as a model for future work. I think that there is some veracity to the point that face-to-face meetings tend to emphasize one geographic region over another whether that's U.S. or Europe or wherever the face-to-face happens to be.

And I feel very strongly that if ICANN is sponsoring an attendee to participate in a face-to-face meeting and that is that attendee's first exposure to this subject I'd feel very strongly that those are dollars misspent and that could have been allocated somewhere else. So the participation part is very important to me as well. And I'll just leave it at that.

Jeff Neuman: Okay. Thanks James.

Wolf-Ulrich Knochen: Yes. I think we have to talk about two things. The one is we try - realize -- and this discussion and from the email exchange is okay, is it - are those face-to-face meetings justified and what are the reasons and what are your justifications for. That's the one thing.

And the other thing is - it's does the council have to deal with it and has to approve it. So that's what I understand. And this came to my mind from this - on that discussion.

But it came out first time. Then I understood that you said okay, if the council likes to cut that and likes to put his opinion on it, let's do it, let's go - that's - that procedure.

And today as I understood from the (Denise)'s email that - my understanding was from their perspective, from her perspective there is no need for council approval in this case. So this - these are the different things we have to discuss.

So my position was very clear. So I think on the other hand we have really a need to have the face-to-face meeting because - so we are on a stage, let me

say, we're - we have to put things together, not only pieces but we have to look to the overall process. And this needs more time in - let me say in one chain, not only one or two weeks. That's one thing.

So I would like (unintelligible) - so I'm really supporting this idea to have a face-to-face meeting. On the other hand so I was also supporting well okay, if that is the case then let's bring it up to the council or - from my understanding it was already on the council level, not formally but the discussion was going on because the registrars started to argue against it and to put emails on this discussion. So for me the only question, how can we - how we have to bring it up and so it would be for that pipeline, PPSC and to the council.

In this case you need also a more comprehensive picture. That's what I was also asking for. If you bring it up to the council there will be the question, okay, what is it about, are there other requests for, and how many and what were these behind them and what is let me say a rough picture, rough figure in the economic - from the economic point of view.

So these questions I think that they could be answered. And the information must be available I think so from staff side well to do that. So that's my comment.

Jeff Neuman: Okay. I think - look, I think the hope or the plan was to get this document in final form, this request, send it up to the PPSC quickly and then hopefully get it to the council before the...

Woman: Sorry for the interruption. (Brian Winters) has now joined.

Jeff Neuman: Thank you. So the hope - and then get it to the council before their December 17 meeting. Is that the - I think that's the next one. So that's the goal is to get this document to them so that if the council does want to discuss it they have it in front of them for their next call which is in two weeks.

So let me go to Alan.

Alan Greenberg: Yeah. I'm in the curious position of supporting almost everything that Paul said and strenuously objecting to the others.

I definitely support the concept of doing detailed planning and knowing what we're going to get out of this kind of meeting. I strongly support that the people involved should be those who have partaken in discussion and we don't start a ground zero or a base zero discussion on many of these points.

I disagree with the tone. I disagree with the issue that this is a precedent for other PDPs.

But that notwithstanding I'm not sure it shouldn't be a precedent. Face-to-face meetings if done right can be incredibly productive and allow you to move forward far more than two - the equivalent of the two or three meetings it replaces in terms of hours four meetings. And I think in fact this should be something that ICANN is looking at at appropriate times and not being afraid of it.

Yes there's a high cost to it. But I think if we're serious about the issues that we're working on and if they're important then it's something we need to have in our portfolio of tools.

Jeff Neuman: Okay. And let me go to Alex.

Alex Gakuru: All right. Thank you very much. Obviously from those who have seen my expression of interest they'll probably know I'm new. (Unintelligible) was when I joined the process. Now I do have a bit of concern and when this is said why should it be a precedent.

First of all I support the face-to-face meeting as I say earlier. Now if we have this as a precedent and then we also have acknowledged how productive

they actually turned out to be and the output, the implications that you'll have in terms of the overall running of the policy at ICANN thereafter then I ask the question: when we create a condition of active participation this opens a can of worms because even if a participant don't - have not participated at a certain level. So either the ones who have been active, the definition of active would be a bit troublesome.

And again in the context of being open and more participatory for people like me in Africa, I think who have been - had a history of underrepresentation literally everywhere we do feel that then if the precedent is adopted and then it means (unintelligible) are going to be blocked because they have not participated in other events. So I want to ask people to remember - consider that. But, you know, we don't want to create a precedent that locks out participants from other regions simply on the basis they have not participated in the past and also of the implication that you have in the future of any such face-to-face meetings.

But with regards to participation some of us are studying and reading through the documents, the processes are there so that we can make very informed contributions. So we may not be seen so much online but we are also reading so that we can make sure we contribute to the best of our ability with our timeline.

So with that understanding from other members that there is no any two people are even the ones that will finally attend that will have made equal contribution. That is really not practical. But we do know that there should be other considerations that you can explain as we figure out what is going to come out.

Obviously from where it comes from the funding bit is extremely important because unlike other stakeholder groups we are fundamentally public interest so we do not have these commercial support to back our participation. We do not have - what government they have is the form of taxes and other

stakeholder groups so we are disadvantaged in the sense of participation which plays itself in many other activities in ICANN because we cannot fund ourselves to participate all our representatives. So I just ask that we just don't make a precedent that is actually basically reinforcing an (unintelligible) standing exclusion of a certain group.

Let me stop there for now. But I do support the face-to-face meeting (unintelligible) because some of us would also have to apply for visas if at all if decided we participate that we don't run out of time. Thank you Jeff.

Jeff Neuman: Okay. And just for our knowledge, when - how far in advance do you need to apply for a visa?

Alex Gakuru: I - the best of my knowledge is about 21 days. And I was worried about the holidays in between, Christmas and New Year.

So if it's decided to take this on 17 of January obviously that's 21 - it's would be less than 21 days. So if (unintelligible) decided - if at all it would be decided that I participate like my chair up in growth as recommended then I think (unintelligible).

But when I hear the council has not decided about it and it might delay then it might as well be decided in January. But I'll actually say early enough that I don't think I will make it because the U.S. Embassy is rather strict unless maybe - I don't know anything and I've not applied to the visa yet. Only I slightly inquired information.

So sorry, I don't have specific information. That's all I could say. Thanks Jeff.

Jeff Neuman: Okay. Thank you, Alex. Marika, do you want to respond?

Marika Konings: Yes. I would like to respond because I think there seems to be the confusion that participation equals attending a face-to-face meeting. I just want to really

emphasize that the face-to-face meeting is not where everything is going to be decided and that's the decision point and, you know, that after that nothing will be able to be changed or said or done.

I just want to make clear that if there's a face-to-face meeting there will be remote participation. So anyone who is interested can dial in, can share their views and can participate.

And also the idea is that after this meeting anything that's discussed there and agreed upon is drafted into a document that every one of the work team, also those that weren't able to participate remotely or weren't able to attend can provide their input.

And, you know, we've had - there has been in the whole, you know, just want to highlight again from the side of the PDP work teams who are where we are now I think we've tried to do our best to encourage participation through, you know, having meetings at ICANN meetings, doing surveys, getting out documents for comment, you know, getting questions on the mailing list.

So I just want to emphasize that, you know, this face-to-face meeting is - that's not participation per se. Participation in a working group is much broader than just attending this face-to-face meeting.

And just to make sure that everyone understands as well that there will be opportunities to provide input after the face-to-face meeting. This will - definitely won't be, you know, the report won't be final. Everyone will be given - give everyone opportunity ideally as well to take that back to their constituencies or stakeholder groups to see if there are any big issues that they identify to make sure that that input is received as well and hopefully can be fed in until it - before it goes up to the PPSC.

Jeff Neuman: Okay. Thanks Marika. Now let me go to this specific document because I want to - it sounds like there's general support for the face-to-face and for sending this document to the PPSC and then to the council.

I want to drill down on - it seems like most of the discussion is focused on the who at this point and a little bit of discussion on when. But on the section of who I've heard a couple of people including Marika and Paul talk about active members.

Do you guys just want to go into a little bit more about what you mean by active because I know that question's going to come up from the PPSC and the council? So to the extent we can incorporate that into the document that might help to at least answer those questions beforehand. So let me go to Paul, who's got his hands up.

Paul Diaz: Thanks Jeff. Look, I think even more fundamental than active is the request right now envisions one rep per stakeholder group contracted and then one rep per constituency on the non-contracted house. And there's been some debate on the list on whether that was appropriate or not. I think maybe we ought to start there before we even get to who and what so we have a rough idea of how many bodies we're talking about.

And the one thing that I don't see in here with the who, what, why, when, where, how is -- excuse me -- it's the how much because, you know, that could be - I'm sure that's going to be a very, very important factor for everybody to consider. If you - how many folks is, you know, the more you invite of course or the more you fund the greater the cost. So answering the question first: are we going to stick with what was originally proposed, basically one person - one rep per constituency group and then of course ALAC or are we going to, you know, perhaps expand that in some way and then think about what that's going to mean in terms of the budgetary request which...

Jeff Neuman: Okay.

Paul Diaz: Ultimately has to be a part of this draft document.

Jeff Neuman: Right. So let me - so the request on the table is or the proposal on the table is for one for each - for the contracted side, one - basically one per each constituency, right? So it's one registry, one registrar, one ISP, one IPC, one (VCN), one noncommercial along with one ALAC and the chair.

Is there - what do you personally think of that proposal, Paul? And is that - do you have any amendments to that part of it?

Paul Diaz: Me, Jeff? I think that's a great starting point. Personally I disagree with the comments made by (Robin) on the list. You know?

Come on already. Let's stop this bickering between noncommercial interests and commercial interests and worrying so much about, you know, equal slices of the pie.

As Marika's already said this is a face-to-face to try and get as much work done as possible. It won't be the end all be all of this particular effort. Everybody's still going to have a chance to weigh in.

So I think the proposal on the table is acceptable. And that's what we should be focused on.

Jeff Neuman: Okay. James?

James Bladel: Yeah. Thanks Jeff. This is James and I just had a couple of questions or points to that end.

And I think that, you know, one of them would be do we want to, you know, saying that we're going to have one registrar is probably different if that



registrar is coming from Northern Virginia like Paul or coming from the Hinterlands like myself. And that's a very different - or if we were to, you know, let's say fly someone out from Australia.

So I think that it's not enough to say head counts and where they're coming from as far as the - where they come from in the community. We also probably need to have a rough idea of where folks are coming from geographically.

Secondly I'm just - and I was just thinking about this a little bit earlier today is this discussion of costs. Presenting a cost structure to the council is important because I think they need to see, you know, have some visibility into the impact of this face-to-face meeting.

But it does open the question if you recall the conversation between Mike Rodenbaugh and myself about whether or not the council has a budget and how they make those types of decisions. And I'm not sure, oh, putting myself in the place of an individual counselor how they would be able to tell that something was appropriately costed or not, you know, without a budget to push off from or any - or provide any context.

And then finally I wanted to offer an idea on what constitutes active participation. I think that this group has been going on now for - since May, April. And, you know, we've been meeting about every other week. We've had two face-to-face meetings in Sydney and in Seoul.

And I think that, you know, a very easy threshold would say 50% attendance on the calls for all the teleconferences we've had, participation in the general meetings whether that's physical or remote and then some level or threshold of responsiveness to Marika's surveys that we've been working on throughout this process.

So those are my three points there. And I'll just drop back onto mute.

Jeff Neuman: Okay. Thanks James. And actually, Marika, it may help. I know a couple months ago we actually submitted or compiled the information about attendance on the calls. Maybe if we can do that again in the next couple of days to submit, you know, to update that and to also do a list like James just suggested of people who have responded to the surveys.

Marika Konings: Yeah.

Jeff Neuman: It might help us...

Marika Konings: No problem.

Jeff Neuman: Compile information.

Marika Konings: I'll do so.

Jeff Neuman: Okay. And Marika, you had a comment as well.

Marika Konings: I think Alan was ahead of me.

Jeff Neuman: Okay. So I'll go to Alan and then Marika.

Alan Greenberg: Okay. First of all in the interest of full disclosure I'll say my first GNSO meeting was a face-to-face meeting outside of an ICANN meeting because I had just taken over the role.

And I think that's one of the things we need to consider when we talk about active participants. That is there are always going to be exceptional circumstances. That is the active participant leaves their job or dies or whatever and someone else has to be - has to drop in.

And that's a special situation I think we have to factor in. But if we're in a steady state mode I think active participation in this kind of process is important so we don't go have to do complete level sets with a large number of people.

I disagree with Alex or -- I'm sorry -- maybe it wasn't Alex, disagree with somebody who said we have to look at where people are coming from. I think that's something ICANN has not done and we should not do.

I think we need to look at who is coming and then decide at where the location is. ICANN tends to use average amounts for people around the world and we don't want to disadvantage someone because it's an expensive trip. I think it's ICANN's job to figure out where it should be that we maximize the use of travel funds. I think that's (unintelligible).

James Bladel: Alan, this is James and I just wanted to respond to that. I was talking about location in terms of coming up with a budget, not determining attendance or who...

Alan Greenberg: I understand. But ICANN tends to use flat amounts to travel - to move someone. And, you know, it averages - it either averages out or it's their job to come up with the right average. I wouldn't want to use where people come from as the determining factor to do it or not.

James Bladel: But you agree they'd be different cost (unintelligible).

Alan Greenberg: They may well be. And that's something - I mean that's one of the reasons that currently for travel to ICANN meetings ICANN allocates a certain number of headcount and not the dollars because that way yes sometimes they come out ahead, sometimes they come out behind based on where people travel from. But it doesn't disadvantage the individual or distance covered.

Jeff Neuman: Well let me go over to Marika because I think that's a point she was going to address. Right, Marika?

Marika Konings: Yes because of course we already, you know, we asked some time ago like who would normally be the representatives that, you know, would be requesting funding. And on the basis of that, you know, we mapped that. And it looks like - hello?

Alan Greenberg: You're still there. You just have background.

Jeff Neuman: Yeah. I'm not sure where that's...

Marika Konings: Yeah. I think someone put us on hold probably. Well I think as long as - and on the basis of that it looks like most participants that are requesting funding would be based in the U.S. And several of those are even based in Washington D.C.

But based on that, you know, we'll look further into this but it looks very likely that that is the most cost-efficient location at this point in time. And we definitely do take that into account looking at where people come from and trying to see if there is indeed an obvious location that jumps out as somewhere, you know, in the middle ground that we, you know, have organized meetings before, know it's, you know, manageable and has good meeting facilities. So I think that's what we're currently looking at.

Jeff Neuman: Okay. Paul? Or Marika, did you have any other comments or is that the main one?

Marika Konings: No. That was the main one because people are making the question as to, you know, location or what participants and how that would be factored into this.

The one other comment I did want to make and that, you know, comes back as well to (James') point, I know some people have suggested that, you know, we should add a budget to it. But, you know, like James said I don't really know what the council can do with that without, you know, matching that to the overall budget they have which is currently not the situation they operate in.

So, you know, of course it's in our interest as well to, you know, make this most cost-efficient as possible and, you know, based on the experience I have had with ICANN meetings there are - they have a travel department that looks at these things and makes travel arrangements. So, you know, of course we're trying to, you know, do everything to make the cost reasonable and get a good package.

So I think that's just a - it's something you'll have to trust us on. I don't know how much a number would help the council to make a decision that's not placed into context of an overall budget or how much other face-to-face meetings might have cost or do cost. Sorry.

Jeff Neuman: Okay. Paul?

Paul Diaz: Jeff, I just want to ask -- I don't recall -- when did guys solicit who might attend and whatnot and that you said you'd come up with a list and then most of the people had responded were North-America-based.

I only ask - I mean if it was done so be it. I only ask - I didn't remember that. And I know that there have been - when we raised this within the - within our stakeholder group that non-North-America-based people were, you know, very concerned that this is potentially taking ICANN a major step back in that in the past, you know, policy development or policy work in general was dominated by North American interests. And ICANN seems to have, you know, made strides in the - over the years to be more inclusive and more international.

And again it's - if I missed that particular call of interest okay, my bad. But at the same time I think then in the proposal that we ought to provide at least that data so people - again counselors will have some idea of who it is that we're talking about funding and sponsoring.

Jeff Neuman: Yeah. I think...

Marika Konings: This is Marika.

Jeff Neuman: I'll let Marika address - I'm sorry. Who is that?

Alex Gakuru: Alex.

Jeff Neuman: Okay. Let me just - I'll make a quick point and then I'll go to Alex.

I think, Paul, if you - I hear what you're saying on taking a step back. But if you look at the composition of the group which is not - it's basically self-selected, right? It wasn't that - ICANN staff or even the constituents.

It's not like they said we want people from North America. I think if you look at the composition of the group that's kind of just the way it turned out to be. I think if it was - if it turned out to be that most were European-based then, you know, obviously then Europe would be the most cost-efficient.

I think this is a self-selected group. And we are where we are, nothing we can do about that.

But I don't think it was a conscious decision to make this North-American-based. It was looking at who attends the calls, who responded to the survey on dates that they were available and just generally who responded on the mailing list.

It seems like a lot of people are North-American-based. And in fact a lot of people are around the Washington D.C. area. And so I think that's where it really came from.

Let me go to Alex.

Alex Gakuru: Yes. Thanks Jeff. I think we make this a precedent and just digest it and then we already have all this North America. Again they are Washington D.C.

I want to echo his point and the criteria of active participation is now being used retrospectively. It was not something that was there before though I don't know. I tend to feel that I think is a step backwards because I think both still - I think ICANN was opening up to more participation.

Personally from my point of view and my constituency I tend to feel like this is not really - is not taking forward gains to be made (unintelligible). And so we are now taking advantage of that up here.

But incidentally if that criteria have now been made applicable then obviously I do not think that there's anytime soon I'll be able to catch up with the participation that has been made by other people. At least I may as well be - I think I will never participate in any of the face-to-face meetings in lieu of the historical nonparticipation to the level of the North America D.C.-based individuals at this point in time on this group.

So I think there should be a deliberator for to make this more global as one way or the other. And I think we can make those proposals to be more inclusive and then not - I mean ICANN is already funding physical attendance of the fellows. So I think there's progress but I think if we need to also make sure on this meeting also these deliberate (unintelligible) to get other people involved. Thanks.

Jeff Neuman: Okay. Marika, do you want to address that?

Marika Konings: Yeah. No, we just wanted to actually confirm what you said that, you know, the way - why we came to Washington and not just say oh let's do it in North America but really looking at the participants and the most cost-efficient destination.

And as well to Alex's point this is not about the fellowship or funding for participation. This is really to come to closure on this specific project that this group is looking at.

And I said there are many other ways to participate. Participation is not only attending a face-to-face meeting. So that's a reason why, you know, Washington D.C. looks like the most cost-efficient solution based on the composition of the group and those who have been active participants in the meetings.

Jeff Neuman: Okay. Let me go back to - I can't remember, sorry, if it was Paul or it was James. I think it was Paul that said that the sentence in here that talks about the and/or have specific expertise and knowledge. Paul had said that there was probably too much of an emphasis on the or part of it.

And I see Alan's hands raised. But let me address the question to Paul and then I'll come back to Alan.

So Paul, what would your recommendation be on that clause and how would you - so if you took out the or it would just say received - see - provided that those who receive funding have been active members of the PDP work team. And then we get into an issue of active membership. And then we get into Alex's issue which is, you know, if at some point people need to be replaced and, you know, now Alex is committed to doing this and he may not fit the active definition. So Paul, what would you - how would you revise that?



Paul Diaz: I think you might have misunderstood me Jeff. I - my answer - I advocate for emphasizing the and not the or.

In other words I didn't think that this is a natural bias. I just felt that the people who have been participating on the calls, contributing to the surveys, worked with the constituency to get in initial statements, that those are the folks that are, you know, pushed up to the front of the line to represent their group and get funding.

If there are unique individuals who really have something special to bring but have not been actively participating in the various levels may be okay. But I just didn't want to have the or included in there and sort of creating an opportunity for somebody to for lack of a better term go on a junket.

Jeff Neuman: Oh I got you. Yeah. Okay. I misunderstood initially. But so you would just take out the or and just have it and have special expertise and knowledge of the PDP that will help to make face-to-face meeting as effective as possible.

Okay. Alan?

Alan Greenberg: Yeah, two quick points. I think it's important for people to recognize that the most cost-effective place does not mean everyone's going to be cheap to get there. There are going to be some incredibly expensive ones which balance the ones who will be free or a couple of hundred dollars or something like that.

So just because it's in one place does not prejudice it against the people who are very far away. Visas are of course an issue we have to factor in.

And I tend to agree with the previous comment that we - continuity is important. There will be exceptions. After any annual general meeting there's going to be a perhaps large change of players in some stakeholder groups and constituencies and people who may have been active will not be active in

the coming year. And I think we have to be flexible and factor in that kind of thing.

Jeff Neuman: Okay. So again I think - I'm not seeing any other hands raised. I really want to get this document finalized as quickly as possible so we can get it to the PPSC and then to the council.

It's unclear as we've discussed what the exact role of the council is. And staff has made its position known. I'm sure the council is going to have its own opinion on this.

You know, look, my - our job I think is to just get the rationale out there and let the council do whatever it's going to do. I think that's kind of outside our scope and purview.

But we should move forward with our work and move forward with assuming there will be a face-to-face. And unless someone tells us otherwise that's kind of the approach I've been taking. Does anyone disagree with that?

Wolf-Ulrich Knochen: Jeff, no. It's Wolf speaking. Just to the procedures what does it mean, you know, in terms of time? So, you know, if the council is meeting on 17 of December going to meet so and that normally he expects input well to be sent to it some days in advance. Yeah? So how does it fit to your plan regarding the PPSC and...

Jeff Neuman: Well I'd like to get the document out to the PPSC by tomorrow to give them, you know, five, six days to think about it and let us know if there's any objections, and then get it to the council by no later than the 10th so that they have a week to look at it before they have their meeting. That's the goal. That's what I'd like to happen.

Wolf-Ulrich Knochen: Okay. So just let me say - well does it mean you would like to send the document as it is or you'd like to add something which - maybe it's regard to

potential other requests so because that would be needed. I would see that because this would be the first question on the council level if there are any other requests and what does it mean, you know, compared with what we are doing so.

Jeff Neuman: So I'm sorry. What do you mean other requests?

Wolf-Ulrich Knochen: Other requests for face-to-face meetings from other groups.

Jeff Neuman: Yeah. So I think that's kind of - and I'll let Marika address it as well. I think that's outside of our purview. I mean that - all we can do is submit a request from the work team and ultimately from the PPSC to the staff and to council and no - and put, you know, the council on notice.

It's for the council to look at those other issues. It's nothing that we really can do as an individual work team on that. We'll let them discuss it and come to some conclusion if they do.

But again I think our, you know, from the PP - from the PDP work team's perspective is just to make our case known and heard for this face-to-face and then, you know, push it on and assume that unless there's any objection, you know, we're going to plan on the 18 and 19 of January. So Marika, do you want to address?

Marika Konings: Yeah. This is Marika. No, just a note as well on the meeting. There are no other requests as I - at least I'm currently aware of.

I know that the (SCI) team recently discussed it. But I don't think it's still on the cards. And they have a very short deadline to deliver the work.

I just - on - to your point on the practical side while we go forward to PPSC and, you know, sending the request to the council I think at the same time staff will go ahead as well and making the practical arrangements or at least

inquiring and trying to, you know, get a sense of where the meeting can be held and what facilities are available to make sure as well because, you know, if we want to make this a cost-efficient meeting.

And it won't work if, you know, one week before the meeting we book the hotel or book the meeting room. So I think from that perspective we'll try to already move that forward and get some clarity as well on how we can understand the travel arrangements and things like that so.

Alex Gakuru: May I ask a last question on this and I'll not belabor it?

Jeff Neuman: Sure Alex.

Alex Gakuru: Yes. In lieu of the discussions and the criteria and things we have discussed would I be right to assume that I should exclude my - I should not consider myself part of this from my logistical purposes, for planning purposes? I think it's good to have that clear as I can know what I'm doing in January for the planning please.

Jeff Neuman: Well I - and does anyone have a - it's a tough question. So - well James are you - raised you hand for this question or...

James Bladel: No, something previous.

Jeff Neuman: Okay. You know, I'll give my personal view and I'll let others jump in if they disagree. My personal view is you are now a member of the team. You know? And I'm, you know, one of the things we've had lacking is participation from the noncommercial. So my view, and again it's personal, is that you should be invited.

I mean I'd like to see active participation from you on the list and to the documents. But I'll let others weigh in on that.

Alex Gakuru: Thank you.

Jeff Neuman: Does anyone else want - Alan, do you want to address this or...

Alan Greenberg: Yeah. I'll address that quickly. I mean at this point the proposal says one from the - and essentially NCUC is the noncommercial stakeholders group as of today.

And to some extent if Alex gets the go-ahead from them saying he's their lead rep and he's someone who has given an intent to keep on participating in this group I think he's a reasonable candidate to be, you know, to plan to be there.

If NCUC and NCSG says no, no, no, somebody else is our preferred one then there's an issue. You know? But I think that's a decision to some extent has to be made at that level before we can do it.

I had - I raised my hand for another question. We say we're going to go to the PPSC. I presume that's going to be a - if there's no objection because there's no opportunity for a formal meeting of that group, one might want to look at the mailing list for that group because it should have changed with the changeover in the council and on the wiki anyway it hasn't.

Jeff Neuman: Okay. I think that's a good point. And that - yes that was my intent was to basically do it by objection, you know, if anyone objects. But - so that was my intent.

Marika, did you want to address this specific point and then I'll go to James?

Marika Konings: Yes. I wanted to address - because we had been discussing that before the issue of we need to send out a list of participation, who have responded to surveys, consider whether we should have, you know, a minimum number of meetings that people have attended in order to get funded. And on the other

hand now we turn around saying, you know, any stakeholder group or constituency can decide who they would like to send.

And I have a concern there because of course it opens as well the doors for others. And - so and, you know, this is nothing personal against Alex. And I really hope that he will contribute and participate.

But, you know, I still believe that a face-to-face meeting will really benefit from someone that has been involved from the start in this discussion as these are highly complex issues that we will spend many hours going over. And this is, you know, trying to bring the pieces of the puzzle together.

So I think from the staff's perspective we really want to, you know, make sure that we fund those that can make that happen and contribute to the process. So are they going to try to make - bring those two pieces of the discussion together where we on the one hand say well, you know, funding should be reserved for active participants? And we have had other members from the NCUC participating or at least on the mailing list like people like Avri and (Robin) herself that are familiar with the PDP and have been members of this work team since an earlier stage. So I just want to, you know, put that into the mix.

Jeff Neuman: Okay. I - but - and I just - to Alan's point though I think the key thing for me is not just past active participation but is a future commitment to continue to participate. So to just have (Robin) come in just because she's - she knows the process and then come to face-to-face but then drop off I don't think is really beneficial for us.

So I think the commitment - I mean if the noncommercial are saying that Alex is the one, he's the one that's with us until the end, I think that, you know, I think at some point the noncommercial need to make that decision. And we can certainly have Avri and (Robin) participate remotely as well.

James, do you want to - I know you had another point so you want to...

James Bladel: (Unintelligible).

Jeff Neuman: Bring that up and then - yeah.

James Bladel: Yes, just very quickly a point or a comment toward timing. If council is meeting here in looks like two weeks and this has to go to the PPSC first for either approval or non, you know, non-objections it seems to me that that would have to happen and council would have to approve - review and approve this request in a single session in order to make that January date. Otherwise we're looking at February. Is that correct? (Unintelligible)

Jeff Neuman: It definitely needs to go to the council by this meeting. And they need to object at this meeting. Otherwise it will happen, I mean on the 18th or 19th unless - yeah again I think our point is let's move forward with the assumption it's going to happen in January. If the council comes down and says no and tries to put a stop to that then we'll look at future dates and figure that out but...

Alan Greenberg: Or simply defers.

Jeff Neuman: What's that?

Alan Greenberg: Defers, saying no. Deferring the decision to a future meeting is saying no.

James Bladel: Right. That was my point, Alan.

Jeff Neuman: Well no, I think in this point because again it's unclear what jurisdiction the council has to refuse to allow this meeting to go forward.

James Bladel: I understand.

Jeff Neuman: So I think if - and we'll make it clear to the council that unless we - unless otherwise heard we will have this meeting on the 18th and 19th. I think that's the approach we need to take.

It seems like we'll - (Wolf) has a comment, Marika has a comment (unintelligible).

Man: Jeff, I just - I had a question. You said if council was - it's not up to the council to determine whether this meeting goes forward.

Jeff Neuman: I said there's still a question as to whether this is up to the council because again this was...

Alan Greenberg: Certainly some counselors think this is their decision.

Jeff Neuman: Correct. I'm sure some counselors do. Marika, do you have a comment?

Marika Konings: Well specifically to that - well, you know, I would just like to refer people to (Denise)'s email on that specific question where - in which I also read that, you know, indeed there's currently no procedure and, you know, council can say no but it's the working (unintelligible) staff wants it of course.

I don't think it's advisable to maybe go ahead. But there's no official - at this day and point in time there's no official need to get approval from the council for such a meeting even though, you know, some might want it or it's something that might be desirable or maybe something that should be developed. But, you know, if you look at the rules or things like that there's no need to get full approval.

And one thing I wanted to point out and I think once we send this request or notice or how we want to call it I think it's very important as well to point out saying if there's no face-to-face meeting, and you know, if that's the decision in the end or the working feels that, you know, we don't want it or there's



strong objection in the council and the working says well we take that to heart, I think we need to make sure as well that they understand that that will set the timeline for delivering a report seriously back and the overall process if it's only to go to the PPSC and the GNSO council.

So I think we need to be clear as well that the reason why we want the face-to-face meeting and why, you know, why we think it's important is to bring this process to closure as soon as possible as there's already, you know, we've already been working for over ten months. So we need - GNSO council has taken us deep but they still don't have a new policy process and, you know, all the steps that still will need to be gone through with the PPSC and the council that will still take significant time. I think it's important to highlight that element.

It's not just a face-to-face meeting to have a face-to-face meeting and see each other and say hi and, you know, get some work done. It's really to try to speed up the process and get to closure.

Jeff Neuman: So I think, you know, as a - just to be safe I do think that, Marika, we should - we try to hand out some polls on February just in case the council does send clear instructions not to do this until they've had more time or we just need to be prepared.

So maybe we'll talk offline of how to do that or get a doodle out to see what other time in February would work for people just so that we have a backup. But again I think the assumption is that we're going to go forward with this unless there's - unless the council as a whole acts to say no to it.

Okay. Is there any other discussion on this request? I do want to turn to the milestones because I know Alan had - when he saw it the first reaction was this was pretty unrealistic.

Is - Alan, you want to comment on which parts of it are unrealistic? Or is it the whole - taken as a whole?

Alan Greenberg: I'm not sure I remember to be quite candid. I just counted - it was very aggressive-ended and didn't allow a lot of slack in any of the stages which tends to tell me it's going to be difficult.

But I looked at it carefully at that point and I don't remember the - I don't think I did an analysis but I don't remember quite what I was focusing on. But I just found the whole thing despite the fact that it's stretched out over a bunch of months it just seemed rather aggressive to me. But I don't think - I can't address it any more specifically.

Jeff Neuman: Okay. I think...

Woman: (Unintelligible).

Jeff Neuman: Right? It is -- and I'm going to put it Marika -- it is definitely aggressive. It's one we'd like to push for and we'll revise as necessary. But I think - well Marika, let me let you address...

Alan Greenberg: And I support that.

Marika Konings: Yeah -- this is Marika -- because I remember, Alan, because the point you were making was on the last bit of the timeline because by the way it's attached to this document. If people scroll to the end of it there they'll see it, which is basically the public comment period, closing...

Alan Greenberg: Oh yes.

Marika Konings: The (unintelligible). And there would be a week to review and a week to revise the report.

And I actually agree there with you. This was just, you know, hypothetical on the assumption that there are almost no comments. But this is a part that, you know, we can only adjust based on the number of comments received, you know, and being able to assess how much time it will take the working group to review those and incorporate those.

So this is - this last part is really just, you know, I just put in some dates to have something there. But I think it's more realistic that once the public comment period closes and we actually see what has come in and, you know, how controversial or how, you know, how difficult these issues are going to be to incorporate those and I think we can make a more realistic assessment of the real end timeline of the report.

And again, you know, indeed the timeline is very ambitious. And it's actually completely focused on getting an initial report - a final report out so it can be reviewed and discussed at the ICANN meeting in Nairobi, also taking advantage -and I think it's something that, you know, we discussed as part of this - of our discussions on the different issues as well or taking advantage of having the community there, presenting it and then opening a public comment period so people are informed about what we're asking public comments about and maybe already having a discussion as well with the PPSC to socialize ideas and the concepts.

And hopefully they might already provide input so again for when it moves into the next stage to the PPSC level, you know, they don't have - they won't have to go through the whole process like we did and, you know, take another year to get it sent to the council.

So that's a bit of the thinking about it and - behind it and definitely very ambitious. And hopefully we're - can meet the deadline.

Alan Greenberg: I thank Marika for remembering what I said better than I did. But yes, those - that last period given the standard that we're being held to these days on

using public comments and both factoring them in and saying why we don't if we don't that those last couple of weeks I think are far too tight, yes.

Jeff Neuman: Yeah. We will certainly have to live by the advice that we give in our own reports, right?

Alan Greenberg: Touché.

Jeff Neuman: Right?

Alan Greenberg: Just to make it more awkward. Well they're not rules until we - after we finish them.

Jeff Neuman: Yeah, true. But we should probably try to live up to them to show that it's realistic.

Okay. And on that note any other questions on the timeline? All right. So...

Alex Gakuru: No, not from me.

Jeff Neuman: I'm sorry.

Alex Gakuru: No, no, not from me. Sorry. Alex. Not from me.

Jeff Neuman: Oh. Thank you Alex. So if you all notice we did submit - shortly after the last call we did submit the drafts for stages one and two.

One had been out there previously. There were no changes to that.

We added Stage 2. That came out at - right after - almost immediately after our last call two weeks ago.

I will note for the record that there have been no comments on that. So I can only implore on you please - I don't know if people have read it already. And I don't want to take up time during this call to talk if there's any comments but can you please read that by the next call. Or better yet put some comments on the - on email because I think we can - we don't have to wait for teleconferences to have discussions on points.

So I know everyone's been really busy. But, you know, this is really what we're talking about is the outcome of this group. And there are still a number of questions in stages one and two which we may reserve to discuss until the face-to-face meeting. But we want to make sure we have the issues framed right. So it's really important for you all to read it and to make comments.

So please if you can - I don't know. I can't really beg you to do it. But it would be very helpful for you to review stages one and two. Any questions on that?

Man: (Unintelligible).

Jeff Neuman: So we'll - and I think we've highlighted some of the questions in the document. It's up on Adobe now.

But - so you can see for example highlighted the first - you'll see in, you know, as I'm randomly going through it you'll see it says to be decided or, you know, this is still a question. There are notations in the draft where that happens. You'll see that in recommendations.

So without going through it is there any other questions on that? Please, please review that and submit to me your comments.

And actually before I get to - we go back to stage - before we go to Stage 4 I do want to say that the next call is scheduled for December 17, our next call. Unfortunately it conflicts with council meeting so we will need to send a duty

log for another time on that day to have the call or another day to have that call. So we'll send that out shortly after this.

And in fact one of the options is if people are available next Thursday we can do the call then as opposed to waiting two weeks. But I think we should send out the duty log and figure out when people are available.

We are hearing no comments on that. If we can go spend the next 20 minutes or so on Stage 4 going back to voting and implementation to where we left off. I'll give Marika a second to upload that.

It's coming up. Okay. So everyone should have the document now in front of them on Adobe.

We've gone through, well at least we've discussed the issues on there what to do with the working group - what the council can do with the working group report whether it could look at individual recommendations or whether it should look at the report as a whole. We've went through that.

We talked about public comments and, you know, whether a working group can recommend or should recommend another public comment period when it goes to the council on the final report.

We left off at -- and Marika, keep me honest here -- we left off at number 3 which is, you know, what should be in the report to the board or actually, sorry, what should delivery of the report from the council to the board and how that should look. We started to talk about it on the last call.

Right now what happens is -- and Marika, correct me if I'm wrong -- is ICANN staff takes the final report from the council, drafts a board report which is not made public. And that board report goes to -- along with the whole full report - - to the board itself.

One of my personal pet peeves for a long time now has been that that final report or sorry, that board report is never seen by the public. Nobody knows what's in it.

And, you know, some of the things that I've heard are that perhaps it should be the council or even the working group that writes the board report as opposed to - or takes it from the executive summary as opposed to having ICANN policy staff do it themselves. So that's been discussed. Alan, did you have a comment on that?

Alan Greenberg: Yeah. I support what you're saying. I mean it's unclear. We don't see what staff produces so we don't know how the report is framed.

But I think it goes without saying that the full set of the recommendations that council approves have to be presented to the board because the board doesn't have the discretion to only implement half of them or something like that. So I think we can have some assurance the whole set of recommendations are included in the staff report but we have no idea how it's framed or anything else around it.

Jeff Neuman: So - when I was thinking about this and I know ICANN staff may disagree but I'd like to actually make a formal request from this work team to ICANN staff to ask them for the board report from the last several issues that have - on the last several PDPs that have gone to the board so that we can see what's in those board reports.

Liz Gasster: It's Liz. Can I respond?

Jeff Neuman: Sure.

Liz Gasster: So there actually are two reports that go to the board along with a recommendation. One is the staff report that is currently confidential. And the

other is a report that the council does write or that the staff writes for the council.

And in my mind - I mean it's perfectly acceptable to talk about both in this group and they - and for this group to make recommendations about both. But I think at the outset enhancing the public council report to the board to include information that you think might be currently missing or would add more depth, you know, is perfectly within scope of this group.

And the other thing that I think is missing in that process and something I've been thinking about in the context of the communications work team which is in charge of enhancing communications with the board and with (FOs) and (ACs) is that there ought to be a mechanism for the board and the council to have a dialogue, and potentially the board and the working group that when a recommendation is forwarded to the board so that if the board has questions or wants to understand further, you know, why the group did or didn't look at whatever they might have looked at or, you know, want to understand better that there be a mechanism for a real dialogue and not just, you know, a one-way communication with no opportunity for the board to ask the council or the working group questions. So I'd like to throw that idea out.

But going back to the private board paper the rationale of course behind it is that the staff has, you know, a duty to the board and the organization that is independent from the council.

And in terms of the implementation and other issues that staff may want to convey to the board it's been at least the tradition that from a staff perspective there needs to be a mechanism where there can be a communication that isn't necessarily public, because we in fact work for ICANN and have the responsibility to be able to convey information to the board that we might think is relevant.



So I don't want to close that off. I'm not - I'm just giving you the position that has been articulated. It's certainly appropriate for this group to voice any concern with that that it feels is appropriate.

But I just want to make clear that there are these two reports. And I do see a lot of opportunity for improvement with regard to the way the board and the council and the work team might communicate following a recommendation made to the board. Thanks.

Jeff Neuman: Okay. And then - so but Liz do you have a - I do think that I would like this group to make a request to the staff to provide those reports to us obviously taking out any privileged or legal communications but to see those reports.

Obviously we're kind of shooting in the dark here because we don't know, none of us know what's ever been delivered to the boards. We never get to see the board reports so to make recommendations on things we've never seen is...

Liz Gasster: Well I would think - just to be clear I was saying make recommendations on the report to the board that is the council's report to the board, not the staff report to the board that if you think that report that is sent to the board from the council today should have ingredients in it that aren't - and those are all public reports. So I mean I wrote one I believe on -- I need to think of which one I wrote -- on a - I think maybe on domain tasting where we, you know, forward the final vote of the council to the board.

And I'm happy to send that because it's public and others that we've done with consensus, you know, policies that - recommendations that the council has made to the board. But I'm distinguishing that from the - there is a private report. And it has been requested that staff release those private reports before. And that request has been denied so.

Jeff Neuman: Okay. Alan, do you have any comments?

Alan Greenberg: Yeah. First of all I strongly support Liz's suggestion there be an opportunity for dialogue. Right now we only have dialogue after things blow up royally. And there's probably a better time to have dialogue.

In terms of the staff reports I can certainly imagine a staff report saying to the board don't implement this policy because if you do we will be sued or things like that. And those comments admittedly should be privileged.

I am a little bit worried though that things could get to that stage and those issues would not have been raised within the working group by staff and by legal counsel. It, you know, which - we've already made the comment that we should have access - better access to legal counsel.

So if indeed there are privileged things that are being said to the board I would surely hope that the issues have been raised. Now maybe the working group ignores them and needs to be said quietly to the board. But I would like to imagine that there is nothing that's in that staff evaluation after the policy is passed by council that could not have been said in a public form when it was just being discussed.

And if that's not the case I think that needs to be fixed. And we need to fix it in the processes we're building.

Jeff Neuman: Well and Alan, just to jump on that as well the problem I have is that I've talked to a number of board members. And a number of board members have said that they basically don't have time to read the full reports. They don't even have time to read the public reports. So in essence what they do is for better or for worse they read the private reports they get from the staff.

Alan Greenberg: I under...

Jeff Neuman: (Unintelligible).

Alan Greenberg: Understood.

Jeff Neuman: And so to - I have a huge problem with that. And to the extent that I don't have a problem with ICANN staff writing a report that says if you look at page whatever of final report of the working group then we have an issue with that particular recommendation because X, Y and Z and we may be sued.

The problem I have is that the private report also summarizes, from what I understand summarizes or provides yet another summary of the full report. So you have a summary of a summary of a summary that ultimately gets to the board.

And to the extent that that private report contains a summary of what is in the ultimate report that should come only from the working group or the council and should not come from staff. And that's my big - I guess if there's anything I'd like to see changed personally it would be that staff is no longer in a position to summarize the recommendation.

They could provide advice. And we don't need to see that advice. I think that's confidential, privileged. But to the extent there's a summary provided of the recommendations that should be provided by the working group or the council.

Alan Greenberg: So we need to know how many pages we're allowed to make the board summary and we need to hold to that. And then staff could provide advice around that?

Jeff Neuman: Correct.

Alan Greenberg: I think that's good wording.

Jeff Neuman: Liz, would that - now again I haven't seen these private reports, okay, that these private reports summarize recommendations as well as providing advice.

Liz Gasster: Yeah.

Jeff Neuman: So would it be a feasible recommendation to say that these private reports do not contain summaries that are written by staff but rather contain summaries that are written by the working group and then staff is obviously free to put advice or recommendations around those, but that any summary of the recommendations should be provided by the council or the working group?

Liz Gasster: I think that if that's the consensus of this group it should be in this report.

Alan Greenberg: It's likely to be...

Jeff Neuman: Okay.

Alan Greenberg: The same staff member who's writing that who helped us write the document so...

Liz Gasster: In other words I can't respond and say, you know, yes on that basis we'll make everything else public because I don't have that authority. But I can encourage you to note your preference strongly and the rationale for it.

But I think the, you know, what you said about the reports being too long is part of the problem. If they read every constituency statement exactly as you've written it and that - and of course all those links are provided and the report is provided but the board can't wade through that.

What is the - is there a path that this group could recommend to develop a public paper that accompanies a recommendation that boils down into something the board can accept what the viewpoints are in the report and of

the group that would negate the need for some or all of what is provided separately by staff and that meets...

Man: Well...

Liz Gasster: Board concern? I mean it, you know, you used to described it as board members are saying they can't read through everything.

Man: Well...

Liz Gasster: That could be a recommendation...

Alan Greenberg: Liz, can you provide us with the norms that are used for such a report in terms of brevity, simple language and whatever, you know, triple spacing?

Jeff Neuman: Well and I think to add to that as well I think Liz, you raised a good point earlier with perhaps, you know, look it's not that often that there's a final report on a PDP process. And perhaps, you know, one of our recommendations is that report - it's only that report but one of our recommendations could be that there is a formal presentation by the working group or the council to the - directly to the board on its findings.

I think that may go a long way in a public meeting or even on a teleconference that there's opportunity for the board members to ask questions not of staff but of the group itself. So I think those combined may help to educate the board that it doesn't necessarily have to read the full report.

Alan Greenberg: I think we're getting some good stuff here.

Jeff Neuman: We - so our number 3 basically and we'll cut - we'll end I guess our call now. Number 3, if you look at it there's currently requirements that must be in the report to the board, the council report to the board.

And the question is are these the right - and this is asked also on the survey, which I should remind everyone that there is a survey for Stage 4 that's out there that people can respond to.

So there are elements in the bylaws as to what needs to be in the report to the board. I encourage everyone to read these requirements and a, think, you know, decide are these still the right requirements, should there be additional ones and b, should this be something that's in the bylaws itself, should this be something that's a recommendation as opposed to hard-coded in the bylaws.

So if you notice there's things like, you know, there needs to be a clear statement of the vote recommendations, if there's a supermajority, if there's not a supermajority what is required, analysis of how the issue would affect each stakeholder group which I think we've talked about previously -- it should be in the file report anyway not just in the board report -- and then, you know, advice of outside advisors, obviously the final report that's submitted to the council and a copy of the - well it's a copy of all the minutes of the council deliberation policy. I guess that's probably more just links that are provided.

Are those still the right requirements? Should there be additional ones? You know, I think that's a question we need to answer?

Any comments on that? I kind of - I'm not sure we have enough time to actually go into the next one.

But I do encourage - before we get off the call please respond to the Stage 4 survey. Please also look at the Stage 1 and two reports that are out there. And Stage 3 report should be out there by early next week if you look in the timeline.

So you're going to have stages one, two and three to comment on by next week. So I know there's a lot of stuff out there but we're trying to move as aggressively as we can in conjunction with our timeline. We will submit our justification to the PPSC in the next day and hopefully get that to the council by the 10th.

Is there any other questions on what's going on? Hearing a lot of silence so I'll take silence as everyone understands and agrees with (unintelligible).

Marika Konings: Jeff, can I ask one question? It's Marika.

Jeff Neuman: Sure.

Marika Konings: And you want me to make changes to the request as it is, as we discussed. Or are you going to do that before (unintelligible) to the PPSC? Do you want to put it out to the mailing list again or what is the process?

Jeff Neuman: Well so I think what we heard is that at least on the who section to change that and to - or to change the and/or to an and.

Marika Konings: And you want me to include as well the participation data on the attendance and participation in the survey with the request?

Jeff Neuman: Yeah. I would just include that as an appendix just to give the PPSC...

Marika Konings: Okay.

Jeff Neuman: And the council an idea of who's been coming.

Alan Greenberg: Yeah. Jeff, I think we also need to add some words, you know, to cover the case where there are significant personnel changes, you know, that past attendance is not the only issue.

As you pointed out we still have six months ahead of us. If someone is committing - if we have had little participation from a given group and someone is committing to work actively to the next end months I think that's a measure of participation also. So I - we need to cover that somehow in the words.

Jeff Neuman: Yes. I agree with that. Marika, is that something you can add in there?

Marika Konings: I don't...

Jeff Neuman: The requirement - I think in the who section it's funding for active members of the PDP and have specific expertise and with some, you know, at the end of that sentence maybe provided that the PDP work team understands that there is in a normal course of dealing a natural turnover and that, you know, it's also acceptable, or the work team believes it's acceptable to provide funding to members who are committed to the remainder of the process if they have not previously been active in the group.

Marika Konings: Jeff, I still have a concern because it sort of goes completely against the arguments that's made before because say - you first say it has to be participation and knowledge. And then your second sentence is basically anyone who signs up and says they are committed.

Alan Greenberg: Well but remember...

Marika Konings: Those...

Alan Greenberg: There's still limitation on the number of people. So someone's...

Jeff Neuman: I...

Alan Greenberg: Going to have to make hard choices sometimes.



Jeff Neuman: I think if you changed it to provided that those proposed to receive funding in - have been or intending to be active members of the PDP work team. I mean I think...

Marika Konings: If it requires well some expertise to be - to make - at this point in the process to be - that's a question I mean for the group. I mean is it possible so late in the process to be an active participant and contribute without expert knowledge of the PDP?

Jeff Neuman: Well it wasn't a requirement to have expertise and knowledge to be a member of the work team.

Marika Konings: No but we said now in the first line the proposal was to take - to not make it and/or but make it and, be an active participant and expert knowledge of the PDP.

Alan Greenberg: I'd hate to be in a position to have to prove expert knowledge.

Jeff Neuman: Yeah.

Marika Konings: Well I mean expert knowledge...

Liz Gasster: How about some familiarity?

Alan Greenberg: Certainly that would be nice.

Liz Gasster: Experience in a previous working group, PDP working group, something like that, something more specific but not as rigorous.

Alan Greenberg: Yeah. I guess I have to say we need some level of flexibility due to, you know, turnover and people suddenly waking up and saying this is important and we have to be a little bit flexible on it. I mean I...

Liz Gasster: I...

Alan Greenberg: I would not have wanted to be in a position three years ago to be forbidden from working on the new gTLD PDP because I wasn't involved in the first three years.

Marika Konings: Yeah, but no one is forbidden...

Alan Greenberg: When I didn't exist.

Marika Konings: To participate. I mean no one is forbidden of course to participate. It's open for anyone to participate. I mean this is talking about the travel funding.

Alan Greenberg: Well...

Jeff Neuman: So I think one thing that may help that and this might already be in there and if it is I just forgot is to basically say that the role of the face-to-face is not to rehash discussions that have already taken place but really to discuss items that are still questions in the draft reports. That might go a long way.

Alan Greenberg: Yeah.

Jeff Neuman: I mean I, you know, it's - it really just sounds like there's one stakeholder group that is having discussions of who to send. And at this point I think if - what I've heard on this call is that - and again this is an issue for staff because it's ultimately staff providing the funding. But I think the view I've heard is that as long as there - if Alex is designated by the noncommercial as the person and he's dedicated to finishing out the rest of the work...

Marika Konings: I - can I ask a question?

Jeff Neuman: So...

Marika Konings: Because I do have a question because there are, you know, people like Avri. And I think Avri is still involved. I mean she participated in the survey and has been on a number of calls. And my question is just why we would NCUC designate someone who only joined the work team after Seoul? And, you know, Alex, sorry if I'm wrong. But I don't think you have been involved in any PDPs or, you know, not any I've been supporting.

So my question is just why would they make the decision to fund someone that, you know, doesn't fulfill the criteria of active and, you know, expert knowledge while there are other members that are members of the work team and have been participating that would qualify under the conditions that (unintelligible) apart from, you know, exceptional circumstances. That's just a question.

Alan Greenberg: Could I try to answer?

Jeff Neuman: Sure Alan. Yeah.

Alan Greenberg: Yeah. I think the answer is to some extent it's up to NCSG. I mean I'll point out that Avri was participating as a noncommercial - as a noncom appointee at the time, not representing NCSG.

But, you know, assuming a body, you know, bodies carry on who - with their history then I think if there is only one and it is up to NCSG and if they decide that Avri is the best person or (Robin) because she has responded to the surveys which few other people have or Alex because that's where the commitment is going to come in the future I think we have to allow them some level of discretion. We can make strong recommendations.

But I mean we've been fighting this thing in at large of do we rate someone purely by the metrics of how many meetings they've attended. And that's not necessarily the best metric.

Jeff Neuman: Yeah. And I'm just not sure that this is - we can encourage Avri and others to participate remotely. I'm just not sure this is a political fight we necessarily want to go to the mat on.

Alan Greenberg: I don't think we want to.

Jeff Neuman: James, do you have a - James?

James Bladel: Yeah, real quickly as far as going to the meeting and I have to drop off here as well but I just wanted to say let's make sure we're not confusing open to participation with who's funded. I think that line's being blurred a little bit in this discussion. But thank you Jeff. I need to drop off.

Jeff Neuman: Okay. Thanks James.

So I think, Marika, what your - what's probably hearing is we'll have a - I think you should have another conversation with (Robin). But ultimately if the noncommercial designate Alex and Alex is committed to working with us till the end I'm not sure that it's really a staff decision at that point.

I'm not sure that this work team is willing to - I haven't heard a willingness of this work team to go against that. I certainly - it seems like the work team does not agree with the notes that (Robin) sent about equal representation. I think that's kind of - I think we'll all agree that that's not really relevant to the face-to-face.

Anyone disagree with that? Okay. Marika, does that help?

Marika Konings: Yeah. That's fine.

Jeff Neuman: Okay. All right. Thank you everyone. Marika, let me know if you want to talk offline, you want to give me a call?

Marika Konings: Can we talk later?

Jeff Neuman: So we can get this - so let's - all right, Marika, I'll - I think we're done with the call. I'll call you - I'll email you so we can get this thing out to the PPSC.

Alan Greenberg: Okay. Thank you Jeff.

Jeff Neuman: All right. Thanks everyone.

END