Policy Process Steering Committee (PPSC) Policy Development Process (PDP)
Work Team (WT)
TRANSCRIPTION
Thursday 20 May 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 20 May 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-20100520.mp3

On page:
http://gnso.icann.org/calendar/#may
(transcripts and recordings are found on the calendar page)

Participants on the Call:
Jeff Neuman - Registry Stakeholder Group - Work Team Chair
Tatiana Khramtsova - Registrar Stakeholder Group
Alan Greenberg – ALAC
Avri Doria - Non Commercial Stakeholder Group
James Bladel – Registrar Stakeholder Group – Interim Chair
Wolf Knoben – ISCPC

ICANN Staff:
Margie Milam
Gisella Gruber-White
Marika Konings
Glen de Saint Gery
Liz Gasster

Absent apologies:
Alex Gakuru - Non Commercial Stakeholder Group
Paul Diaz - Registrar Stakeholder Group
David Maher – Registry Stakeholder Group

Coordinator: Please go ahead, recordings have begun.

Gisella Gruber-White: Lovely, thank you. So, good morning, good afternoon to everyone on

today's PPSC PDP Call on Thursday, the 20th of May. We have Jeff

Neuman, Tatiana Khramtsova, Avri Doria, James Bladel, Alan Greenberg.

From staff we have Marika Konings, Glen DeSaintgery, Margie Milam,

myself, Gisella Gruber-White. We have apologies from Alex Gakaru, David

Maher and Paul Diaz.

If I could please remind everyone to state their names when speaking for transcript purposes. Thank you, over to you, Jeff.

Jeff Neuman: Thank you, this is Jeff Neuman, chair of the PDP work team. As we said before, May 20th, 2010, regularly scheduled weekly call. So what I want to start to do today is to just go through for the agenda would be basically talking about the initial generic logistical discussions about the initial report and recommendations and then dive into a couple of them. I want to thank Avri for responding to a few of them this morning.

But the main issue that we're having is that there is kind of - with the exception of Avri's couple of emails this morning, there's been kind of a lack of response or comments on the initial report and recommendation. But I kind of want to throw it out to the group as to what we want to do. We have several options.

You know, one option is that we ask staff to take what the discussions are and then just write the options down. You know, saying, you know, for this area we could recommend either A, B, C or, you know, none of the above but - and just put it out for comment so that we can get comments back from the community on which of those options they believe is plausible or none of them, you can suggest another - a completely separate one. I suppose that's one option we can do.

We could spend the next ten days trying to - someone could volunteer or people can, you know, really go through it the next ten days and put their own recommendations in. As chair, I was trying to avoid myself going in and putting recommendations in. But if people don't have an objection, I could certainly go through and put some options in as well. So I just want to hear from, you know, thoughts on that.

Again, I was trying to distance myself from that because I'm not, you know, we do have a registry rep and we do have, you know, other reps and I'm really supposed to be the chair and kind of neutral in this. But you know, it's - I really want to kind of push some of this work forward a little bit.

But the one - the other option that we do have, which is not one that I'd like to take, which is, you know, we do have the option of saying, well, we can't come up with a report for - in time for Brussels but we'll do it the next time or we'll put it out for comment. So we have - we certainly have options and I'm just - I want to listen and hear what you all think and see what the best path forward is.

I see Avri has apologized for the minimal last-minute nature of her responses. Avri, there's no need to apologize, you're the only one that's actually - you've responded, so thank you for responding.

Alan Greenberg: Actually I responded to Avri's response also, about a minute before the meeting.

Jeff Neuman: All right, well, thank you, Alan, for responding. And you know, one of the things I want to go into then is to - because there have been responses on those - after we talk about this discussion is to go into those specific responses so we can discuss and make sure we all understand it and make sure the report reflects those thoughts.

So Alan, is that why you had your hand raised?

Alan Greenberg: It was to try to answer you original question of how to go forward, yes.

Jeff Neuman: Good, okay, yes, please.

Alan Greenberg: Looking at the options you gave, I agree that it would be really nice to have something for Brussels. So if we fail, we should fail running, not just by

stopping. I would have no problem with you or anybody drafting the possible recommendations, you know, trying to do it based on whatever the question has been to date and maybe adding parenthetically when it wasn't really clear if we had come to closure or not, if the group had enough time to read it and comment on those things before it went to press.

I don't think we have that luxury. It's going to take you several days to do it and at most we'll have one more meeting to discuss those kinds of things. And my experience is we will run out of time, we will not make it all the way to the end. So I think you're - the only viable option is to - instead of providing a recommendation, provide the set of ones that, you know, between you and Marika, you - or the ones you think have been presented by the community. Because I just don't think we're going to have time to refine whatever comes out of this quick process, if we want to get it published for Brussels. So it's not optimal but I think that's the only way forward.

Jeff Neuman: Okay, thanks. Avri?

Avri Doria: Yes, I sort of was going to say something very similar to Alan but I wanted to ask a question because I'm not clear on what's next. And by the way, when I apologized, I keep meeting every week to say, I'm going to sit down and I'm going to block out a whole bunch of hours to do this and then somehow or other, I find myself a week before the meeting going, oops, I didn't do anything, let me get ready. And therefore I do something minimally and late.

Man: Join the club.

Avri Doria: And that's happened three weeks running now. And so I can say quite honestly that yes, I intend to find that chunk of time in the next week and etcetera and I have as much confidence in myself as I assume anyone should. And Alan's point of, you know, you guys -- assuming you all have the time -- going through and basically, you know, you have a pretty good understanding between the two of you of certainly where we seem to be

going on most things if we don't do it. So that certainly is a good part of the solution.

The next step on this in Brussels is going out for community review. Because if that's the case and if there are places where there really are unresolved issues that after all this time we have not resolved, either through differences of opinion or increasing levels of apathy, perhaps bringing those out and sort of, you know, requesting community opinions on those issues. Because we haven't done - and Marika, correct me if I'm wrong. We haven't done what the working team - working group work team has done yet, right? Of having put our stuff back, having gotten some really detailed good answers that we then had to work through one-by-one and we've been doing it for over a month now. But we haven't gotten there yet on this, correct?

Marika Konings: That's correct. That will be the idea indeed of are the objective of getting the report out and then having a public commentary and then go through the process indeed of looking at the comments and going in through the details.

Avri Doria: So it seems to be quite reasonable to take anything because I think Alan's also right. Anything that we haven't resolved by this point, even if I've put in my answer and okay, my answer usually is good enough to provoke a disagreement with someone. But even if we go that far, we won't have closed anything. So anything that you guys don't see the - the consensus has been building around this but it hasn't closed yet kind of note, putting in the option and asking those - because people care about this one in the outside community.

And I think we will get, you know, it won't be more than ten people perhaps. But we will get some very detailed recommendations of answers of different things to put in, if it's at all like we got on the working group side, where we got some real, you know, some real suggestions and some real comments. So I would say, yes, finish it as best we can, show the options where there still are options, publish it and get the community into it.

Alan Greenberg: I think you'll not only get the community into it, you'll get working group - working team members to respond because of an absolute deadline, where we may not have carved out the time for this.

Jeff Neuman: Right. And that's the intention in Brussels, to actually go over that. So to specifically, you know, we're not going to have enough time to go through the entire report as a presentation. What we're going to have time to do essentially is to really stress the items where we need further comments on - because of any other reasons. And you know, some of it is not that we haven't by this time come to conclusion.

 The one thing we haven't had time to do yet is to actually go through this from beginning to end with kind of a holistic view. We've kind of tackled the pieces in part. And one thing I'd like to do while we're soliciting public comments on it is to take that holistic view and go back and say, okay, now that we've put out a report on the pieces in part, let's look at this from the whole and see if what we put in the pieces and parts make sense when you put it all together.

Alan Greenberg: I think the preamble or introduction needs to say that that's the stage we're at, that we haven't done that.

Jeff Neuman: Right. So there may be - there may or I should say there will be inconsistencies between parts of the report given that we have not been able to do that yet.

Alan Greenberg: I mean, for better or worse, this is not a preliminary report which we need comment on and then we're going to absolutely finalize. This is still a work in progress.

Jeff Neuman: Yes. So Marika, can you make sure that that's in the status of the document section and probably elsewhere we actually reflect that?

Marika Konings: This is Marika. I think I do try to outline it in the second paragraph that indeed
we haven't covered everything but that, you know, we did want to take the
opportunity to already put this out. And I think as well, as we said, you know,
for those recommendations where we haven't reached an agreement, I think
we can point out very clearly, well, these are some of the options but we
haven't resolved this yet, so we're asking for public comment.

So I can check as well if there are other sections where it will be appropriate
to refer to that, no problem.

Jeff Neuman: Right. And also that's good, I think also pointing out that we understand there
may be inconsistencies because we've been taking a PCO approach at this
point. And you know, please obviously point them - we want them pointed out
in the comments. But you know, we're kind of saying that there may be some
inconsistencies ourselves, so we understand that.

Marika Konings: Yes, this is Marika. Because for example, one of the inconsistencies is that -
if we look in the recommendations we there provide some - added for
example to the existing bylaws. While more recently we've now discussed
that maybe we need to go to a fresh approach. So that probably would be
one of the inconsistencies. Although at the same time, it will provide people
with an idea of what the group is thinking about.

So it might be an inconsistency but I think it's still helpful to have that there so
people can see some language that, you know, formulate the idea or the
discussions that the work team has had.

Jeff Neuman: So in essence an intentional inconsistency.

Marika Konings: Well, yes, maybe. And another element that still needs to be added and I'm
applying to do that in the next couple of days is as well are notes on the
overarching issues. Because I think for those, you know, we have a separate
document and I think it will be good to integrate that as well so people can

see what we've already discussed. And I'm trying to look back as well because I think on some of those we've reached some recommendations.

For example, I think on the super majority, you know, the change to that. And so I'll look back there and try to pull from that as well any recommendations that we sort of have agreed on. And again, putting that in the kind of language like the work team is considering recommending, so making sure that people understand that this is still in discussion and not a firm recommendation. And I'll pull that back out then as well to the group so people can have a look at that. But it would follow the document that is already out for quite some time now in the overarching issues.

Jeff Neuman: Marika, were you able to, if I remember correctly - and there's so many calls every week - you were not on the last call, correct?

Marika Konings: Correct.

Jeff Neuman: Were you able to listen to the recording because we did have some discussions on a couple of the outstanding recommendations?

Marika Konings: No, but Margie gave me an update. But I probably need to check back because I made some changes to the flow chart on the basis of that. But I might have forgotten about that, the actual changes to recommendations. So I'll listen to the recording or I'll check back with Margie on that.

Jeff Neuman: Okay. Alan?

Alan Greenberg: Yes, something Marika just said that - in a particular case, I don't remember which it was, will word it that the committee, the work team, is considering recommending. I think that needs to be a disclaimer on the whole thing, that any, even when we've come to closure because of the potential inconsistencies and that we haven't reviewed the whole - the thing as a

whole, I think all the recommendations are potentially recommending. They're just leveled - different levels of confidence.

But you know, I wouldn't want it to be presumed - perceived that something that's there as a recommendation because it gets no negative comments will go in the final version as is because we still have a lot of work to do on the overall process.

Marika Konings: This is Marika, I'm happy to make that prefix for all the recommendations and have it work team is considering recommending.

Alan Greenberg: It may be stronger for a few but I think it applies to everything.

Jeff Neuman: Well, we'll just have a disclaimer on the whole - we just stamp it on there and, you know, we'll make it a watermark.

Alan Greenberg: Yes, you know, we've invested 4,000 person hours in this but this (unintelligible) don't take any level of confidence on it.

Jeff Neuman: That would be a shame. Okay, so Marika, do you understand where we should go forward with this? And I think you...

Marika Konings: This is Marika. So I mean, there are two things we can start off. I mean, I did send out an updated version of the flow chart, so I don't know if people had a chance to look at that or is there any comments on that? I also need to develop the Stages 3 and 4, I think. And I again, I understood that there was a desire and there was also the intention to have the kind of legend on each page that provides some bullet point on what each recommendation that she means. But as we're still formulating those, I really didn't want to go and duplicate work for myself to, you know, already put stuff on that and then I'd have to go back and change the ideas once we have some language there to create a kind of legend that, you know, gives people some guidance on each of these recommendations on what is actually intended with those.

And the other option is to go to the different recommendations that were sent out by email. I can pull them up and - in Adobe Connect and we can, you know, go through them and even wordsmith them or people making suggestions for changes and go through that process.

Jeff Neuman: So what I think I want to do is let's - if you pull up the flow chart and just go over the changes that were made based on the conversation last week. And then I - then let's go to the specific ones that Avri and Alan had commented on. And then if we have time, we can go through some other ones as well.

Okay, that is really small on my screen.

Marika Konings: You should be able to enlarge it.

Jeff Neuman: Yes, okay, yes, thank you.

Marika Konings: So the main change that was made here is to basically deepen out then follow other GNSO process options that you discussed on the call. If you move to Page 3, you see there the breakout of all the GNSO profits and Margie tried to identify there the different options that there are. So you can have either the formation of a GNSO working group, in which case you would follow the GNSO working group guidelines. You could have the formation of a joint SOEC working group, in which case you would follow the charter or the information of a GNSO drafting team, which would also follow the charter.

And we have another option because, you know, maybe the other initiatives that we haven't thought about here that should be included are again, this could be as well we need the other there so the community can add others to the list. And there I added as well that the presumption would be to have this notion of that, you know, if you don't want to develop - if there's not going to be consensus policy at the end of the day, you know that very clearly at the

outset. There are other ways, you know, avenues that you should explore and then those elements should go probably and the rules of procedure.

Jeff Neuman: Now see, where would the recent Whois work fall in that other stuff?

Marika Konings: You mean the working group that was created or the staff work that was done on the studies or which working group or which initiative are you exactly referring to?

Jeff Neuman: Well, I guess there was initially - not initially, I mean, there were many incarnations. But more recently, I guess there was a working group that called for these studies, right? So that's - I guess that's kind of the first other option there, the formation of a GNSO working group.

Marika Konings: Yes, I think so.

Jeff Neuman: Okay. All right, so Margie, you have a comment?

Margie Milam: Yes, when I was trying to put together this idea of what are the other processes that the GNSO Council follows, you know, I didn't really have a good sense of the options. I bet I missed something here. But also too, I don't think you have to be exclusive. In other words, you know, you still can have at the very end, you know, other informal process or something, just to clarify that this isn't everything. Because you know, the GNSO Council has a lot of flexibility and I was just trying to capture some of the big ones that I could recall, you know. But I certainly hope, you know, you guys can look at it and see, you know, what other type of process that we all (unintelligible) doing.

Jeff Neuman: Yes. And so I think it's good and maybe we just put something like this just for illustrative purposes only. And really, you know, this is kind of a little bit beyond our scope as to really set forth all the other things that the GNSO could do. So it may not be that critical if we put kind of the disclaimer that, you know, this is just what we thought of as examples. But, you know, that's

not really our purview, I guess, not that people shouldn't comment on it or can't comment on it. But it's really like kind of a sidebar essentially.

Margie Milam: Right.

Jeff Neuman: James?

James Bladel: Yes, thanks, Jeff, James speaking. And maybe I'm not fully getting the full point of this particular page. I'm trying to figure out where in this sequence the charter is drafted. I see, you know, each of them end up where they follow the working group guidelines or charter. But is there an intermediary staff or does that come before this entire diagram?

Marika Konings: This is Marika. I think that depends partly on the initiative. If you look, for example, at the recently created (unintelligible), which is a joined SOEC working group, that one was responsible for drafting the charter themselves, which is now being put back to the GNSO Council. So I don't know if we, you know, I'm not sure whether we can - there's a fixed process in these kind of groups that are not policy development process groups. So I don't know if there's a way.

I mean, the GNSO drafting team is often actually responsible for creating a charter or having - I think actually the - wasn't the IDN group as well as a drafting team initially? So sometimes there (unintelligible) to actually develop a charter or discuss issues so they might - so it's hard here to do -develop for each of these in a very detailed process because it might vary depending on how the group is created or who has tasked it or who has instructed it to - how to do it as work.

James Bladel: Okay, well, I didn't mean to take us off track. It looks like the charter is kind of falling from the sky in this box diagram.

Jeff Neuman: And that's a good point, James. And maybe we don't even need the second column of drafting a charter, maybe it's just - we just do the down column. Again say, it's illustrative, it's not really our purview, it's not really - it's just to illustrate what we meant with that box.

And the other thing I don't see in that box actually going back to the first page is we kind of talked about - and I don't know how exactly to represent it. But it's very possible that after it follows a GNSO process, people realize, wait a minute that is something that should go through the PDP process. So I don't know if it's a kind of dotted arrow or maybe people who are more familiar with these types of diagrams. But something basically allowing an arrow back to say that it could actually get back into the PDP process somewhat.

Marika Konings: This is Marika. If you actually look at Page 5, which is on Stage 2, you see there that I've included that notion. And if you look at the projection of the PDP, I would - and there a line which indeed says if at that point the council decides, well, it's indeed, it's not a policy, you know, the outcome or the objective is not to have a consensus policy at the end of the day, so another process will be more appropriate. And indeed, it would go back to the box.

And I thought as well again of having an arrow back to that box but I don't know if that makes everything too messy and it's easier to, you know, add it to the different stage of things and say look, indeed if there is - and it comes clear that there is no consensus policy at the end of the day and that's not the objective, you know, other processes could be or should be explored. And I can try to add an arrow but I think it might get very messy on the flow chart.

If anyone has some good suggestions on how to make that work, I'm happy to consider.

Jeff Neuman: Okay. Sorry, you see, I'm looking at Page 5. Where did you say that was?

Marika Konings: If you look at the box on the right hand side, Projection of the PDP. It says there, GNSO Council could also consider other GNSO process if it believes that a consensus policy is not a potential outcome or solution for the issue under discussion. That will basically refer it back to that other GNSO processes box.

Jeff Neuman: Well, I think my point was a little bit different. It's already following one of the other GNSO processes. And through that, it recognizes, oh, wait a minute, we thought initially it wasn't going to be a consensus policy or it wasn't something I needed to. But you know what, this is actually a really good issue and so we should put it back into the PDP. I think you...

Marika Konings: Okay, I see what you mean. I guess, you know, then people just start again in the gray box. I don't know if you need an arrow or you can have basically a two-way - you could have a two-way arrow basically that indicates well, you know, once you go to the bottom box, there is a way back if you feel that indeed there is a consensus policy as a potential outcome as part of the issue identification and you just move back up again. That might be a way of having a two-way arrow.

Jeff Neuman: Yes.

James Bladel: Marika, where did you say the rejection of the PDP is? I can't find that.

Marika Konings: On Page 5. If you look on Page 5, you have the GNSO Council consideration of the issues report and quote "initiation" of the PDP. And then you have two options basically. The Council says yes and the PDP is initiated and the working group is created or they rejected. And there you then have, like, one of the recommendations are there....

James Bladel: Sorry, I just hadn't gone that far.

Marika Konings: Okay.

Jeff Neuman: Okay, Alan, your hand is raised. Is it something - you had another comment?

Alan Greenberg: Yes, I do. I have several ones. On Page 3, I would recommend getting rid of all the second boxes. You know, we're calling this, you know, in case - in the first case, it's formation of a GNSO working group that's capitalized, it has to follow the rules. I think the second columns are - don't add anything right now.

                 I would definitely add in between the drafting team and other initiative studies, because I think that is one of the things we often talk about and certainly in the case of Whois, an ongoing effort, we did that. And on other, I would remove the question mark. It's not a question of are there others, you know, the GNSO does have the ability to craft a new process as - on the fly, so other processes as appropriate or something like that.

Jeff Neuman: So I thought Avri put an X up but I don't know if I saw that at the right time. Avri, which part of what Alan said did you not agree with?

Avri Doria: Yes, I actually think that there is value there in having a second column. I mean, we are saying that this is just by way of example. Yes, you could have just an arrow with no box to indicate that there is something for a second column but I don't see us doing any harm. I think formation of a GNSO working group follow GNSO working group guidelines is a very good thing to have there.

                 And you know, with the other, it's reasonable. I mean, yes, I know, they may not have a charter yet, there could be all kinds of complexities, you know. Perhaps, you know, the arrow line should be a dotted arrow line for anyone that's into the whole (symbology) of these drawings. Sort of say it kind of goes here but we're not saying it's precise, that's fine. But I think it does add some value to share...

Alan Greenberg: Thanks.

Avri Doria: The other processes.

Alan Greenberg: It wasn't a strong opinion.

Avri Doria: Okay.

Jeff Neuman: Okay.

Alan Greenberg: Okay.

Jeff Neuman: So Alan, I agree, we could take - we should take the question mark out of the other, I think you're right. There was a third one, didn't you...

Alan Greenberg: Yes. And well, I said I think we initiated investigations or studies I think should be an exclusive one of the ones we know we are in the repertoire now.

Jeff Neuman: Okay. Marika, can you add that box?

Marika Konings: Yes.

Jeff Neuman: Okay. All right, Alan, I know you...

Alan Greenberg: In terms of where this whole thing comes, this can come prior to the issues report, instead of requesting an issues report. It also can come as a result of an issues report. I mean, we have had issues reports where we decide we are not going to initiate a PDP right now, we are going to initiate a study group or a working group or something to do something and then it can then loop back - either back to the initiated - to request an issues report or it can loop back to let's vote on the PDP now.

I'm not sure we need to reflect that complexity in the chart but I'm just putting it on the table, you know, that all these processes could happen in the middle of after getting the issues report and before taking a formal vote on it or we take a formal vote not to do an initiated PDP now. But I believe we could loop back on it without the issues report, a new issues report, I think. Certainly we had discussions in council on saying we're not ready to do an issues report, we need to understand - or not ready to initiate the PDP, we do need to do some studies before.

Jeff Neuman: Yes, I mean, I think that's kind of what the registration of use policy working group was set up to do, was set up to find I guess the large issue of registrant abuse, I think. The large issue or registration abuse was brought up to council, the council realized wow, this really covers a whole huge broad area of potential topics and then kicked that out to this working group that Greg Aaron chairs to hopefully come back in their report with recommendations of, okay, we think -- it's only their opinion -- that we - these are areas that should - the council should consider doing PDPs on in the future.

Alan Greenberg: I don't think we need to request a new issues report on each of those, that is we can go back into the process I think.

James Bladel: Yes, I don't know about that actually, I'm not sure.

Alan Greenberg: Well, we've had discussion - and going back to the - to domain tasting one, for instance. We had a discussion in council on should we start the process and the first step of the process is to gather information or should we gather the information before deciding to start the process?

Jeff Neuman: Yes, that's actually a good interesting question. I'm not sure we should tackle that now...

Alan Greenberg: No.

Jeff Neuman: Put that on the agenda for after we come out this report and using the registration abuse because I think they're going to have their final report out by next week or ten days. So it would be an interesting case study as to think about, okay, they recommended PDPs on a number of items and so how would they commence that? Would they have to do the issue scoping or is that considered already done? Yes, they would have to go through a council vote, right? But is this the issues council vote or is this just a straight PDP council vote? Marika, you have a comment?

Marika Konings: Yes, this is Marika. I mean, talking about the registration abuse policies working group, they're very clear that it really started at the beginning of the process. Because in their recommendations, where they make recommendations for PDPs they clearly state, request an issues report. So I think the assumption is and that's the base on which the group has worked and, you know, has been able to make progress is actually not to try to really research the issue themselves or, you know, make policy recommendations but try to actually scope the issue and put forward a very specific question that they would like to request an issues report on - that were appropriate. So at least in that group there, I don't think there's the assumption that it would, you know, they would skip a step just because they were as we titled them a pre-PDP working group.

Jeff Neuman: Okay. But it is - okay, so that one. Yes, but it is possible, like Alan said, with the domain tasting where there was some - enough research to be - there was enough research done for - that would be otherwise in an issues report at the time that that PDP was initiated. And so obviously not all the investigation is done because a lot of that is done as part of the PDP. But in using that one as an example, there was certainly a lot of research done, enough to start a PDP on it. So in theory, it is possible that when you follow another GNSO process, that you could skip some of the other steps.

                 And that would also go to some of the comments that were received as part - as far as the fast tracking of issues. I'm not really sure that's a fast tracking

because it was, you know, it did go through a period of lots of investigation. But perhaps it's a way of cutting through and not requiring a new issues report.

Alan Greenberg: I would want council perceived by saying we need a little bit more information before we can make the decision, that it cancels the whole process and needs to start over again.

Jeff Neuman: Right, Marika?

Marika Konings: Yes, this is Marika. Because I think, you know, with the domain tasting, there was an issues report. But what I understood was a lot of work was done, you know, before the - everything got started so that actually the working group could work very fast because they already did a lot of pre-work. But I do understand that that was - there was an issues report as such.

Alan Greenberg: I didn't say - I didn't comment on the reality, I said there was a council discussion.

Jeff Neuman: All right, so let's put that one off. Are there any other comments to the chart. And I think - I want to thank Marika and the ICANN staff, I think it's very helpful to look at this chart or series of charts. And so for people who are visual, it's certainly a useful tool. So Marika, where in the report are you going to put that, are you going to put that up? I'd like to see it closer to the front because I think...

Marika Konings: Yes, I think the initial idea was to have that in that I think Chapter 9 or 11 where we would talk about the bylaws. But I agree now with moving more to the flow chart. You know, we could, for example, include the high level overview in the executive summary and have the more detailed ones in the - for on the report or include them there as well. I mean, it's - it'd take of course a lot of space and it will take, you know, some space up in the report.

So just to note as well, for the other stages as there, I think, those areas are especially (unintelligible) some question marks or we have really gone through then length I think or the detail that we have on Stage 1 and 2. And the following flow charts might be a bit shorter and that's areas where maybe in this Stage 2 where we'll be able to put some more detail in those charts, once we, you know, agreed on some steps and, you know, further recommendations.

Jeff Neuman: Yes, I -- and I'll be interested to hear what others think -- but I kind of like it upfront because I'm not sure how many people are going to get into Page, you know, 70 or wherever Chapter 9 is. You know, I think some people will just, because of lack of time and not because of anything, you know, mischievous or anything but because of lack of time and just the realities, I don't think many people will get all the way through the report. Having it early on, I think, is a good idea? Margie?

Margie Milam: Yes, I wanted to comment on another - because we talked about this last week. In the box, the very first box for issue identification where we say is a consensus policy a potential outcome, we don't have a lot of room on this page. But the idea is that's not the only way that you'd go through this, as we talked about last week, if - even if we didn't really think we were going to do a consensus policy, people wanted the more formal process, you know, to analyze an issue to do something else, maybe best practices or something that may still be an option. I just didn't really know how to reflect that in this chart.

Jeff Neuman: Yes. And Margie, I think that's right, I think we talked about certainly if you want something to - and Alan's raised his hand, so he might say it better than I can. But essentially if you really want to get it up to the board and have them decide on something, you know, the strict rules that they have through this - the PDP process, even if it is a recommended practice. So Alan, I'll - let me stop talking, I'll turn it over to Alan because I think that's probably the point you're going to make.

Alan Greenberg: Well, I was going to make a slightly different one but it might cover that. I think we need a general disclaimer saying this is an - as complex as this is, it is an overview and it doesn't show every possible path because we've already identified several that - where we can, you know, go from the decisions on the initiation of the PDP, go to studies and look back to somewhere else. You know, there are a whole number of these where the path shown are not the only path. And I think we need a general statement to that effect.

Jeff Neuman: Okay, I think that's right. So back to the point I thought you were going to make because you've made it...

Alan Greenberg: Okay, sorry.

Jeff Neuman: That's all right, because you've made it on a lot of other calls is basically that when you want something to go up to the board, really stress that the community is behind it and then have to go - the board would have to approve it or, you know, otherwise they'd have to have two-thirds - not, you know, have to go through all that process. I thought that's the point you were going to make, which you've made on other calls.

Alan Greenberg: I could have but I wasn't trying to at that point.

Jeff Neuman: So Margie, that was kind of what you were...

Alan Greenberg: I did make it in the email this morning though.

Jeff Neuman: Good.

Margie Milam: That's right, that was the point I was trying to make was we didn't really capture that here. This looks like it's only followed if a consensus policy is the potential outcome but that's clearly not the intent. The intent is to make it fluid

and flexible so that other issues could go through this process. But if a consensus policy is a potential outcome, you would have to (unintelligible).

Jeff Neuman: Okay. And maybe that's best done in kind of a note in the draft as opposed to - or you know, discussion in the draft as opposed to trying to put it in a box because I think that box is already pretty full.

Margie Milam: Right.

Alan Greenberg: Yes. But looking at that upper left hand corner again, it's wrong right now. Because right now, it says if it is - if consensus policy is not a potential outcome, we do not follow the whole PDP route and that is not necessarily true and that's incorrect actually. So maybe making the upper left gray box vaguer, you know, an appropriate issue for a PDP and then describe that in the paragraph.

Margie Milam: Yes, I see that because you could interpret it the way you just read it. So I'll try to work with Marika on how to phrase that so you don't have that obvious...

Alan Greenberg: Okay.

Jeff Neuman: Or maybe, you know, taking what Alan just said, is it appropriate, whatever the words you want to come up with, is it appropriate for a PDP and then you could put, you know, for example or e.g. or whatever consensus policy. Because I think it would be good for people to see that in the box because that's what a lot of people will be thinking about anyway.

Alan Greenberg: Yes, I mean, we - perhaps the whole process was invented for consensus policy but is now wider than that. So using that as the example is a fine - is quite fine.

Jeff Neuman: Okay, any other questions on the flow chart itself, on any of these five pages.

Marika Konings: So this is Marika. I just didn't know that - so the other ones should hopefully follow shortly on Stages, I think 3 and 4.

Jeff Neuman: Okay, so thank you for doing those. I think they're helpful. What I think I'd like to turn to now is to go through Avri's notes on - or Avri's email on those recommendations. So there were a lot of emails today, a lot of it related to another topic, which I commented on.

Okay, which is Avri's, let's see, okay, so this is from probably an hour and a half ago. This is on the prioritization - it's an Issue 11, Resources Empowerization, is that the one?

Marika Konings: The one I put up now is the one that (Adam) commented on as well, which is on the...

Alan Greenberg: Yes, you've inserted it within Avri's, that's why.

Jeff Neuman: Okay, so we can start with that one because - all right, so this is the efficiency and flexibility. So Avri, you want to just go into maybe a little bit of your comment and so just to explain it to the group? You may still be on mute.

Avri Doria: I was talking into the mute, thank you. Basically, I mean, this is a repeat of a position that I put up last time and basically wanted to reiterate the discussion. I do understand if I end up with the minority on it. I basically think that any range one put is artificial because things might take two weeks, it might take six weeks. If we put eight weeks as the maximum range, everything I know about project planning you sort of say, okay, yes, I can do this in eight weeks. And because you don't know what new work is coming, you don't know anything, you tend toward the maximum range. It's the only reasonable thing for a project planner to do.

On the other hand, if you sort of say to a professional staff, listen, we've got this one, these are the issues, we want these things looked at, etcetera, given your current workload, given everything else. How long is it going to take you? And basically they come back with a we can do this in six weeks.

And now I had mentioned in my answer and Alan mentioned where he didn't want there to be a case, you know, unless the council can negotiate with them and sort of say, six weeks, my God, that's way too long, can you do it in four - and maybe five, you know, if we push it, etcetera. And there was a concern on Alan's part, which is a reasonable concern, I don't know how much it would happen but it's a reasonable concern, that if it wasn't the GNSO's own concern in the issue, it wasn't the GNSO's issue, they might just sort of say, you say you can do it in 8 weeks, forget 8 weeks, do it in 15. There's no real hurry, you know, and the negotiations could go in a very negative way for an issue that came in from another SO or an AC.

I don't think that that would happen but of course I'm saying the liaisons are in the room for that discussion if such a thing were to happen that would just be, you know, such a cause to live out in the real world that, you know, the GNSO would have, you know, more egg on its face than it normally does. And I don't think that that would be a necessary problem.

And so I'm still though very much into trusting the staff to sort of give a professional assessment of how long it will take them to do something, given the difficulty of the task and the work that they're facing. Thanks.

Jeff Neuman: So I'm going to go to Alan in a second. But with regard to one of the items, I mean, couldn't we just say that whatever we come up with right now only applies to when the GNSO is requesting an issues report. Because frankly, when another group requests an issues report, the GNSO Council is not really even involved necessarily. So it's more like - it's almost like an individual negotiation between the advisory committee, let's say it's the ALAC and ICANN staff as opposed to anything that involved GNSO Council.

Because it's not like ALAC is asking the GNSO Council to give them an issues report. ALAC is in theory just going to ICANN staff or that's what they should be doing. I think with the board or with another supporting organization, they would be doing the same thing.

So anything we come up with here isn't really just guidelines for the GNSO requesting an issues report. And if that's the case, should we say it? Alan?

Alan Greenberg: Yes, I was going to say something like that. Just if we could also make a note when we're talking about this, the current bylaws are very confusing on how an AC requests an issues report. It says something like request from staff by sending it to the GNSO. It was read by many as having to be approved by the GNSO before staff acts on it. So we just make sure the wording is clear, that is - that was not the meaning and not the interpretation but the wording is very confusing.

That wasn't why I raised my hand though. I think what you're suggesting is right. I think it should be a matter of negotiation between the requesting organization and staff and without specifying how that happens or exactly at what point it happens. And I think I suggested last week, keeping the 15-day or making it 21 if you want. There's a minimum but subject to agreement by the requesting organization.

And I think that covers it. The reality is we do talk right now before; perhaps several years ago that was not the case but it's certainly been the case in every one I've been involved with, whether it's a GNSO or at large. And I think that's an equitable way of addressing it. Even if council - if it goes to council, even if everyone is of the best heart and we can't predict that in the future. Number one, it's an issue which explicitly GNSO did not request and therefore there may be political issues or things going on.

And second of all, even at the best times, it's going to add at least a month to the process, perhaps much more depending on how frequent the GNSO meetings are.

Jeff Neuman: So Avri had agreed with that...

Alan Greenberg: Yes.

Jeff Neuman: And said, let's see, no one would ever expect to be quicker than a minimum. One thing and then I want to go to Liz because something you said early on raised a comment - or comment from Liz. You know, one thing, because you did say a 15 or 21 days, it's not really, you know, you should have some guideline in there. And I think what you said is probably something that's consistent with what this group has said.

And I'm just looking at 9A, Marika, where it says current deadline of 15 days after receipt of request is unworkable. Rather than saying it's unworkable, it's - what we're really saying is the rigidity or requiring it to be done in 15 days may not be workable in all circumstances. You know, in theory, it could be done in 15 days.

Alan Greenberg: But plenty have been done in that time. The question is, do you get the quality product that all parties want?

Jeff Neuman: Right.

Alan Greenberg: So Liz, you have a comment?

Liz Gasster: Yes, mine was actually, thank you for making that comment because I would have. But I wanted to go back to Alan's point. And I'm just a little uncomfortable with excluding the GNSO in the - from the maybe decision making process around an issues report request that comes from another organization, having to do with the prioritization for just the following reason.

And I guess I would put this in the form of a question and ask, how you think it should be handled?

But let's just say that the board requested an issues report from the GNSO staff today. I couldn't do it with the resource work volume that is - I couldn't do it now. I would have to drop something else among the staff people that I have to do the board report, to do the issues report for the board.

And if I stop doing something else, you know, I feel like I'd have to consult with the GNSO about what to stop doing in order to meet, you know, if we just put this rule in place or this guideline in place relevant to the GNSO and then excluded the GNSO from involvement in a situation where it was a request from somewhere else, what would you suggest happen in that situation?

Jeff Neuman: I'm not sure we're saying exclude the GNSO from having any or helping out staff. But can you imagine a case where let's say the GAC asks for GNSO to consider something, ask for an issues report and the GNSO doesn't want to for whatever reason and uses that as a chance to negotiate with staff and...

Liz Gasster: Right, right. And I agree with Alan and you that that's a possibility. I'm also just - because I'm in the exact situation right now that you are describing with, okay, what if we got a request from the GAC or the board and, you know, we'd want to jump on that or, you know, what would I do? We just, you know...

Jeff Neuman: From the GAC, if I remember back - this is going back a few years. But there was a request by the GAC directly to the board actually, it didn't even want to go through the GNSO. But it was to go through a second YPO - or (YPO had recommended adding - well, it was INNs and country names to the EDRP actions.

And the GAC actually and YPO sent it directly to the board. I think the board wisely said, this is a GNSO issue and it should go to the GNSO as opposed

to directly to the board deciding this. And I think that was very contentious because the GNSO, including the Intellectual Property Constituency did not want to tackle the issue at all. But I think - I'm trying to remember what happened in that case, I think we created a working group, not a PDP process working group but one that was comprised of GNSO members. I think Jonathan Cohen was the GNSO person assigned to it and there may have been one or two others, so it was like a cross SOAC group that was sort of created.

So I don't see it that farfetched that the GAC requests or any supporting organization or advisory committee has something they want the GNSO to tackle but the GNSO does not want to tackle that. And can we really make the GNSO tackle it. I guess the answer we already said is yes, that's, you know, we've already said that that's a legitimate for an issues report to be generated.

So how do we - does anyone have ideas? Avri, no Alan, sorry, I'm looking at the screen...

Alan Greenberg: Yes, to answer your particular question, the SO or the board cannot force the GNSO to do a PDP on something. All they can do is force the GNSO to consider the issues report. The GNSO at that point can say no and it's dead until some other process kicks in at that point.

So in terms of the problem Liz raised though of a staffing issue, what if the table is full and we get something else that is put on the table? And if someone on the board with the support of the majority of the board requests an issues report, presumably there has been some vague discussion with the overall - on the overall topic with staff already and they know this is going to be hard. And therefore, when they request that issues report, they can put in a 60-day limit if that's deemed to be appropriate.

If indeed the board wants an issues report and wants it now within 15 days or whatever the minimum is that we end up putting in the bylaws, that is absolutely no different than the senior ICANN management telling David Olive he has too fewer consultants starting next month because we're just in a budget constraint situation and people are gone, poof. And again, we have a situation where we have more work than there are staff to cover it and it's a management decision which will have to be handled presumably in - with interaction with the GNSO if GNSO work is going to be handled.

But reality happens and you have to deal with it. So if the board has been adamant that this issues report is the highest priority thing that ICANN policy staff have to work with, then it is. And somehow one has to accommodate that. I can't see that happening all that often but I don't see it any different than any other actions which cause staff to be constrained.

Jeff Neuman: Yes. And it's, you know, it kind of relates to a comment Avri had raised and another issue, I think, which is - and I have not been following, it seems a little bit complex. But the whole GNSO prioritization, I have no idea how that's shaping up right now and just have not been able to follow it.

Alan Greenberg: It's been punted. We have a process to put numbers on things but not what to do with the numbers once we have them.

Woman: Yes.

Alan Greenberg: That's the next step.

Man: You can run that working group if you like.

Alan Greenberg: I was talking to Jeff.

Woman: (Unintelligible) group to run, Jeff, I recommend you, run away.

Alan Greenberg: That's why I said it.

Jeff Neuman: Yes. No, it's the two - just as an aside, the two groups that I've now chaired is one of the original Whois taskforces and this one.

Alan Greenberg: A great (unintelligible) a great record.

Jeff Neuman: Why can't I take like a...

Woman: What's your point, Jeff.

Jeff Neuman: I don't know, either I'm an ineffective chair or I've taken issues that are just - are so complex...

Woman: You like Whois, common, I love Whois. It was a joy, I'm sure.

Woman: And PDP is redesigned, the PDP is such a trivial activity, I just don't understand the problem.

Alan Greenberg: Jeff, when you were in University, you probably never took any of those easy courses.

Woman: It's an (unintelligible) to be working on these issues.

Jeff Neuman: Yes, it's a glutton for punishment, I guess. Okay, so did we cover all of the points? I think we covered Avri's point, we covered Alan's response. Marika, do you have enough to put in the options here that we talked about or do we still need to go in a little bit deeper?

Marika Konings: This is Marika. I think I have enough to add another option. So I guess one option would be indeed to have a new timeframe or time limit. One will be then to have the options for council and staff to negotiate possibly with, you know, subject to the retesting organizations approval or input. I think we have

the notion of at least having a minimum maybe in the bylaws but not a maximum timeframe. So I think I have enough to put some options together.

And then again, you know, especially Avri and Alan, that I've commented on that, that they can then provide their input or any edits that they think are appropriate, that would be helpful.

Alan Greenberg: Yes, for clarity, I was saying that there should be a maximum because as Avri said, if you don't have a maximum, things grow and things grow to whatever the maximum is including infinity, I think. And the other one I said is with - it can be altered with the agreement of the originating organization. And you know, I - that avoids the word negotiation and all sorts of other things.

Jeff Neuman: Yes?

Avri Doria: I didn't get my hand up in time. I didn't quite understand, Alan. I was against there being a maximum because I think everything would tend towards the maximum. I support there being a minimum that no one would ever consider asking for less than that. But the maximum, my problem with maximums and ranges is that people tend to schedule toward the maximum. It's just one of those human behavior traits. You know, I'm going to take as much time as I can...

Alan Greenberg: I'm not disagreeing at all.

Avri Doria: Okay, I didn't understand.

Alan Greenberg: I said maximum but I wasn't saying a 60 or 90-day maximum. I'm saying a 15 or 20-day maximum but it can be increased with the agreement of the originating organization, of the originator or whatever, of the...

Avri Doria: You mean a 20-day minimum?

Alan Greenberg: No, there's - why do we need a minimum. If they can get it out in seven days, fine. Right now there is a maximum; I'm saying keep that maximum and maybe alter it somewhat but add a rider saying it is - it can be increased with the agreement of the issues report requester.

Jeff Neuman: Okay. Avri, you want to...

Alan Greenberg: I wasn't trying to debate, I was trying to get the words straight.

Jeff Neuman: Okay, Avri, is that acceptable, is that something that...

Avri Doria: Not really. Because basically what this says is it starts out with an initial expectation that they can do most of it within three weeks to a month. Now maybe staff is willing to accept that, that expectation. But it basically puts them on the defensive each time of saying, yes, I know it was supposed to get done in three weeks but this time, you know, it's going to take us longer as opposed to it being a straight professional request, we've got this issues report, what will it take, you know? Give us a week, give us an answer in a week and then take it unless it's absurd.

But you know, that's just my view on it. If they've got the maximum basically they're always starting from a position of having to defend why they can't do it in that maximum. And then unless, you know, Liz says, yes, she's comfortable in that thing, I would tend to not want it. And again, I'm keeping it as that person in another environment.

Alan Greenberg: Certainly not - has not been my experience in the last number of issues report, where there's always a good discussion of what it would take to do - to have a quality product.

Avri Doria: Yes, no - and I think...

Alan Greenberg: And I don't think we've ever had any disagreement either, council or at-large.

Avri Doria: So why do we need a maximum?

Marika Konings: This is Marika. I think I'll just suggest - because I think we, you know, this is what we've been discussing. We can put two - the two options in the recommendations and have people comment on it. So you know, unless, you know, I don't think at this stage we will reach an agreement, so maybe the way forward is just to outline those two options. And then again, Avri and Alan will ask you to look if I've worded your suggestions appropriately. But that might be a way of, you know, reflecting those two and then trying to get some comments on that.

                  And if I can make a small comment myself on Alan's point, now I appreciate the idea of a maximum but I would strongly encourage you to at least increase that a minimum of 30 days because I think 15 days indeed is feasible, that's a lot of pre-work is done and a lot of discussion is taking place. But 15 days is really short for a good issues report, especially in, you know, the current environment with so many other things going on.

                  So if we can increase the minimum that, at least from a staff perspective would be greatly appreciated.

Alan Greenberg: The only reason to have a maximum there, regardless of what the number is, as long as it's not too large, is to set an expectation that this is something that can be done moderately quickly. It's not something to put onto the back burner.

Marika Konings: Okay, well...

Alan Greenberg: And just as having a short time puts pressure on staff, having no time at all puts the requester at a disadvantage in trying to get it done moderately quickly.

Avri Doria: I have no problem with the word timely.

Jeff Neuman: Okay, let's...

Alan Greenberg: And let's go on.

Jeff Neuman: Yes, I don't - well, Margie's got a last comment, so let me get her to comment
                     and I think Marika's got enough to put all these as options and we'll let...

Alan Greenberg: Sure.

Jeff Neuman: Others lay in from the community on this. Margie?

Margie Milam: Yes, this - actually Marika made the point I was making. I mean, 15 days
                     makes it look like we're doing a bad job if we're not even close to 15 days to
                     be something that's, you know, reasonable, so essentially what Marika said.

Alan Greenberg: That's fine.

Jeff Neuman: And hopefully, you know, in our discussion, we've talked about all the work
                     that should be done, even prior to the requesting of an initiatives report. You
                     know, there's a lot of discussion in Stages 1 or 2, I can't remember which
                     one, about all the pre-work really that should be done prior to an issues
                     report. So hopefully that's the case.

                     All right, jumping ahead, Marika, did you have - I know you had - at one point
                     you had the next thing up there but I think you went back.

Marika Konings: Yes, I can pull up the other one that Avri made a comment on if you give me
                     one second - this one. I do want to point out that, you know, it would be really
                     helpful if we can start - stop maybe five minutes before our usually time, as
                     most of us need to get onto the GNSO Council call.

Alan Greenberg: I was going to request that too, thank you.

Jeff Neuman: Give you guys a chance to...

Alan Greenberg: Whatever.

Jeff Neuman: (Unintelligible) wonderful call. I would like to be on it but, you know, I'm not on the Council. Okay...

Alan Greenberg: Are observers really not allowed?

Avri Doria: Yes, they should have broadcasts for those like they do for the AOC meetings.

Alan Greenberg: If you called in, would we really refuse access?

Avri Doria: You should.

Jeff Neuman: Just to test it out. You know, I would like...

Alan Greenberg: You're allowed to sit in on an in-person one, why is the teleconference different?

Jeff Neuman: Same thing as the board, right? I don't know. You know - and I would like to be there to answer questions if there are questions about my email that were - that was sent around - but different subject.

                   This one is on - where are we here - maximum number of issues to be taken into consideration at the same time. So that's what we were talking about here and Avri...

Avri Doria: Yes. Basically I have been following the prioritization stuff because, you know, it's something I feel guilty about my tenure on the council because I

always put off talking about it because I thought I'd be confusing and hard. And we have priorities that were well fixed, so I could escape it. So I've been interested in this, though not participating.

And with what I see being set up now, which is the, you know, the list of acceptable projects and then an ordering process - and it really doesn't matter how that ordering is done. I think one scheme - the scheme they've got is a fine scheme for attaching objective numbers to something.

What I haven't seen anywhere and what we sort of have to understand is how a PDP generally comes up with a, you know, non-blocking event. There is a crisis, there is an event, there is something that is all of a sudden burbled up to the surface and it needs to be worked on.

And then there's the voting on do we do it, do we not do it, do we put it off. But I see no relationship between that and the prioritization scheme. So you've gone through the process and you know, Liz was referring to it earlier, she's got a priority of things to work on, she's fully booked out in terms of things all of a sudden this new job ticket comes - gets opened. And where does it go? And there's nothing in there - at least I see nothing in their prioritization scheme that says no matter what the prioritization scheme, every time a new issue comes up, we have to go through an exercise of fitting into that scheme somewhere.

And so what we're doing and what they're doing, I don't see the connection, I don't see how - I'm just confused about how to interconnect them. And that was a programmer speaking - I don't understand.

Jeff Neuman: Marika, I think you were - I don't remember if this is something we discussed or whether you kind of put that in the placeholder. Do you remember, Marika?

Marika Konings: What are you specifically referring to?

Jeff Neuman: Well, I think we've put in as an option to - you had said for discussion in the email, right? Do we want to further recommendations to a second phase?

Marika Konings: Yes, yes, that's correct. You know, I'm not very clear yet on what the result of the prioritization exercise is going to be and, you know, how that will effect PDPs or, you know, that will be a separate category. So I don't know, maybe, you know, that's why I put it as a suggestion, maybe we need to see how that prioritization exercise actually works out and if that's indeed an solution to deal with it, with the current workload and might, you know, avoid as well overkill or community overload on the number of PDPs going on.

But to be honest, if you look at the prioritization list, the majority of working groups are actually other initiatives. We currently have, I think, three PDPs going on and a lot of the other work is other issues that, you know, the GNSO needs to deal with or has been requested to deal with. So that's I guess another element of that discussion.

Jeff Neuman: Okay, Alan?

Alan Greenberg: Yes, I mean, on that very last point, hopefully at least some of them are due to GNSO reorganization. And ultimately, we will drop off the list and we should go back to real work being the majority of what we're doing.

I have a solution which is both exceeding satisfying and exceedingly dissatisfying at the same time. Our parent's parent, that is, we report to the PPSC which supports the GNSO, the GNSO has chartered a prioritization group which is supposed to take on its next task, figuring out what to do with the numbers. I say we defer to them at this point and don't try to do something in parallel.

It doesn't produce the answer, it doesn't convince some of us there will ever be an answer but someone else is actively working on it. I don't think we should be trying to do something in parallel.

Jeff Neuman: Okay. Avri? Avri, I think you might be on mute again.

Avri Doria: Stop muting myself. I actually agree, I would just recommend also that we send an explicit question to the council or to the PPSC or to the work group or whoever it's appropriate for us to communicate with, saying, huh, how is this supposed to work as opposed to just leaving it open.

Alan Greenberg: Pointing that we're leaving a blank place in our recommendation for them to fill in.

Avri Doria: That's assuming that they read it.

Alan Greenberg: Well, yes. No, I meant our explicit notes should say...

Avri Doria: Okay, yes.

Jeff Neuman: Yes, I agree with that. If that's what we're going to do, we should make it explicit and we should send it to them directly with that paragraph highlighted saying, okay guys, put your heads together and answer our question.

Alan Greenberg: Jeff, send it to the chair of the PPSC.

Jeff Neuman: I can do that, that's pretty easy. I was thinking more to the prioritization group.

Alan Greenberg: Yes. But the chair of the PPSC has to do that because the prioritization group is on a peer him.

Jeff Neuman: See, I might actually need to send it to the council first to see whether I'm able to send it to the prioritization group.

Alan Greenberg: That's true. As long as it doesn't involve travel.

Jeff Neuman: Yes, not face-to-face but at an ICANN meeting. I think we are getting beyond the point of no return. So all right, Marika, do you have enough on that one?

Marika Konings: Yes, I think so.

Jeff Neuman: All right. In order to give a break to those that have to get on the council call - and let me actually respond to a couple of questions I got that are going to be discussed on the council call. I would suggest that we break early. I am going to need to - I may not be able to join next week's call or I may not be able to join the full time. I may be asking - and I think James might have dropped off, so maybe I'll just assign him to be the chair for next week since he can't say no.

Alan Greenberg: Good move.

Jeff Neuman: I talk to James.

Avri Doria: Tried and true policy.

Jeff Neuman: What's that?

Avri Doria: That's a tried and true practice.

Jeff Neuman: Exactly. I think he did an okay - well, actually he only had it once before and I think there weren't enough people to actually have a call.

Alan Greenberg: No, he actually chaired one before that, I think. There was one where he - that wasn't canceled much earlier, I think - anyway.

Jeff Neuman: All right, thank you everyone and have fun on the council call and I will talk to you all soon.

Alan Greenberg: Jeff, before you hang up, did you see my last note on that subject/

Jeff Neuman: No, I...

Alan Greenberg: Okay, I was just point out that Avri said why are we talking about this on the
                  PDP working team, you said - and you agreed maybe it wasn't appropriate. I
                  think it is exceedingly appropriate. I think to use the words that I used in my
                  email, this is the poster child rationale for a fast track PDP.

Jeff Neuman: Okay. So let's get comments on that for - on the email as to it relates to that
                  topic. I also had thought it may relate in the sense of what happens when a
                  working group sends a report to the council. You know, we already
                  recommended that the council should not be making changes, so what if they
                  do.

Alan Greenberg: Yes, I mean, I disagreed with your letter in general. I think what council has
                  done is quite appropriate because any councilor has the right to say, oops,
                  there wasn't enough time to consult, I want the vote deferred.

Jeff Neuman: Yes, well I...

Alan Greenberg: It doesn't address the public comment period but we don't have a formal
                  mandate to subject every GNSO opinion to the public's opinion.

Jeff Neuman: Well, I...

Alan Greenberg: Anyway, I said it my email. I just wanted to bring up the fast track PDP as I
                  think it is a classic example of something everyone - almost everyone agrees
                  to, we just don't have no mechanism to force the board to address it.

Jeff Neuman: Yes, I think there's a dispute as to whether what the count - what that group
                  had brought up was not something that is policy. I know the ITC and
                  (Christina) has said that there are issues with that - so whatever.

Alan Greenberg: Yes.

Jeff Neuman: I don't like the council -- it's my own opinion -- but I don't like the council forming a work team that deviates from its initial charter and then comes up with something...

Alan Greenberg: That...

Jeff Neuman: And because of artificial deadlines - and I really called them artificial because this is not going to be the last (egg), it's not the last time to get an opinion. And I don't know of any other circumstance for the council as a whole has commented on a specified DAG recommendation and passed it as a resolution. So what makes this so important that the council has to pass a resolution ordering staff to change the DAG, which has never been done before.

                   And still, when the council speaks, whenever it speaks, people assume that it's got broad support from the community. And in this case - and it may at some point. But in this case, there has not been a demonstration of broad support.

Avri Doria: No, I disagree with it. I mean, I totally disagree with what you're saying. I think there are times when the representatives of the stakeholder groups can say something. And whether this is one of those times or not, that's up to the council to decide. And yes, I totally agree, they have the option to go back to the, you know, say we need more time and go back and canvas, you know, their stakeholder group. But I do believe that stakeholders groups - because otherwise, everything's got to go for a full public comment and we might as well just ask, you know, group voting on everything.

Alan Greenberg: I think PDP should - not PDP - I think the council should be doing more of this, not less. But we need to establish the process.

Jeff Neuman: And having a motion that comes up seven days before...

Alan Greenberg: I...

Avri Doria: And that's why there's this process, you know, standard processing within the council that has been accepted. So it's not written in stone anywhere that anytime anyone of the stakeholder groups says, listen, seven days was not enough to get the view of our stakeholder group. You know, table this until the next meeting. That has never been objected to that I understand. And so that gives another three weeks for the stakeholder group to do its thing and make a decision.

And you know, also, this is not ordering, this is asking. And yes, it does not have the force of a consensus policy and I think everyone from the staff and the board know it. It's just the stakeholder group saying, listen, we noticed a problem here, we're asking you to fix it. If they come back and say no, then that's...

Jeff Neuman: Well, why does it have to be done through the council. Why can't the drafting team that noticed...

Alan Greenberg: We need to - we can continue this but I can't right now.

Jeff Neuman: Yes, I agree.

Avri Doria: I can continue with you forever because neither of us is in the meeting but that's beside the point.

Alan Greenberg: Then enjoy and document what you decide in the end. Bye-bye.

Avri Doria: Bye.

Jeff Neuman: All right everyone, everyone can hang up now if you don't want to listen. And frankly, we should turn off the recording. So Avri, let's continue this in Brussels, I guess.

Avri Doria: Sure. And over a beer even.

Jeff Neuman: Or multiple.

Avri Doria: They got good beer there.

Jeff Neuman: Beer and chocolate too - and French fries.

Avri Doria: It works for me.

Jeff Neuman: All right.

Avri Doria: Yes, I'm not going to worry about it.

Jeff Neuman: All right, thanks, everyone.

Avri Doria: Okay, bye-bye.

Jeff Neuman: Bye.

Woman: Thanks everyone.

                          END