**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)
Work Team (WT)
TRANSCRIPTION
Thursday 25 August 2011 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 25 August 2011, 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-20110825-en.mp3

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Participants on the Call:
Paul Diaz - Registrar Stakeholder Group
David Maher - gTLD Registry Stakeholder Group
James Bladel – Registrar Stakeholder Group
Alan Greenberg – ALAC

ICANN Staff:
Marika Konings
Margie Milam
Glen de Saint Géry

Absent apologies:
Jeff Neuman - Registry Stakeholder Group - Work Team Chair
Alex Gakuru - Non Commercial Stakeholder Group
Avri Doria - Non Commercial Stakeholder Group

Coordinator: Please go ahead. The call is now being recorded.

Glen DeSaintgery: Thank you very much. Good morning, good afternoon everyone. This is the PDP call on the 25th of August.

And on the call we have David Maher, James Bladel, Paul Diaz and Alan Greenberg. And from Staff we have Marika Konings, Margie Milam and myself, Glen DeSaintgery. We have apologies from Alex Gakuru. And as far as I know, no other apologies.

May I remind you please to say your name before you speak for transcription purposes? Thank you very much. And I believe it's over to you today James in the absence of Jeff.

James Bladel: Thank you Glen and good morning everyone. And I guess we should probably add Jeff to the implied if not explicit apologies.

Glen DeSaintgery: Thank you.

James Bladel: And Jeff, as we were discussing, Jeff is ill and asked me to cover for him with the understanding that he would be back in the saddle this time next week. And so welcome to the - I guess the reboot or the reconvening of the PDP Working Group.

And my understanding, and please Marika or Margie, correct me if I'm wrong, my understanding is that we are tasked to go through the public comments received in the recently closed comment period and determine if these are sufficiently novel and sufficiently substantive that we need to go back and take a look at our recommendations in our report, otherwise we should probably just say why we feel that they are already adequately covered.

Am I understanding our tasks correctly Marika?

Marika Konings: Yes. That's correct. This is Marika.

James Bladel: Okay, so...

Alan Greenberg: It's Alan. Although since Council has sent it back to us, I think we would be ill advised to say nah.

James Bladel: Okay. Understood. Right, Alan. So maybe can you give us a background on that? They sent that back to us with their specific or targeted areas that require additional work to satisfy the Council.

Alan Greenberg: Well the - you know, the comments came in, there were substantive ones and Jeff made the motion to go back to the group because he felt, and I think there was agreement with that that there were enough things that were non-distrivial that we really did need to review them. Specifically, there's a long list from the registries, but there are other ones, also, that, you know, couldn't just be ignored and say, nah, it's not important. Let's go ahead with it as is.

So I mean obviously we could look at them and say no, we don't think any changes are warranted, but given there was a pretty long laundry list and a 16-page review document, you know, tool that, you know, he thought and Council agreed that it warranted a review, so...

James Bladel: Okay. Well that's good. Thanks for the context. Because I think some of us saw the invitation for this group and kind of went what? So, yes, okay. That makes sense.

Marika Konings: This is Marika. If I can add, as well, just to clarify, as well, the Council itself didn't look in detail at the comments or they didn't discuss them. I did provide the summary of the comments and it was shared on the Council list, but on the discussion that the Council had on referring the comments back, there was no further feedback from the Council saying, well, these we think are really important, these are less important.

It's just we've seen that there are substantive comments and Jeff is recommending that these go back so we agree. And, you know, we hope that the work team comes back with, indeed, a revised report or indeed responses as to, you know, how the comments were considered.

James Bladel: Okay. Okay, thanks Marika.

So the question I think to the group before we dive in is would it be worthwhile to establish what - before we dive into the individual comments we could establish at the outset what it is that we want to examine and what the criteria are for taking a comment and whether it's a small change, medium change or a substantial change and do we want to, you know, make a distinction between those different types of comments received and perhaps start a list of the large changes that will have to be readdressed.

Or do we think that this group is - I was going to say do we think this group is too small to do that, but I think that we're kind of stuck with the group that we have. We've got four people on the call. We should go forward.

So what are the thinking - it looks like Paul is - I think that's the new checkmark, the thumbs up.

Alan Greenberg: Yes, and Alan.

David Maher: This is David. I agree.

Alan Greenberg: I don't - it's Alan. I don't disagree but I'm not sure there are an awful lot of the comments which are really substantive, so I'm not sure it's worth going through the exercise for it.

James Bladel: Okay.

Alan Greenberg: I may be wrong, but as I - you know, in trying to think back, you know, in most of the items that I made comments on and I stopped at the end because I ran out of time, but most of them, they weren't all that hard to think about. You know, I don't think they were really wide sweeping comments.

And Marika has looked at them in far more depth than I have, so maybe she can dispute what I'm saying, but - or agree. But I don't think - I'm not sure it's worth the exercise of what you're described because I don't think they vary all that much.

James Bladel: Okay. All right. Well I just wanted to make sure that we were treating them consistently so when Jeff comes back next week and we start the list somewhere in the middle that we're applying the same yardstick to the early ones that we do the late ones.

Marika? Go ahead.

Marika Konings: Yes, this is Marika. I think I agree with Alan. I think, you know, some of them are saying the same thing or, you know, our issues that have been discussed. But I think on a broader note, as well, even with few people on the call, I think we can make a call on the mailing list saying, look, we've started reviewing these comments and, you know, Alan has already shared his views on some of them.

Following this call I will update, as well, a document including the notes from our discussion and basically encourage everyone to, you know, either add or comment if they don't agree what, you know, this group has put as a response or possible action as a result of those comments.

So we make sure that even though people are not on the call, they have an opportunity and are aware that, you know, what the group's position is on these items so we can move forward.

Because I think, yes, this group has struggled with, you know, low attendance from time to time, so - and noting, as well, that we do have relatively limited time between now and, you know, the next Council meeting and the Dakar meeting where, you know, hopefully we'll be able to deliver either an updated report or a response to these comments.

James Bladel: Okay. Sounds good. Well it sounds like then the consensus is that we dive in and take a look and judge each one accordingly.

So shall we start?

Alan Greenberg: Please.

James Bladel: Okay. So these are the comments -- we're beginning on Page 1 -- that you can see on the Adobe Room there and the working group response currently appears to be populated by responses that Alan sent to the list earlier.

So Marika, if I could ask you, perhaps you could read the comments and then we can discuss as a group?

Marika Konings: This is Marika. Yes, that's fine, as long as I don't get too much drilling going on here, so if you don't hear me anymore, just let me know. Maybe someone else can take over.

So the first comment is from the Registry Stakeholder Group and they suggest that term GNSO is to replace by either Council or - no, that GNSO should be used instead of Council or GNSO Council to reflect that it's the GNSO community as a whole that develops policy.

James Bladel: Okay. And we see Alan's response there, as well. Alan, anything to add to that or just...

Alan Greenberg: No. I...

James Bladel: or do we agree?

Alan Greenberg: ...don't think we need a global change because there are things that are Council's responsibility, but, you know, I can't disagree with the intent.

James Bladel: Right. So it seems like it's a request to clarify when we're speaking - make a distinction when we're speaking of the community versus the managing body. And I think that that's fine.

Is there, you know - is there any objection or concern about doing that?

Alan Greenberg: It's Alan. I think it's something that I think Marika can make a stab at, but I suspect there are going to be things where she's going to come back to us and say is this Council or is this GNSO.

James Bladel: Right. I think - so the approach would be something like do a search for the term and then, you know, compile a list of those that are in any way ambiguous. I mean obviously if we say something like voting of the GNSO, we don't mean that the community if voting.

Alan Greenberg: Right.

James Bladel: Or there should be some contextual clues. But any other thoughts on that David? This is your group. It looks like we're getting a thumbs up from Paul.

David Maher: Yes, thumbs up for me, also.

James Bladel: Okay. And Marika, does that sound like a reasonable approach?

Marika Konings: Yes, this is Marika. That sounds fine.

James Bladel: Okay. All right. So let's move on.

Marika Konings: So the next one is another comment from the Registry Stakeholder Group and think relatively straight forward, as well, to make a consistent use of either percentage or fraction. And I don't know if there is a preference. I mean Alan has a preference but I don't know if others agree with Alan's position.

James Bladel: It looks like we have a little queue going here, so Alan, go ahead.

Alan Greenberg: Yes. I'll just note that I gave a preference but in looking through the bylaws, it's a real mixed bag. ICANN has not been consistent on this and, you know, sometimes it uses 2/3 - ccNSO tends to be consistent on 2/3 and on 33 and 66, Board - things that relate to the Board, other than PDP, I believe are generally 1/3 but I'm not sure they all are.

So ICANN in general has not been particular consistent. I have a small preference saying if 1/3 or 2/3 is a critical thing, rounding it doesn't make a lot of sense and doesn't make the calculation any easier.

So, you know, my inclination is to stay with the fraction. But it's not a big issue and ICANN isn't consistent.

James Bladel: Okay. Thanks Alan. And I'll put my two cents in. I actually prefer the fractions than the percentage. Thirty-three percent is not a 1/3, and that's my old math background screaming at me there, but it also makes a little bit more sense when you're counting people to perhaps use fractions as opposed to percentages. So that would be my preference. But, you know, look forward to any feedback from David or Paul.

I don't know, David, how strongly was this voiced on the stakeholder group?

David Maher: Well I think consistency is the main issue. And I don't have strong feelings. I also agree that 1/3 is probably clearer.

James Bladel: Okay. Alan, you're back in the queue?

Alan Greenberg: Yes. It strikes me as we're having this conversation that I may be inclined to change my opinion because any given vote is never likely to come out at 33% or 66% but could well come out as a 1/3 or 2/3.

James Bladel: Right, exactly.

((Crosstalk))

Alan Greenberg: Right on the boundary and, you know, typically the word says must be more than or something like that, but, you know, hitting the boundary in the vote is not as pleasing as being clearly on one side or the other, even if the wording is specific that it's 2/3 or more or 1/3 or less or whatever.

So from that point of view of never likely to hit the exact percentage, maybe 33% and 66% are better choices. Aesthetically, however, I like the fraction better.

James Bladel: Yes. Yes, I agree. Okay, so I think what I'm hearing from this group is that the, you know - where our preference is no preference or fraction and David's concern, especially from the registries, is that whatever we choose, we use it and apply consistently throughout the report.

Alan Greenberg: I think we should note what I just said, though, that the disadvantage of fractions is you'll occasionally hit the exact number. Not a big disadvantage, but it's something to note. I hadn't thought of it when I made my original comment.

James Bladel: Okay. And I don't know if there's any other strong opinions on this one, so we can move to the next one.

Marika Konings: This is in regard an action also from the Registry Stakeholder Group and they're advocating sufficient flexibility to allow for a bottom up vetting of issues and they therefore recommend that the following guidelines are followed, and the first one is there should be at least 30 days for consideration of a motion that is made on the report if such report differs significantly from a previous published version of the same report.

And the second one is all time related requirements in a new PDP should allow for exceptions to provide flexibility for special circumstances.

James Bladel: Alan, you want to take us through your comments? Thank you, Marika.

Alan Greenberg: I said I agree, although I note the registry has mentioned a good number of times and 7 days and whatever is not enough. There should be 30 days and when it came up later in reference in the ability to defer the discussion until the next meeting, I commented that setting it at 30 days and then having the ability to defer is starting to get a bit much.

And I hadn't thought of that when I responded to this one, but I think that requires just some thought of are we opening it up to too much delay if we say in a report there's always a minimum of 30 days and then we allow deferring on top of that.

I see Marika has her hand up.

Marika Konings: Yes, this is Marika. I have some concerns in relation to, you know, calling it guidelines and also looking at what the current rules are under the operating procedures where it is. You know, a motion needs to be submitted 8 days in advance. There's no requirement to have at least 30 days.

Also the notion of if such report differs significantly from a previous published version, you know, who makes that determination of whether it's significantly different.

And also what Alan just said, if you already have, indeed, 30 days and a deferral, it adds a lot of time. I do understand the need, of course, for, you know, stakeholder groups and constituencies to have sufficient time to review motions and discuss motions and I think something that we've been trying to do is, you know, get motions out for discussion before they're actually formally made so that hopefully already gives additional time.

So I'm just - you know, I agree with the sentiment, but I'm just wondering how this practice could either be written in or, you know, adhered to without creating significant delay at various stages or debate on, you know, didn't we already delay it once and, you know,

when does the 30 day start ticking, you know, what changes have been made to the report.

So those are some of the questions I would have.

James Bladel: Thanks Marika. And I put myself in the queue, as well. I think that this is an area that we spend a lot of time on; the concept of timelines and the balance between the point of keeping things flexible and make sure folks had enough time to review all the materials that were being generated. And ICANN is nothing, if not an organization for creating a lot of homework.

But on the other hand, we were very mindful that the timelines were there to - or needed to be strengthened somewhat to ensure that certain issues just didn't remain open-ended or on the backburner indefinitely, or, and I think this is to Alan's concern -- not the concern that was on the page but the concern that you voiced this morning, that these things could be of use or perhaps, you know, not maliciously of use but more just through inaction, these things could drag out into extended periods of time.

So I would tend to think that, you know, I would prefer to see us respond to this comment with something along the lines of justification of why we felt that the timelines proposed were adequate.

And rather than, as Marika - as you touched on, rather than trying to set a threshold for what constitutes of a substantially different report or a special circumstance or something like that.

At least that's - just shooting from the hip, that's kind of where I come down on this one. It would be interesting to hear David and Paul, just because we're still in David's stakeholder group here and we want to make sure we're capturing the concern correctly.

David Maher: This is David. I don't disagree with what you said. I know this generally kind of comment is really more a suggestion than a concrete proposal for a revision.

If you - in other words, I'm endorsing your proposal.

James Bladel: Okay. Okay, thanks. Paul and Marika?

Paul Diaz: Thanks James. This is Paul. I'll agree with what you're suggesting, as well, and if we're going to make a specific clarification or a response to this one, let's also include what Alan's posted, as well, that, you know, the working group is also conceived to this as it can allow for less time. You know, this does go both ways if there's a particular situation.

If we're going to make a statement, we should make that one, as well, because I agree with that point.

James Bladel: Okay. So I want to make sure that I forgot it's something else on the record...

Alan Greenberg: Yes, it's Alan. I'll note the two bullets in that one section are really two different things and maybe we should consider them separately.

James Bladel: I agree with you Alan, they are two different things, but I think that the answer to both of them is the same.

But - let's go to Marika.

Marika Konings: Yes, this is Marika. I was just, you know, writing some notes for the responses and I think in the response we can maybe refer, as well, to the flexibility that already exists with the deferral which now is going to be, you know, written in the new PDP where deferral can be requested which I think already gives per definition basically, you know, 30 days, as we're now meeting once a month.

And maybe, you know, something to what we could encourage and I don't know where the appropriate place is in the document, but a need to encourage the practice of socializing motions or shared motions before they are actually formally made so that there can already be a discussion within its stakeholder group or a constituency on the motion or share an element thereof and that might also give an indication, indeed, if there are, you know, major changes in a report that those are highlighted.

So there might be something to incorporate in the response to this specific comment.

James Bladel: Okay, so let me see if I've got my arms around that. We're talking about pointing to in addition to just fine what we've already chosen, we're pointing to other areas that were already established for flexibility and then encouraging the socialization - probably should find a better word than that, but encouraging the publication of motions before they're actually raised on the Council.

Does that capture everything you said Marika?

Marika Konings: Yes, I think so.

James Bladel: Okay. Alan, you're up.

Alan Greenberg: Yes, I think I'm going to say something very similar to what Marika said but with different words. The first bullet has an interesting caveat in it is saying if the report is substantially different, if you take a report where the previous time it was looked it nobody had any comments on it in a comment period and the final report comes out as being substantially the same or identical, perhaps, the stakeholder group should already at this point have already looked at it and decided there's nothing worth commenting on.

So it really comes down to Council being reasonable whether it's by socializing the motion ahead of time or Council saying hey, this is a big enough report, big enough change that the stakeholder groups need more time and we won't bring a motion to the table formally until they've had a reasonable time to do it.

So again, I think the answer is a suggestion to Council to be reasonable and Marika gave one of the ways of doing it there, perhaps others and not necessarily writing it into the guidelines.

You know, Council should not be bringing something that requires a stakeholder group decision where it's based on things that have not been discussed on short notice. So there shouldn't be this need for as many deferrals as we have these days where virtually everything gets deferred.

I'm not sure if that's being rambling or if that's clear what I was saying. Is anyone still here?

David Maher: Well...

James Bladel: I'm sorry. I'm sorry, I was on mute.

David Maher: I think we have a proposal that was - sounded to me like a good one.

Alan Greenberg: Yes. Yes, I was just suggesting that we include in the proposal that Council should factor in how much the report has changed since the last review in deciding when to put the motion on.

David Maher: That's fine by me.

Alan Greenberg: Yes.

James Bladel: Fine by me and thumbs up from Paul.

Okay. Let's move on to the next one.

Marika Konings: This is Marika. The next one is from INTA and they suggested that when draft graphics are developed they should be made public for public - they should be made available for public comment before they're actually finalized.

James Bladel: I admit I'm stumped. What's draft graphics?

Marika Konings: We talked about graphics that would depict the PDP process and I think they initially requested that that should already be included in this

report but I think our response was that while, you know, there might still be changes between here and when the Board approves it so it doesn't make much sense to already now, you know, get a graphics person to design something if then we have to make changes.

So I think they're basically requesting, okay, but once these are developed before they're actually finalized, we would like to have the opportunity to comment on those.

James Bladel: I don't know where to go with this. I guess yes. Are we doing graphics?

David Maher: This is David.

James Bladel: Paul, go ahead.

Paul Diaz: James, this is Paul. You asked me question. Marika, have we turned to anybody to help develop graphics at this point, I mean, given that we're in kind of the final stages of this report or is this something that still needs to be done?

Marika Konings: Right. I mean basically what I think we said and we discussed, we have the basic graphics that I develop, the very, you know, very basic flowchart, but I think the idea was and the request was that, you know, we should have something more professional or clearer with different steps once this process is finalized.

But I think from our perspective, you know, we think it's better once the Board approves it, at that stage to say, okay, now we know what the final product is and then give it to someone to say, okay, you know, can you, you know, develop this into something that's understandable,

clear and will help, you know, the community understand the process and the different steps and stages that are involved in a PDP.

James Bladel: Alan is next in the queue, but can we jump out to Margie?

Alan Greenberg: I wonder if - I have two parts. First is just a question. Are these graphics going to be part of the manual or is it some other document we're talking about?

Marika Konings: This is Marika. I think the idea would be to make it part of the manual or maybe as a standalone that accompanies the manual for people saying look the manual is the real guide but this is an easy way for you to see, you know, what is involved. So it's more a tool as such, but I don't know. Margie might have a specific view whether it should go in or shouldn't go in, but we haven't really gone in that much detail yet.

Margie Milam: Yes, this is Margie, if I can comment. I had the reaction that James had. I'm not sure what to do with this comment. I think maybe we could perhaps suggest and note that, you know, Staff will take it on to prepare graphics once the whole process is finalized because, you know, I think Marika is right. There's no point in dedicating any kind of, you know, attention to graphics until we know what the process is - you know, how it's finalized.

And if you think ahead as to how this would be finalized, once it gets past the GNSO Council, it's going to go up to the Board. The Board is probably going to, you know, post something for public comment, you know, and we could certainly do something then or even after the Board votes.

But, I mean I think the idea of a graphic is a good idea once the process is finalized. And, you know, I don't see why we just can't make a note that, you know, Staff will, you know, consider putting it for public comment when, you know, the time is right or appropriate.

James Bladel: Sounds good to me. Alan, is that an old hand or...

Alan Greenberg: No - well it's the old hand for the part that I haven't talked about yet.

James Bladel: Okay.

Alan Greenberg: It strikes me that putting a set of graphics out for public comment is about as ridiculous as it can get within ICANN. You know any graphics that are developed will certainly be available for community comment, whether it's the formal public comment period. On the other hand, if it's part of the finalized PDP manual, I presume that will go out for public comment before it's adopted, you know, assuming it's substantively different from what we're talking about in the body of the report today.

So, you know, I think the answer is, you know, graphics that are developed will be available for community comment or community review before formalization. You know, whether we want to commit to a public comment period or not, I think is a little bit of overkill. Thank you.

James Bladel: Okay, thanks Alan. David?

David Maher: I agree with Alan. This set at the very most would merit some kind of a footnote that if appropriate, graphics would be included in a report, but even that is probably not necessary.

James Bladel: Okay. Thanks David. I think we're kind of all coming down to the same place.

I have a quick question, if we go before Marika, and it's just for my clarification of context here. Are we saying or - it's interesting that they want the graphics and diagrams from this group to go out the public comments or are they saying that this group should require PDP working groups to put graphics out for public comment?

So I don't want to get to meta here, but I'm trying to figure out which one we're talking about.

Marika Konings: This is Marika. I don't have the comment in front of me, but I do recall that it relates specifically to where we talk about the graphics because I think they made the request already and I think on the proposed final report saying that, you know, they would like to see the graphics and I think we responded saying well, you know, the graphics will come at the end of the process.

I don't think they were supposed to comment relating to PDP work team or, you know, when they have graphics that they should put them out for public comment. I don't think that it went into that much detail.

But I think Paul made a very good point in the Chat and that might be something to clarify that indeed that the graphics are intended to, you know, describe the process, the approved process. It's not intended to be something new or adding steps.

So maybe if we add a clarification and indeed say that, you know, at the time Staff will, you know, develop these graphics and we'll also consider putting it out for public comment, but just to emphasize that these graphics are just to aid the community to understand. It's not - you know, the graphics are not like a step process that you have to follow and we suddenly add little things here and there that are, you know, not in the approved process.

So maybe that will help clarify things and make them less concerned about it.

James Bladel: Okay. So I think our response is - oh, I see Paul - I think the response we're sort of kind of gravitating around is that something along the lines of what David and Alan are saying with Paul's proviso there. And I'm fine with that.

Paul, your thoughts?

Paul Diaz: Yes, thanks James. Just to reiterate what Marika said, my strong suspicion is that INTA's concern in making a comment was that there would be little gotchas, little new things added and, you know, by just making it clear that it's merely descriptive based on the approved process, nothing more. And I think we can all move on.

James Bladel: Right. And I don't know how to document...

David Maher: Amen.

James Bladel: ...or a diagram binding anyway. It's a weird concept. Okay. I think we've got that one. Can we move to the next one?

Marika Konings: Yes, this is Marika. The next one is from the IPC. They first asked a question on whether the adoption of a new PDP procedure, will they actually increase or decrease the duration of the overall PDP and it knows that the work we may have overlooked opportunities for streamlining such as a separate drafting and voting process on a working group's charter.

James Bladel: I'm not sure that there is a yes or no answer to the first question. You know, I think that just my opinion here, I think that we added opportunities to make the PDP go faster but it's really up to the circumstances of the issue and the working group whether or not they're - those become - those are taken advantage of. I don't know.

And then Alan, you said something about is number two disallowed, you mean the separate drafting and voting process on a charter?

Alan Greenberg: Yes. They talk about doing things in parallel and I don't think we disallow that. I may be wrong. I didn't go back and reread the words. As far as I'm concerned, we didn't disallow it. It's allowed.

James Bladel: I don't think it's allowed or prescribed. I mean - or disallowed or prescribed. I mean it's just like - I'm not really sure...

Alan Greenberg: Yes, I'm not sure how you can parallelize drafting the charter and voting on it.

James Bladel: Yes.

Alan Greenberg: Clearly that's serialized, so I'm not quite sure they're talking about - what they're talking about but I don't think anywhere that we forbid parallelization of things or doing things, you know, by two different groups at the same time, but I may be missing some concept that they've caught onto.

James Bladel: Yes, I think maybe they are encouraging us to find ways to - they use the word streamline, so I wonder if the - if, you know, they're going back a little bit towards are lengthy and laborious discussions of the fast track kind of PDP concept, but Marika, help us. We're lost in the woods on this one.

Marika Konings: Yes, this is Marika. I'm just trying to think back and I do recall that we did have this discussion on, you know, having to vote and the drafting of the charter - oh, no I think it was the vote of the initiation of the PDP and the charter approval at the same time.

And I know I recall we had a lengthy discussion because I think Avri was advocating that that should be done at the same time, but I think everyone or others said, well, no, there should be flexibility. It can be done at the same time if indeed the charter is ready at the time of, you know, initiating a PDP, you know, why not, but it shouldn't be an obligation.

So I think this is an issue where, you know, we have discussed whether certain things should be done together, but I think the overall feeling of the working group was indeed to allow for flexibility, if indeed there is opportunity to do things in parallel or at the same time, working groups can go for it. If not, you know, they'll have to follow the different steps.

James Bladel: Okay. Let's go with Alan and then I put myself in the queue. Alan?

Alan Greenberg: Yes, I didn't go back and read it. My recollection of the discussion that Marika was talking about was on whether the Council has to draft the charter when approving the start of a PDP. And I think we ended up saying they could or we could give that as the first task to the PDP working group to come up with its charter and pass it back to Council for approval, I think.

And I think we decided to leave it either/or in which case I think that's still the same way we should be going.

If we ended up with something different, then maybe we need to rethink it.

James Bladel: Thanks Alan. Just putting on my, you know, red straw hat here is that I think that the answer to the first question is the new procedures do not structurally increase or decrease the duration of the overall PDP but it provides opportunities for streamlining and, you know, we with also with - you know, that we're encouraging working groups to parallelize those tasks where appropriate and whenever possible and just kind of leave it at that.

Alan Greenberg: Yes, we have added some periods like the comment period on the issue report.

James Bladel: But we took away...

Alan Greenberg: But we've also given opportunities for things to be done properly instead of just fast and some of those - because some of those things should ultimately speed up the process because we're doing things ahead of time.

James Bladel: Right, but I don't think we turned a - we didn't turn a 5K race into a 10K race. I think that we, you know, for the many things that we've added, we've also taken away things, as well.

Alan Greenberg: Yes.

James Bladel: So I think that on balance it should be roughly a push.

Alan Greenberg: Exactly.

James Bladel: Is that close enough to something that we can turn into a response Marika?

Marika Konings: Yes, I think so.

James Bladel: Okay. Let's move on here. What comments - or commitments -- sorry -- can ICANN make to fully staff and resource the improved policy development function noting that there are a number of actions in the new PDP that requires Staff involvement?

Are there any questions for us? Marika?

Marika Konings: Yes, this is Marika. I think Alan makes a very valid point there that if, you know, the Board approves a process, it means that they also support what is in there.

But, you know, looking at the overall, you know, different steps, I think as part of the previous point, I don't there's a significant change in the roll of Staff or the responsibilities of Staff with regard to a PDP, but maybe they've read something in there that, you know, I'm missing, but - so I think in general the Staff involvement and resources required are the same as currently is.

James Bladel: Okay. So the response at least at Staff perspective is that there's nothing in this PDP that you feel would dramatically increase involvement or headcount over the existing process.

Marika Konings: Correct.

Alan Greenberg: It's just that's - it's an interesting question, but I don't think it's one we can answer.

James Bladel: Right. Yes, it's not really our question. I don't know, what's the best way to say that? If we can say something like, you know, we're - the PDP group doesn't anticipate that this will be a significant additional burden on Staff but, you know, in that case, you know - I don't know how we can shoehorn Alan's comment in there without sounding sarcastic, but it's a good one.

Alan Greenberg: I think we could say we would hope that...

James Bladel: Yes.

Alan Greenberg: ...if something is approved by the Board, they will adequately fund this.

James Bladel: Yes, let's leave out the sham part.

Alan Greenberg: Yes, I would think so.

James Bladel: And - yes, that works. Okay. All right. Let's go to the next one Marika.

Marika Konings: The next one also from the IPC is, "How will the proposed PDP become operational? Does the PDP Manual need to be approved first by the GNSO Council, and what role should the Standing Committee on Improvement Implementation play in producing or reviewing the PDP Manual?"

James Bladel: As a newly minted alternate member of the Standing Committee on Improvement Implementation, I have no idea what the process is for taking the recommendations of this group and then implementing them, so I'm open to thoughts on this.

                  I mean, we talked quite a bit about - did we call this a transition? Marika go ahead.

Marika Konings: Yes this is Marika. With regard to the role of the Standing Committee as far as I understand it, they only come into play once the recommendations have been approved and implemented.

                  So their role would presumably be and they would need to set up a timeline themselves for that once this is approved by the Board - probably first the GNSO and then the Board and it becomes operational, they will probably set a timeline saying, you know, "One year after implementation we'll have a look and, you know, maybe have a call for people to provide input, or if people bring issues to our

attention that are wrong or are not working as intended, that's when the Standing Committee will act," as far as I understand.

So at this stage they don't play a role because, you know, it's still in the hands of the Work Team and the Council and the Board, unless the Council would decide differently.

I mean, becoming operational, as far as I understand indeed the PDP Manual is in the package with the Bylaw changes, so once the Council approves it will go to the Board and once the Board approves I think indeed there's a specific transition proposal in there, and there will be as well dates in there when it becomes, you know, in effect.

And then at that stage the PDP Manual will also be, you know, in the - in operation as such as far as I understand.

James Bladel: Okay thanks. Alan?

Alan Greenberg: Yes, Marika just answered the question I was going to ask. I thought that the PDP Manual was effectively complete in the document we presented, that is as complete as we believe it needs to be day one.

And if that's the case the answer to this is the Standing Committee plays no part in getting it approved, produced or approved, or if that's already part of the process we're looking at right now, the Standing Committee presumably will oversee any changes that might be made in the future.

James Bladel: Okay. Okay so the response seems to be drifting towards - (Ralph), help me with this guy, that the Standing Committee really doesn't have

a role in this particular process, and that the - well help me with the first part here, that this will be the new PDP Manual once these are approved?

Alan Greenberg: Other than the graphics which we've already belabored too much.

James Bladel: Yes.

Marika Konings: Yes, and this is Marika. Maybe something to clarify because they ask whether the PDP Manual needs to be approved first by the Council, so we can just say, "Yes, the PDP Manual needs to be approved by the Council and by the Board, and then it becomes operational."

Alan Greenberg: Yes, but it's as part of this overall Work Group approval...

Marika Konings: Correct. Yes.

Alan Greenberg: ...not as a separate task.

Marika Konings: Right, so maybe it's just a clarification that we can add.

James Bladel: Okay, so this clarification on that and then just some mention of what the role of the Standing Committee is.

Alan Greenberg: If they think the PDP Manual is insufficient as it stands in this document, we welcome their work, their volunteers to help fix it.

James Bladel: Thanks. Okay. Okay can we check that one off and move to the next one?

Marika Konings: Yes, this is Marika. So the last one in the General Comments section is also from the IPCs and they're asking whether, "Could the process of developing the proposed new PDP have been adapted so that more volunteers could have made a more meaningful contribution to its fulfillment without having to devote considerable time over more than two years to the effort?"

Alan Greenberg: Neat trick if you can do it.

James Bladel: Yes. I think they are kind of touching on the heart of our participation problem, as well as the - just the, you know, the things that we addressed in terms of volunteer burnout and things like that so...

Alan Greenberg: Make a meaningful contribution with putting no time and effort into it. I like it.

James Bladel: But I think they're saying - I think it's really about time. I think my personal suspicion is that people are willing to put forth an increased effort if it pays them back in terms of time, but that's just my own personal thing.

So I think the answer here is that yes we, you know, we were very mindful of the burden on volunteers and the, you know, the, you know, the lack of or the challenges of participation in the PDP process and that was kind of underlying our thinking through the whole process, including on this group.

Alan Greenberg: Yes.

James Bladel: So okay, so now does - is that - was that first section just General Comments and now we're moving into Specific Areas? Is that correct Marika or...?

Marika Konings: Right. Yes that's correct.

James Bladel: Okay. And it is coming up on 9:30 so let's continue.

Marika Konings: So the first comment related to Section 3 or Recommendation 3 of the Report, development of a PDP Manual. So you see here on the left hand that's what's actually in the report, the original text and then the comment is next to that.

So INTA comments are, "Developing a PDP Manual is advisable but should not hold up policy development efforts. Therefore an interim working arrangement must be achieved pending adoption of the final PDP Manual."

And just to comment I think that's related back as well to the INTA or the previous comment, because I think there's a misunderstanding indeed that the PDP Manual needs to go through a separate kind of process and is not part of the same package.

So I think there's some misunderstanding here with the INTA and then the IPC on where the manual fits, so maybe that's something to clarify.

James Bladel: Okay, what do they mean by interim arrangement? So they believe that if there are separate processes that there has to be something that is kind of a stopgap process, right?

Marika Konings: Right. I read it that they're seeing it as we're adopting a new PDP but the manual will only be adopted at a later stage, and I'm reading it as that they're saying there should then be some kind of interim manual.

But I think they might have missed the point that the manual that's being proposed is the manual. You know, there might be further changes in the future if, you know, the Standing Committee, you know, decides that there should be additional information or things need to be changed.

But I think, you know, maybe we haven't made clear enough that the manual is the manual as we see it, you know, being approved and coming into effect at the same time as the new PDP.

James Bladel: Okay so the answer is that there is no delay that will not hold up policy development efforts and therefore no interim solution is needed. Correct?

Marika Konings: Correct.

James Bladel: Okay.

Marika Konings: Just writing that down.

James Bladel: Okay.

Marika Konings: The next comment also from INTA relates to the request for an issue report template. They say that the template should be limited to defining the issue, identifying problems and providing the rationale for investigating whether policy development is needed.

Other items such as supporting evidence and economic impact may not be available until the issue is more thoroughly explored.

James Bladel: And I see Alan commented that this is something that he feels was covered pretty adequately in our report, so go ahead Alan.

Alan Greenberg: Yes, I think I didn't read their comment correctly. I believe our template has other things in it, but we say they're not mandatory. So they're saying the template should not contain other things, but I think the end point is the same.

All we're requiring that the submitter put in is who they are and what the issue is. We say that at the bottom of the left hand box. The identification and - of who's requesting it and the definition of the issue.

We may have other headings in our template but we're saying they're not mandatory, so I think the end point is exactly the same.

James Bladel: Yes. And I think that, you know, in this community we're always free to exceed the template, right. So as long as they're optional I don't think we can prevent folks from adding in the optional items or including anything else that they feel is relevant so...

Alan Greenberg: Yes, I mean, they're in the template to remind people that it's something that might be helpful to include.

James Bladel: Right. And it goes back to streamlining some of the work. If we can start to get those questions defined in advance it will, you know, the group can hit the ground running.

So okay, so I think the response is something along the lines of clarification that a lot of the items that they've mentioned here were optional, that only the items that were mandatory were covered up there, and that, you know, the template - that we're free to exceed the template. Marika?

Marika Konings: Yes this is Marika. I'm quickly looking back to the full comment or original one that they made, and they actually make a link as well that's saying if, you know, you want to explore all the issues like the economic impact and the supporting evidence, their suggestion that maybe, you know, that should belong in - I need to go back to that one - to the impact analysis.

So - and I think that the reason why they bring this up because they start off basically saying that the Work Team did not approve, reject or comment on the Committee's suggestion.

And to be honest I don't recall what their initial suggestion was, because presumably that was on the proposed final report. So - but indeed they think - they see that it should be limited items that should be on there and others should maybe be explored in other context. I think that's what they're trying to say if I understand it correctly.

James Bladel: Okay, so do you think our response is adequate or...?

Marika Konings: Yes. I mean, from my perspective whether you call it, you know, an impact assessment or put it somewhere else, I mean, you're basically saying the same thing.

You know, this is what is required and all the other information is, you know, strongly encouraged but if you don't have it, you don't have it so you don't need to say it.

James Bladel: Right. It's more of a clarification than a substantial change. Alan.

Alan Greenberg: Yes, having - since I can claim to be one of the few people around that's actually written several of these requests for an issue report, when you write them you put as much damn stuff in as you think you - will be reasonable to both clarify the situation and get it approved, you know, and make sure that the issue report comes back answering the question you want it to answer.

You know, it's not an effort of how little can I write to get an issue report written. You know, it's exactly the opposite so I don't think we need to belabor this point a lot.

James Bladel: Okay I agree. And, you know, I agree that people will always add in more things and they're not shy about including relevant material. So okay, I just wanted to make sure that Marika feels like she has enough to start to take a swing at a response.

Marika Konings: I do.

James Bladel: Okay good. You'll stop us I think if you don't or if we are moving on...

Marika Konings: Right, and I'll be asking you as well when I write up my notes to - for you to review to make sure that I've indeed captured what you wanted me to capture.

James Bladel: Okay. Yes. No, that sounds fair. I just want to make sure we're not leaving you hanging here. Okay, the next one is Number 5.

Marika Konings: Yes, Recommendation 5 on Issue Scoping. I think it relates back to the previous comment we already saw that developing a PDP Manual is advisable but should not hold up policy development efforts.

James Bladel: Yes, same clarification.

Marika Konings: Then Recommendation 6, Creation of an Issue Report. Again a comment from INTA and there's also a comment from the IPC on this one. So the first one from INTA is, "The request for the ICANN Staff Manager to express an opinion as to whether the PDP should be initiated may be beyond the responsibilities of ICANN Staff.

INTA believes this opinion tends to inject an extra step and would tend to prejudice - prejudge matters before an appropriate policy airing." And the IPC has a similar kind of comment.

"By what criteria our Staff making the determination, scope and recommendation on initiation of a PDP, these criteria should be spelled out and the Staff Manager's recommendation should address each of them.

In relation to the opinion of the General Council, if the determination is made that a proposed PDP's out of scope, does it have the same significance if it's determined out of scope of ICANN or out of scope of the role of the GNSO?"

James Bladel: Wow. We're going to have to unpack these two I think.

Marika Konings: I mean, on the first one if I may comment, because I think nothing has changed from what was there in the current PDP where a Staff opinion is requested, and also that the General Council's opinion so I'm not really sure if this is an extra step and how this would prejudge, because I think the issue report is where we tried to align the issue and basically, you know, provide a recommendation whether or not to initiate a PDP.

And it's not talking about whether, you know, what solutions are appropriate or things like that. So I think it's already quite confined on what we're asked to opinionate on.

James Bladel: Can I ask a question of the lawyers on the group because I honestly do not know the answer? But is it appropriate for - lets' see, I'm going to say this long so just bear with me.

But is there any expectation that ICANN Staff or ICANN Board can speak to this General Council confidentially or, I mean, this idea of pre-publicizing the criteria that would determine whether or not an issue is in scope or out of scope and in the opinion of the General Council I think, is that - does that even fly?

Is that even possible? I'm not saying it's a bad idea. I'm just - I'm wondering if we haven't stepped on some ground here.

David Maher: This is David. I'm not sure I understand your question.

James Bladel: Well maybe it's probably because it doesn't make any sense David. Sorry. It just seems a little interesting for, I mean, I would like to see

some advanced notice of the types of things that the ICANN Council is going to recommend to Staff as well, but I don't know that that's appropriate.

David Maher: Yes I think you would get pushback on that, but before Council gives an opinion they want to understand the issue. And if I were the lawyer in that job I'd want to be able to have conversations with Staff to decide what the question was, what the facts are, what the background is, because in all likelihood I wouldn't be familiar with it.

And I don't see that publicizing that kind of Staff work serves any useful purpose.

James Bladel: Let's go to - Margie's up next and then Alan. And Margie if you're going to take a swing at my question I respectfully withdraw it on account of layman's ignorance. How's that?

Margie Milam: Yes, I was going to try to at least give you a perspective that the policy Staff having, you know, having to work with the General Council's office on those issues, it's actually difficult because when there's a request for an issue report on a particular subject, sometimes it's not clear where the Council thinks it's going to end up.

And it's, you know, if anything it's difficult for the General Council to be clear as to whether it's in scope or not because you don't know what the outcome would be.

You know, and so if you run through some examples like, you know, I don't know, something that - policy that related purely to content and

nothing related to a domain name, you don't necessarily know that right at the outset.

And so if anything when you see that part of the issue report, sometimes it's pretty vague and there's always a lot of caveats because there's just not clarity as to where, you know, where it's going to go.

But there certainly I think is a - is, you know, it's useful because if it's right off the bat out of scope then you could address it in the issue report, you know, and it just might be something that, you know, that is not at all a GNSO issue and we don't want to waste the time and resources of the Council and the community on something that, you know, really is out of scope.

But there might be a need at some point, once the group gets down to making recommendations to take a look at it again and say, "Okay, now that we know what you want to do with it, you know, it's in scope, it's not in scope."

It's like - just say if the GNSO made some recommendation on, you know, ccNSO stuff. Who knows? You know, I mean, clearly out of scope but you wouldn't necessarily know about it until you got into the nitty gritty part of the work recommendations.

So I do see a value in that kind of like initial opinion because it - because it'll knock out clearly things that are out of, you know, scope. But it seems like there may be a need further on to finesse it when you know where the group is going.

James Bladel: Okay thanks. Let's go to Alan.

Alan Greenberg: Yes thank you. It's something that I didn't click on in reading this the first time, and I did as we've been talking about it. We had extensive discussions on whether in scope or out of scope, which is one of the opinions Staff gives on - in an issue report, is within means, within the scope of Consensus Policy, i.e., within the picket fence or within the GNSO scope.

And we've ended up saying that clearly it needs within GNSO scope, that it's not a picket fence issue. They've added a brand new version here that we've never talked about before, and that is outside of ICANN's scope.

And we've never considered it I think because it's sort of intuitively obvious that if something is completely outside of ICANN's scope, we cannot set policy on it and therefore if indeed someone requested an issue report, you know, let's have an issue report saying that we believe we should have a policy saying you cannot use the word scope within an email anymore.

Totally ludicrous and totally outside of ICANN's scope, and presumably Staff would come back and say, "Hey, this is not ICANN's scope. You shouldn't be doing a PDP."

It's not something we've put a rule in about, but hopefully they would come back with that advice if it came down to that. But clearly if it's outside of ICANN's scope I hope none of us would waste time on it.

James Bladel: Or if it's outside of ICANN's scope it is by definition also outside of the scope of the GNSO, correct?

Alan Greenberg: Well yes and...

James Bladel: But if it's outside of the scope of the GNSO but inside of ICANN's scope, then it belongs in some other organization or structure within ICANN but not in the GNSO.

Alan Greenberg: Or the Staff. I mean, I - GNSO has undertaken PDPs which are deemed to be outside of GNSO's scope. The one on contractual conditions for Registrys was one of those and perhaps the only one. I'm not sure, but it's something which - it's not within the GNSO to pass a rule that is mandatory that ICANN has to follow, but the GNSO can do a PDP which makes recommendations to the Board, and that's out of GNSO's scope but within ICANN's scope.

And those are clearly allowed and we have different thresholds to approve them than things that are within GNSO's scope but outside of an ICANN scope they've brought in here, and that's something we've never talked about before because perhaps it was intuitively obvious to us how to deal with it.

James Bladel: Right. So - okay let's go to Paul. Help us find our way.

Paul Diaz: Thanks James. I think we're going back to your original comment that we have to unpack some of this. I'm very concerned that if we start trying to define what ICANN scope is, that we're very quickly going to hit the slippery slope because if the ICANN community is basically

everybody, one can make the argument everything is under the ICANN and I don't see it that way.

I think to Alan's point intuitively we've defined the GNSO, quoting what Marika posted in the - within the scope of ICANN's mission, more specifically the role of the GNSO, but if people have issues they're going to go through their Councilors for whatever stakeholder or constituency they represent and, you know, things can be addressed that way.

If you try and create this omnibus definition of ICANN scope, that's going to mean everything to everybody and I don't see how we're ever going to kind of work through all that.

So my feeling is that, you know, we shouldn't either ignore the - their specific use of the scope of ICANN or just keep focusing on GNSO and don't go there.

One other thought at least for the first one, what I really wanted to mention, the INTA comment. The way I read it I have a feeling that they're misinterpreting and thinking that the ICANN Staff Manager can on his or her own make the judgment, sort of a gut call, that maybe a clarification's needed that that manager is certainly going to have worked with ICANN General Council, that it's an informed decision, it's never done purely of somebody's, you know, gut feeling or, you know, personal prerogative.

That may have been lost and if they're thinking that somehow some rogue Staffer's going to do whatever he or she wants to do without any

other input from the corporation, maybe we just need a clarification there so that we - they understand that it's not the case.

James Bladel: That's a good point Paul and one of my questions is did we deliberately use the word Staff Manager as opposed to Staff, because Staff Manager to me implies that there's a person sitting there making decisions, whereas Staff could be a much broader discussion that includes the General Council, legal team and, you know, stuff like that? I'm just wondering if we - does anybody recall why we...?

Alan Greenberg: It's a term that was in the Bylaws and we didn't change it.

James Bladel: Okay. All right, thanks Alan. Margie, go ahead.

Margie Milam: Yes, I just wanted to clarify that that is what, I mean, it's never the - one person's opinion. I mean, we work internally and that's part of the time in getting the issue report put together to all agree, you know, working with legal and services and, you know, compliance if it's something that, you know, compliance has an issue with to try to clarify this "Staff" position.

And I think that language is just kind of a remnant from the old Bylaws. I've been a little confused by it too as to what the point of having it be the Staff Manager, who is the Staff Manager, that kind of stuff.

So if we want to clarify it and make it be, you know, officially the Staff, you know, Staff opinion I don't - I think that's probably more accurate.

James Bladel: If you had to ask who the Staff Manager is, it's probably you.

Margie Milam: Yes, I don't know if it's a person assigned to it or if it's like for example Liz is kind of the head of the GNSO Council work, you know. Who knows what that thing's supposed to mean?

But I've always been confused by it, you know. It's certainly not Liz's opinion, you know. At least that's not how we interpreted it or my opinion. It's the "Staff" position that we develop internally.

James Bladel: Yes. Okay, I'll go to Alan and then we want to cut it off with you.

Alan Greenberg: Yes. On the Staff Manager one it probably is something we need to fix, because it is used a number of times in the Bylaws and talks, you know, the Staff Manager shall do something.

So we may want to clarify that a little bit. But the comment I was going to make was these are reports issued by ICANN. Yes there is a primary author often shown on the front page, but it's an ICANN report.

And if ICANN wants to let a rogue Staff member go off and write a report and issue it under ICANN's name, I guess that's management's prerogative. But once it's issued it is an ICANN report and presumably they will use due diligence within the - within Staff to make sure it's something they feel they can stand behind so...

James Bladel: Okay, so are we stumbling in the general direction of a response with this or - I think we're sort of coalescing around the idea that, you know, that this is Staff, this is not a Staff Manager. This is not one person making the decision, that this is something that is already going on so it's not necessarily injecting an extra step.

And that we did not consider things that were out of ICANN's scope because those were by definition not - what do I want to say, not appropriate or not eligible fodder for a PDP. What else are we saying? Something about the General Council.

No, that goes back to the Staff Manager. Sorry. Okay so maybe we can piece together - I realize that's a tall order on this one Marika, but maybe we can start to construct a response and then we can polish it a little bit better next time.

Alan Greenberg: Yes, I - in regard to the last sentence of the IPC comment or question, it says, "Is there a difference where the General Council figures it's out of scope of the GNSO or ICANN?" And the answer is yes.

James Bladel: Yes. Exactly. I agree. Okay, so let's see. We're now about 15 minutes away from closing here. I think we can get through these next two. Yes Marika, go ahead.

Marika Konings: Yes this is Marika. Just a clarifying question. So do we want to add here as well a possible further discussion on the word Staff Manager and whether it's more appropriate to change that to Staff?

James Bladel: We could - I suppose we could mention that but we can - we should at least tell them where it came from, that it came from the Bylaws but we recognize that it's not a single person making a decision.

Maybe that clarification is enough to and that we can make a recommendation that, you know, at some point in the future the Bylaws should be updated to reflect this.

Alan Greenberg: But James we are rewriting the Bylaws section right now, so I suspect we should go back and look at the context. My recollection without having looked at the words now is that it does talk about it as someone who does specific things.

You know, the Staff Manager shall ensure that something be done within 12 days or something like that. So we perhaps should go back and look at it in this pass.

James Bladel: Okay, but I think in our, you know, within our narrow focus we should say something like, "This is where this came from and we never envisioned that that would be a single person."

Marika Konings: Yes and this is Marika. I can add a note because I think Alan makes a very valid point there, where maybe on the Staff opinion it need - it is Staff but on other items you might want to say indeed the Staff Manager, because most of the time in PDPs there is one person that is indeed the point person and, you know, as well for providing the public comment summary for example, those kinds of things.

That's where you might indeed want to say it's the Staff Manager that's responsible for that instead of, you know, ICANN Staff as a whole. So maybe I can just make a note and that, you know, we come back to that at some point when people have given it a - some further thought.

And I think we from our side can have a look at that as well and see what, you know, from our perspective is a - might be an appropriate approach.

James Bladel: Okay.

Marika Konings: So the next comment is on Recommendation 23. Let me just pull it up. The Mode of Operation for a PDP - that's a comment from the Registry Stakeholder Group.

And they suggest that, "Other examples should be provided instead of Task Force and Committee of the Whole, which are not considered consistent with the Working Group model. Instead examples such as Drafting Team or Review Teams should be added."

James Bladel: I admit that I don't know what is and what is not appropriate under the Working Group model. I think that in this case we were referring to structures that had been used in the past, which were prior to the Working Group model.

Or I don't know. What's the answer? Alan, do you want to take a shot at explaining your...?

Alan Greenberg: Yes sure. I think we gave - we said in the past these were used. We - I don't think we were advocating that they be used again in the future, although conceivably some Council in the future may decide that they're back in vogue again.

All this section was saying is that we are not saying as some earlier draft version said that a Working Group model must be the model used. We're simply saying that if the GNSO in its wisdom in its procedure manual comes up with a new structure that meets the overall community needs, that it should be allowed.

James Bladel: Okay.

Alan Greenberg: I don't think we were advocating that these old models be repolished and put back into use, although conceivably it could happen. They have some good benefits that other ones - that the current ones don't.

You know, they forced equal representation in the Force - case of a Task Force, which is something that sometimes we miss now. Maybe we should let David jump in though since it's the Registry one.

But I don't think we were advocating and I think we were simply making sure that we weren't locking things out.

David Maher: This is David. I - I'm not the author of this comment so I'm being very careful here. I mean, you're quite right. You specify that in the past, so the examples are appropriate because they were in the past.

I suppose one way around this would be any such new working methods, for example, Drafting Team or Review Team, must contain. That's a proposal to clarify it.

Alan Greenberg: I - as I said in my comment I don't like that because both Drafting Team and Review Teams are very targeted things and typically in the past have not necessarily been well balanced organizations or things that we want to stand behind.

They're things that then go back to Council for, you know, debate and often change. So I wouldn't want to use those as examples because I think those were pretty flimsy ones.

James Bladel: Yes, but it's all we have though, right Alan?

Alan Greenberg: But we don't use them for PDP as a whole, so I wouldn't want to use them as something that we think might be adaptable. We're - it doesn't matter. Since they're not in the Working Group rules as formal structures, they can't be used just because we mention them as an example. So there's no real harm in it but I think it sends the wrong message.

James Bladel: Yes, and for example, you know, I spent 18 months on a pre-PDP. Well where the hell is that thing, you know? I mean, we did a lot of work but no one can really tell us what that was that we were working on.

Alan Greenberg: Yes. Paul's had his hand up for a while.

James Bladel: I'm sorry, go ahead Paul.

Paul Diaz: Yes I think it's easy to give everybody what they want here to avoid the confusion that it seems that you Registry Stakeholder Groups identified. In that - the final sentence simply delete the word such, so just have a declarative statement, any new working methods.

We're not defining them and we're not saying that Task Forces or Committee of the Whole are the recommended new methods, et cetera. Simple - just cut out the word such. Everybody has what they want.

James Bladel: Can I offer - I see David's got his thumbs up. Can I offer a thought on just another small tweak, if we were to say, "Working methods or groups?"

Paul Diaz: Sure.

James Bladel: Does that help or hurt? Is that what you're trying to do Paul?

Paul Diaz: Yes, for me the word such if you read it quickly refers back to the use of terms like Task Force and Committee of the Whole. Those are such and to the Registry's point that's not what we want, so by eliminating that and adding in or groups, yes, no problem because it's still a declaratory statement and that way you're also avoiding what Alan doesn't want to see, specifically calling out Drafting Teams, Review Teams, et cetera, because like you said there's a lot of flexibility and we can't anticipate what GNSO may or may do in the future as well.

James Bladel: Okay, I think our response in general Marika is that we - we're putting out Task Force and Committee of the Whole as examples of structures that were used in the past, that we're modifying that last sentence as Paul recommends to ensure that there's no endorsement of those things going forward, but that any new methods or groups must contain the mandatory elements, et cetera, et cetera.

Marika Konings: Okay.

James Bladel: Okay, and on to the next one. Oh wow, hold up. We got six minutes left and this one goes down to page and a half. Or I guess it's not too - I - does the group want to put a bookmark here and take it up when we have Jeff back in full 100% capacity, or do we want to tackle this one and then go forward?

Paul Diaz: I think it's a good place to stop.

James Bladel: I agree.

Alan Greenberg: Yes, all the more so because this one is one of my comments and I can explain it, but I shouldn't be one of the ones to pass judgment on it so...

James Bladel: All right, that's fine and I think it's probably a good place to stop, because it looks like it's also one of those compound comments. But - okay so - well that's not too bad.

I think we got through like four, almost five pages so not quite 1/3 or almost 33%.

Alan Greenberg: Given that it took us 45 minutes for the first page I think we did better than I thought we were going to.

James Bladel: Yes. Yes we started - well those general comments are always the toughest ones, right? But okay, well thanks everybody for, you know, the diehards for showing up.

Alan Greenberg: And thank you James for standing.

Paul Diaz: Yes thank you James.

David Maher: Yes thanks.

James Bladel: Oh no problem and I will welcome Jeff back next week, because first of all it means that he's healthy and back in action, and secondly that it

means that, you know, I might be able to sleep in or something like that. We'll see. Thanks all.

Paul Diaz: Go for a longer run.

James Bladel: Yes exactly.

Paul Diaz: See you all.

James Bladel: Yes thanks.

Marika Konings: Thank you.

James Bladel: Bye-bye.

Paul Diaz: Bye-bye.

Marika Konings: Bye.

END