

**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)  
Work Team (WT)  
TRANSCRIPTION  
Thursday 05 August 2010 at 13:30 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 05 August 2010 at 13:30 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

<http://audio.icann.org/gnso/gnso-ppsc-pdp-20100805.mp3>

On page:

<http://gnso.icann.org/calendar/#aug>

(transcripts and recordings are found on the calendar page)

**Participants on the Call:**

Jeff Neuman - Registry Stakeholder Group - Work Team Chair

Alan Greenberg – ALAC

Tatiana Khramtsova - Registrar Stakeholder Group

Avri Doria - Non Commercial Stakeholder Group

James Bladel – Registrar Stakeholder Group

Alan Greenberg – ALAC

**ICANN Staff:**

Glen de Saint Gery

Liz Gasster

**Absent apologies:**

Marika Konings

Alex Gakuru - Non Commercial Stakeholder Group

Paul Diaz - Registrar Stakeholder Group

Wolf-Ulrich Knoben – ISPC

Jeff Neuman: Great. Thank you very much. This is Jeff Neuman and welcome to the Policy Development Process Work Team call on August 5 right? Yes, August 5, 2010.

And if I can ask Gisella to do the role?

Gisella Gruber-White Absolutely. Good morning, good afternoon to everyone. On today's call we have Jeff Neuman, Tatian Khramtsova, Avri Doria, James Bladel. From

staff we have Liz Gasster, myself Gisella Gruber-White. Apologies, we have Paul Diaz, Wolf Ulrich-Knoben, Alex Gakuru, Marika Konings. And if I can please remind everyone to state their names when speaking for transcript purposes. Thank you. Back to you Jeff.

Jeff Neuman: Thank you. This is Jeff Neuman. Welcome back everyone. Thank you for showing up. It's been about I guess a month and a half or so since - or maybe just over - a little over a month since the last meeting we had in Brussels.

And the reason we've taken a little hiatus from the group is to give people time to respond to the public comment period that's been out there.

And so what I've done is posted or Liz has actually posted it in the Chat as far as the agenda, what we want to cover.

I envision this to be a fairly short call, but, you know, obviously if people want to discuss things than we could take as much time as we need.

So the five items that we have on the schedule or the agenda today are to discuss the public comment period in general, to talk about some comments that we've received to date, some action items going forward to recap some of the main points we had in Brussels from the workshop and then to talk a little bit about the schedule going forward.

Is there anything that anybody wants to add to the agenda?

(Alan): It's (Alan). I don't want to add anything to the agenda but I'm here.

Jeff Neuman: Good morning or afternoon or wherever you are in the world.

(Alan): I think it's morning.

Jeff Neuman: Okay great. Good morning (Alan). Thanks for joining us. So why don't we just then dive into the agenda?

As you know the public comment periods technically have ended on August 1st. To date we received a total of like I said, are four comments in the comment board. I would say one is not really - it's just a question, not really a comment.

So we've got three real substantive comments and actually very good comments, good in the sense of very comprehensive and, you know, address a bunch of different areas and give us lots of things to talk about.

So we got one from the ALAC. We got one from the INTA, the International Trademark Association. And we got one from the Registrars Stakeholder Group.

So the first - the other - the question I wanted to ask this group is number one, is I'd like to without formally extending the public comment period date, I'd just like to leave the - if we could, leave the board open for additional comments to come in.

You know, I don't see a reason why we need to close it at this point. And I know from - at least from a Registry Stakeholder Group perspective we are in the final stages of getting our comments together within, you know, the next week. And I expect - we're doing our vote now. So I expect that the registries will have about, you know, eight or nine pages worth of comments that we're going to submit.

So, you know, I don't want to close that off. And so my question to you all is whether you know about any other groups that are planning on responding to the comment period or if any of you disagree with kind of my - the reason I don't want to formally extend the comment period, you know, put another

date is I think that'll basically get those that are planning to respond. I think that may make them procrastinate a little bit.

So, you know, in general I'd like to leave it fairly open to get more comments in. And I don't see a reason at this point to shut it off. Just, you know, I think there's some valuable input that we're still going to get.

I see that James and (Alan) agree. Is there anyone that disagrees with that approach?

Avri Doria: Can I speak to it?

Jeff Neuman: Yes Avri please.

Avri Doria: I have absolutely no objection to leaving it open longer. I am a little bit uncertain about leaving it open without announcing publicly that we're doing so.

While I agree the risk of some people possibly procrastinating if they hear that they've got an extra three weeks instead of get it in immediately, I think it might also exclude some people who said (drats), so many comment periods. I missed this one, it's done, oh well.

And therefore, knowing that we have someone planning to submit, knowing that we're going to keep it open, I think that the transparency thing sort of indicates that we got to do it formally. At least that's my gut reaction to it at the moment. Thanks.

Jeff Neuman: Okay thanks Avri. And, you know, let me hear from others on that. (Alan)?

(Alan): Yes, I was going to say something else but I'll answer - I'll address what Avri said first. I tend to agree.

I'm one of those personally who was going to submit some relatively detailed comments line by line which I never got around to.

And having another deadline means I'll put it back on my to-do list. I may not get it done this time either, but, you know. So I suspect I'm not unique in that.

I was going to suggest one other thing to put on our - on the global to-do list for the group. And that is we rely heavily in the PDP process on comments. And I think this is as good an indication as any that the comment period process we're using right now doesn't work.

To look at something as substantive as what we're doing and it's just not important enough or whatever that we've received so few comments I think is indicative of the fact that we have to discuss I don't know where we go with it. But I think we have to put it back on the menu as it were as to is this the best way...

Jeff Neuman: Well (Alan).

(Alan): ...that we can put it into the bylaws to try to get community input on processes?

Jeff Neuman: Yes, so I think - and actually other people raised that in their comments or in their comments, the ones that we got, they raised some things about, you know, the number of public comment periods going on.

And so I do think there is space to discuss your issue. If you could remember this issue, make sure that we - you know, if you do comments, make sure you put it in there. That...

(Alan): If I do comments, yes.

Jeff Neuman: So I do think I do want to explore your notions of the comment period doesn't work. I think it comes up in other comments that we've gotten and certainly an area that we do need to discuss, probably not on this call today except to the extent that it relates to keeping this comment period open.

But please remember those and submit those. Even if it's after this call, submit it in an email quickly so we make sure it stays on our radar.

(Alan): Yes.

Jeff Neuman: James?

James Bladel: Hi Jeff. James speaking, and I think this is absolutely the right move to leave the comment period open without necessarily formally extending it.

I'm a participant in several working groups. We're all struggling with this problem of getting some form of community feedback.

I think that a lot of them are discussing extensions. But I agree with you that ICANN is a very deadline oriented community and that extensions just essentially don't solve the problem, especially when all the contending comments are asking for similar extensions. It just kind of moves the problem down the calendar a little bit.

And I just want to back up what (Tom) is saying as far as, you know, this is - made an example for our work in that community input is important.

You know, this issue and some of the others we're working on are very important. We're just not able to get the kind of feedback that would really help to inform our work.

I think that there's a lot of interesting and creative ideas out there that we could be capturing in our final report such as survey tools that maybe are ten

or 15 minute time commitments for - that provide some feedback as opposed to having folks draft free-form comments.

You know, and all those things I think should be allowable and included in our final report just to kind of help encourage additional participation because right now there's a real dearth of it.

Jeff Neuman: So what if we, and trying to take kind of the hybrid approach, what if we extended the deadline or - sorry, sorry, did the announcement that we were extending the time period to submit comments and then just basically have a statement in there saying, you know, it's going to be - oh what is it that was in some other comment period, something like it'll have - and this is probably not the - anywhere near the wording that was used.

But essentially it was, you know, getting your comments in prior to a certain date has the best chance of being considered or will be the most helpful. I forgot how it's been worded in the past. I just botched it incredibly.

But, you know, something like your comments will be most helpful if submitted by, you know, maybe setting like an August 31 date or something like that.

(Alan)?

(Alan): Yes, I support something like that. We're going to be at this for a good number of months forward. And I would hate to have the perception that if you missed the deadline, a good idea or pointing out some real major problem with what we're talking about is not going to be submitted.

Now how - exactly how we do it I'm not sure. But...

Jeff Neuman: Well I think if we...

(Alan): ...I wouldn't like to close the door completely if we have that option.

Jeff Neuman: Well, you know, and I think you're right about us being - we'll be at this for a while. And I also, you know, I think that most people in the community, if the comment board is closed, I'm sure they will find another avenue to get it in either through someone who's participating on the team, you know, to the workgroup.

But again, you know, August 31 comes and goes, we can have this conversation again. But just putting out so do what Avri said as far as publicly announcing that we are accepting comments, we're still accepting comments, the comment period is not closed and your comments will be most helpful to the group if received by August 31.

In the meantime we'll work on the comments that we have. But something like that where it's kind of almost a hybrid approach. We're not saying we're definitely not going to accept comments after that date. We're just saying it's going to be most helpful if we get it by that date.

(Alan): Yes, we still do have to do a summary of them at some point. There's an obligation to do that.

Jeff Neuman: Right...

(Alan): Even if we don't - even if we keep on looking at any ones that come in afterwards, we still have to go through that process.

Jeff Neuman: Right, I think that is right. Avri?

Avri Doria: Yes, I tend to agree with the approach. I think come August 1, 31st, if we still think it needs to remain open I'll probably make the, you know, the same point I made this time that if we don't - if we aren't public about what we're



doing, then we're just leaving it open for ourselves and our friend or at least we're subject to accusations of that.

I'd like to ask a question on the staff side. Have people already started doing the summary? I know that there's some standard process and method and person that starts, you know, doing all the work, the summary.

Has that already started on these or is that something that's still pending? Because I mean (Alan)'s right that at - from the end of the comment period to - is - I mean it's an opaque process to me.

But I assume that that acts as a, you know, enabler or a starting thing to start the next process and comment which is the summary that the staff does. And then having the summary pretty much formalizes our added comments to the summary.

Of course we don't have to wait for that and most groups don't anymore. But I'm wondering if that summary process has already started at this point?

Jeff Neuman: So Avri that - Avri has jumped ahead to the next item on the agenda.

Avri Doria: I'm sorry, I should have read the agenda better.

Jeff Neuman: No, that's all right. I think we will get to that. Before - but just before we get to that, let me just see if - does anyone disagree with the approach that we discussed and then Avri has agreed with as well?

If not, then if I could ask Liz to help me in drafting that announcement and maybe sending it around to the group.

And if we can use - just borrow some language from -- I can't remember what it was. It might have even been, the first time I remember seeing it was -- and I know this is a bad example so let's not talk about the example - but the first

time I remember seeing it was when the IRT report came out and they said there was a closing date for comments but it's most helpful if we had comments by this date, sort of some language like, sort of lose language like that basically saying it'll be most helpful if we get - we're leaving the comment period open, but it would be most helpful if we get comments in by whatever the last day of August is, the 31st, yes.

Liz, does that sound like something?

Liz Gasster: Yes, so Jeff it's Liz. I think I can certainly draft an announcement to extend it for the group's review -- no problem there.

I do have a question about what you would want to say -- and I don't know how big the field is -- when if you look at the comment page, the public comment page on the site...

Jeff Neuman: Right.

Liz Gasster: ...you know, there- typically so it'll say extended to - like right now it, you know, if you look at the PDP it'll say just extended to August 10.

Would you - optimally it sounds like what people would prefer is for that language to say something like extended or, you know, comments preferred by or extended period, comments preferred by August 31 which is a little different from what we have in all the other comment periods.

And I have to make sure that they can do that, you know, that it fits in their scheme. So does that sound right...

Jeff Neuman: Right.

- Liz Gasster: ...if I simply - if internally they can do it to say extended period, comments preferred by August 31 instead of just saying extended to August 31 which I think is too finite for what you optimally want?
- Jeff Neuman: I think that sounds right. I think that sounds in line with what we've discussed. Does anyone disagree with that?
- (Alan): No, I don't disagree, but if you note the accountability and transparency review, feedback is an open ended one. So it would sound like there's pretty flexible capability. It has not closing date at all.
- Liz Gasster: Oh yes, none.
- Jeff Neuman: Yes. But if we could fit that in there, those words preferred by, I would like that personally so it does actually give some sense of urgency I guess to get comments in.
- Liz Gasster: It would be consistent. Say at a glance view would be consistent with what's actually in the text.
- Jeff Neuman: Right.
- Liz Gasster: So I'll try to do that.
- Jeff Neuman: Okay great. And then - so then we'll get that up. And now to Avri's last question which is talking about the comments to date and the summaries, so I will - you know, I think as (Alan) has said on his - on the Chat, you know, I think Marika and Margie have been on vacation. Liz is nice enough to cover for us.
- I'm not sure there's been a summary - or Liz, how does that process work within ICANN as far as doing a summary of the comments?

Liz Gasster: Right. So we try to do the summary very quickly, particularly in the policy group. I know that there are some public comment forums open or that were closed where the comments haven't - or the summary hasn't been posted for quite a while. But typically in the policy group we work hard to try to get them done really quickly.

In this case because Marika's on vacation and it would be her that does it, she won't do it till she gets back, but I suspect she would typically do it right when she got back.

So no work has been done already which is the good news I guess in this case.

Jeff Neuman: Okay. And I think, you know, so the comments we've gotten to date, we've gotten, like I said, we got them from the INTA, got the International Trademark Association, the ALAC and we've gotten it from the Registrar Stakeholder Group.

I think the ALAC one said that even though we've gotten the statement they still have to go through their formal consultation process within ALAC. So it's possible that they may amend it or just approve it.

(Alan): I don't think we said that. I thought we approved it. But maybe I forgot. Hold on, let me check.

Jeff Neuman: All right, it could be. And maybe I misread. Let me - I'm going to go back and check too. Maybe I just misread it. It said something at the end of on July 29 it send the statement to the public consultation process.

Oh was that sending it to us?

(Alan): Yes.

Jeff Neuman: Oh okay, sorry. I read that statement as a different consultation process.  
Never mind.

(Alan): Okay.

Jeff Neuman: I withdraw that comment. I somehow read that thinking that there was a separate ALAC public consultation process.

(Alan): No, no, it would have been nice if it was a more detailed one but it wasn't.  
And that's not like we...

Jeff Neuman: Okay.

(Alan): And a formal ALAC one is not likely to be any more detailed.

Jeff Neuman: Okay. So but there was some helpful comments in there on some areas that were good. And I think - and then we have a comment from the INTA which is really detailed and very helpful.

Again, I'm not commenting on the substance but more, you know, the amount of things they've commented on and the thought and - that went into it I think is very good for this group that we'll be discussing.

And the registrar submitted a very detailed statement as well on a number of different areas that will be very helpful for us to examine.

I know the registries are going to have a similarly detailed one that should be coming within the next week.

Does anybody know - although I guess nobody really from these groups know about - are on the other groups, but does anyone know - and maybe Liz and we can send a - I'll send out a note, an email to the groups asking if they

know if their constituency or stakeholder groups are working on a statement, you know, the ISPs, the BC, even the IPC. Because the INTA is not the IPC.

So I'll send out a - in the non-commercials as well. Avri do you know...

Avri Doria: Yes, I can speak for that one. I'm just checking now. I think it's one that we do have someone signed up to do the work. But I think it hasn't happened yet.

So I'm - I - when I was speaking of those who would have seen the deadline pass and oh well, we missed that one that that may well have been something that would have worked for the NCSG. Of course I would have personally known, but that wouldn't have made a difference.

So yes, I don't think it - I don't know what degree of work has gone into it, but I do think I have someone signed up to do it, to do the first draft of it so...

Jeff Neuman: Okay good. And so hopefully that you all can - you could convince the NCSG to hopefully get it done by the 31st. That would be great.

Avri Doria: Yes, I pull teeth really well.

Jeff Neuman: Yes I bet you do. Okay, and does anybody here know about any other group? You know, I haven't heard anything from the IPC the BC or the ISTs.

And okay, so we'll - I'll send out a note asking them. Liz, Avri had sent in a comment from some observations from the Vertical Integration working group. That's not - even though it wasn't submitted to the public comment board can we include that in the list of public comments that was received and make sure we summarize that one as well?

Liz Gasster: Sure. Do you want to forward it to the open comments?

Jeff Neuman: Avri...

Liz Gasster: (Period)?

Avri Doria: Yes. I mean I guess before I do that I'd have to look at it and make sure that it's appropriate as a comment as opposed to just an email being forwarded from another group. So I'd have to probably rework it to send it in as a comment. But yes, I'll look at doing it.

And it's - as it stands now it was - you know, I sent an email to the VI working group and within in was something that Jeff said oh, you should forward that on to the group. So I did.

But it wasn't necessarily phrased, you know, in relation to the PDP document that - I mean of the document that we have in front of us as a public comment. So I'd have to spend some time reworking it before I sent it in as a personal comment.

And of course, if I wanted to add it and get it to be an NCSG comment that would take even longer. But yes, I can look at doing it.

Jeff Neuman: Yes if you could. I just want to make sure we don't lose it.

Avri Doria: Well that's why I forwarded the email. But if we're not going to consider it a comment without me having follow the proper yellow brick road then, you know, I'll try to fit it in.

Jeff Neuman: Yes, it's not that we won't consider it. I - like I said, I'm afraid of losing it. So (Alan), you have a comment?

(Alan): Yes, just that if it has some grain of something important in it, I would at the very least just forward it and say it has been suggested that this may be relevant to the PDP process if you want it - if we want it summarized.

I don't think it can be added to the summary in a transparent way if it's not in the public comments.

Avri Doria: Understand.

(Alan): So I think it's one or the other. But I don't remember what the issue was, but, you know, I would think you could forward it to me.

Avri Doria: You still have to do it with minority reports and some people having a very negative view of minority reports and...

(Alan): Yes, okay.

Avri Doria: ...making statements like I don't want to hear any more minority reports...

(Alan): Yes.

Avri Doria: ...and I don't want to hear people speaking of minority reports.

(Alan): I would...

Avri Doria: Do you remember that (unintelligible)?

(Alan): I would - yes I do. I would forward it as is and simply say that it's been pointed out this may be relevant to the PDP review.

Avri Doria: Okay.

(Alan): And then save yourself time and the idea gets captured and can be mentioned.

Avri Doria: Okay.



Jeff Neuman: Thank you Avri. Thank you (Alan). Yes, again, I think I would make sure that we cover it and it doesn't get lost in all the other issues that come out.

We also have in front of us the - or off on the screen right now, Marika did a summary of the comments, the main, the big comments we got in the Brussels workshop which I think actually went well.

We had - we did have - I know there were some conflicting meetings that were going on at the same time.

But, you know, I was happy with the attendance we got. I thought it was going to be a lot less. And so, you know, I was happy with that. And we did have some good discussion back and forth with some people that were gracious enough to come up to the mic and share some of their thoughts a couple of which were actually completely new players that I've never seen before making comments either on how other organizations work or just as an outsider's view of what's going on which I thought was really helpful.

You know, it's definitely helpful obviously to get opinions from people who have been part of this for years. But an outsider's perspective on what's going on, even if not completely, I don't want to say not relevant because they were very relevant, but even if not completely on point with the way things work in the ICANN world, certainly are very helpful for us to hear and to consider. So I did appreciate that.

There was a gentlemen, I remember his first name was (Bill) and I want to say he was from - I can't remember now where he was from...

Liz Gasster: From PayPal? Was he PayPal? It's Liz.

Jeff Neuman: Yes that might be right, yes, who made a bunch of comments that were very insightful. And I've got to check with Marika. We were trying to get him to join

the group or to submit comments because it was just - we had a very good dialogue with him during that meeting. So...

Liz Gasster: I think it's (Bill Smith) is his name just...

Jeff Neuman: Okay, that could very well be. That's probably right. That sounds right. I remember it was something pretty - it was pretty generic like that, so yes.

So I've got to find out if we've actually reached out to him since. Although when I mentioned to him afterwards if he wanted to participate more he kind of turned a little white and said I'm not sure I have time for that.

So if you seen a point that were raised we don't necessarily have to go through them. Marika had posted it. And I want to make sure that those get captured as well. And those will be - this will be in the summary report of comments that when we talk about some substance these will be included in there. Because I think these came out.

Any questions on the comments we've received to date?

Okay so Number 3 I guess we already started, you know, the action items. The first one obviously is to get a summary of the comments that we've received.

And then what I'd also like to do and get ICANN's help on, ICANN staff's help on is to not only do the summary of comments, but also I'd like to know if we can go through the report and basically say okay, these are all the issues, the open issues even without considering the comments.

So these are all the open issues and then we can compare okay, we've gotten comments on these open issues but no comments on these other open issues.

And then we need to basically get into a substantive discussion within the group on the open issues, the comments we've received and also on a separate track, even if we thought issues were closed and not necessarily open but they're addressed in the comments, we need to also discuss those.

So just to kind of recap the way I kind of see it, we need a summary of the comments we received, a list of the action items or I'm sorry, the open items in the report.

Then we'll need to do two things. One, we'll need to go over the comments that relate to the open issues and have substantive discussions on those. And then we'll also need to go over the comments received to the other issues which weren't left open-ended by the report but were issues in which we had gotten comments on.

Hopefully that's not too confusing.

(Alan): Jeff, in terms of timeframe are - we're now talking about doing all this post August 31?

Jeff Neuman: Well I'd actually like to start doing it before then with updates to come in after August 31.

(Alan): But that implies...

Jeff Neuman: So...

(Alan): ...you do want the staff summary or we're just going to merge them ourselves in our minds?

Jeff Neuman: Well to the extent that, you know, there's not that many comments out there right now.

(Alan): No.

Jeff Neuman: So to the extent that we could do a summary of comments received to date, I think that'll be helpful.

And obviously someone could go through now, at this point in time, go through the report and say okay, these are the issues that we specifically left open that we know we need to discuss. And so I think we can get some of those documents and things started now without necessarily waiting till September to start doing.

(Alan): Okay but Marika's not back till the 11th if I remember correctly, so it won't be for next week?

Jeff Neuman: Yes, so well that's another item. I was thinking about making and throwing it out to the group as far as making the next call being two week as opposed to next Thursday which I don't think I'll hear too much opposition from I would assume.

Anyone oppose that, making the next call on the 19th as opposed to doing this next week?

Avri Doria: No, not - I thought you planned to use the time for something else anyway.

Jeff Neuman: Right, exactly. So I'll have to schedule another call that has to do at that time.

But okay, so the next call we'll have is on the 19th going back hopefully by then - and Liz tell me if I - if you think I'm asking for too much.

If within those two weeks if we can go through the report and pull out what are all the open issues and to summarize - and the second thing is to summarize the comments we've gotten to date, does that sound sort of realistic or do you think we will have that done by two weeks from now?

Liz Gasster: I think it sounds realistic. I want to confirm with Marika when she gets back and I'll make sure she confirms with you. But I think it's realistic.

Jeff Neuman: Okay. So that's what I see going forward in the immediate future. And also by the next call, the next - the other action item Marika, is to update our timeline chart to go over with the group and to see what realistically we can get done before Cartagena, what will have to wait till afterwards.

And if we want to do something in Cartagena we'll have to figure that out as well.

So anybody else see any other action items that they think we need to plan to go forward?

Okay so I think that's - unless anybody's got anything else to add, I know this has been a short call. I appreciate everyone for coming on and I know it's - August is going to be a month where we're probably going to have light attendance just due to vacations and things.

So I appreciate everyone making the time to join.

(Alan): Thanks for giving the extra hour back.

Jeff Neuman: Thank you also. And...

(Alan): Have a good rest of the next couple weeks of summer to all.

Jeff Neuman: Okay, thank you everyone.

Avri Doria: Thank you everyone. Bye-bye.

Man: Bye-bye.

Jeff Neuman: And...

END