

**Registrar Accreditation Agreement (RAA) DT
Sub Team B
TRANSCRIPTION
Thursday 18 March 2010 at 18:00 UTC**

Note: The following is the output of transcribing from an audio recording of Registrar Accreditation Agreement (RAA) drafting team Sub Team B meeting on Wednesday Thursday 18 March 2010 at 18:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-raa-b-20100318.mp3>

On page:

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

Present for the teleconference:

Steve Metalitz - IPC – Chair
Tatyana Khramtsova – Registrar Stakeholder Group
Michele Neylon – Registrar Stakeholder Group
Cheryl Langdon-Orr - ALAC chair
Holly Raiche – At-Large
Shiva Muthusamy – At-Large
Kristina Rosette – IPC
Marc Trachtenberg – IPC
Statton Hammock - Registrar Stakeholder Group

ICANN Staff

Margie Milam
Marika Koning v bvs
David Giza
Liz Gasster
Gisella Gruber-White

Absent apologies:

Elisa Cooper - Registrar Stakeholder Group

Coordinator: And at this time the recording has now begun.

Gisella Gruber-White: Thank you (Sean). Good morning, good afternoon, good evening to everyone. On today's RAA Sub-Team (B) call on Thursday the 18th of March we have Steve Metalitz, Shiva Muthusamy, Holly Raiche, Tatiana Khramtsova, Michele Neylon, Cheryl Langdon-Orr, Kristina Rosette. We had

Statton Hammock, sorry, on Adobe Connect; he seems to have disconnected.

From staff we have Margie Milam, David Giza, Liz Gasster, Marika Konings and myself, Gisela Gruber-White. We have apologies from Elisa Cooper and Marc Trachtenberg. I hope I haven't left anyone off. Statton Hammock has just joined the call. And if I can please remind everyone to state their names when speaking, thank you. Over to you Steve.

Steve Metalitz: Okay thank you very much and thanks everyone for participating. I apologize that this is not our most well prepared call from the convener standpoint. And I didn't circulate a real agenda. But as I see it we have a - we have some loose ends to tie up on our Tasks 1 and 2 and we need to start our discussion of Task 3, the next steps issue.

I think those are really our - our business today. And then hopefully we can make enough progress to get started looking at a draft report perhaps by the time of our next meeting.

But let me ask if there are any other topics that need to be brought up. Oh I guess I should also include, I'm sorry, this reference in the GAC communiqué to the law enforcement recommendation so let's put that on their too. Anything else?

Okay well let me - Holly has circulated a couple things that - regarding our Tasks 1 and 2. First a - some notes on really I guess notes to the chart that we've all been looking at. And then secondly some suggestions for reordering.

I guess if I could say on the reordering I think that makes a lot of sense but probably not for reordering the chart. We had enough trouble just - when we took out one entry and we had to renumber everything it caused a problem. So what I would suggest is that we might use Holly's reordering for the report.

We're going to have to have some pros accompanying this chart anyway it seems to me. It's not going to be self explanatory.

So I really appreciate Holly doing this because it is a more logical order what she's proposed I think. So let me just make that suggestion but then ask Holly to either talk about that or about if she has any comments or - on the notes that she attached to her email really notes on some of the chart entries.

Holly Raiche: Yeah, okay. Where I started from is I looked at the matrix itself and realized that under each heading there were a number of items all of which or many of which seemed to be either repetitious or seemed to be overlapping.

And it seems to me before any drafting is done we should all as a group be very clear what it is amongst those various items we actually do have a high priority on so we can formulate as a group what we think is the recommendation or recommendations coming out of these headings and then we can draft.

And it will be actually a much easier task to draft once we've decided what it is we recommend. So what I did was go through under each heading and say well what is it that we decided? And this is just my view. So I think everybody else has to go through every single item there and say what is it that we actually decided.

So if you want me to just quickly summarize what I think we've decided and then we can clarify because I don't think we can do Task 1 until we're all agreed what it is that we think we should be doing. Do you want me to go ahead and just, you know, two minutes into it or five?

Steve Metalitz: Sure I think that would be a good idea.

Holly Raiche: Okay. Go ahead.

Steve Metalitz: I'm sorry, yeah, go ahead.

Holly Raiche: Okay under cyber squatting when I looked at what it was we actually came out with in terms of recommendation it seems the only thing we came out with was essentially we needed to understand what cyber squatting was before we made any further recommendations.

So there was a sense that there was a high priority. But at some point in the early discussions we said that definition was being worked on elsewhere. So if it is, then we need to agree to adopt that recommendation.

Now we're having speculation - there was a - from memory and also from my notes there was discussion as to what - first of all to whom does it apply and we need to clarify whether this is registrars in relation to their names for their own purpose or whether it applies to affiliates.

And then while given a high priority it was also unclear as to whether this should be dealt with through a consensus policy or an RAA amendment in other words your tasks may be lighter or not.

Now malicious conduct really had three components that I could detect. The first is for clear contact details to be displayed. I'm not sure this should be under malicious conduct but it was there.

And then was a - grouped together with that is a high priority for a need for point of contacts for compliance matters. And I think those two things should be grouped together.

A separate item is the name for an abuse point of contact. And we in discussions decided that it is in fact a separate item and need to think through is that for registrars and resellers or just registrars, again a high priority was on that one.

There is a third subset of this one and that was a requirement on registrars to investigate credible reports demonstrating harm from the illegal use of a domain name. And there were definitions around all of that stuff.

We need to have those discussions before we actually draft anything. But that to me was (unintelligible). Compliance there was a - what we came to was there's already a lot being done and it was not clear in fact that, number one, there'd be any need for amendments and, number two, it looks as if it was almost a watching brief.

For privacy and proxy services there seemed to be two elements to what we'd agreed, the first simply a disclosure function. This provision - part of that is a provision for ICANN to accredit registrars and resellers that do (escrow) privacy proxy registrations.

And part of that saying we're listing with disclosure of services, etcetera. And then the other part of that was the actual relay function which is that providers of such services to forward to the beneficial registrants details of these specific alleged instances of misconduct. And again that probably needs some further definition.

The WHOIS, again there were two parts to this, clarify the obligation on registrars and resellers, not clear, to verify the accuracy of the data. And there was some proposed list to how this might be handled.

And the second part of that was to provide the link to the WHOIS database and another link to - a link towards the access data problem reporting system. And that was seen as high.

Now there were reseller obligations. And this is once again after we decide what we mean by reseller in this context. Again it was to disclose all reseller contact details to ICANN which was a high priority. But the other part of that

was to contractually obligate all authorized resellers to comply with RAA provisions; again a high priority. So again that had two parts.

In terms of RAA termination our discussion settled first around what are the provisions of the draft registrar disqualification procedure and we need to understand what those are before we actually start with drafting some contract details.

But the two elements of that first of all were the clarification for the grounds of termination and then the termination provisions itself, what do we mean by (unintelligible) businesses of registrar as another grant.

Now there's registrar information, that discussion really we needed to go back to (radar) and see if this registrar's information is already provided. So although that's a high priority it's not clear to me that actually we need to do this; we need to first check what information is there.

Business dealings again we said many of these issues are already being addressed so we need to clarify that. And then there was nothing under 11-19. So that's as far as I got. But it seems to me if we all agree on just collapsing some of those things into a couple of elements it's going to make Task 1 an awful lot easier for everybody.

Steve Metalitz: Okay.

((Crosstalk))

Steve Metalitz: Thank you very much Holly. Any comments or questions on Holly's document or the presentation? I'll recognize myself for a couple of comments. I think this is very useful and will be very helpful in putting together the report and making sense of everything that's in that matrix.

Let me just make a couple of comments, on Point 2 about warehousing and speculation there was discussion about whether this should be dealt with as an RAA amendment or...

Holly Raiche: Yeah.

((Crosstalk))

Steve Metalitz: ...policy. And to me that means we were doing Task 2. Task 2 says we're supposed to flag anything that probably is more appropriate for consensus policy. So that certainly should be referenced there but that's, you know, that's fine. It was expected that we would find some things that we don't have to definitively decide that question but that at least raise that issue and we wanted to make sure the Council knows about it.

Holly Raiche: Yeah.

Steve Metalitz: On Number 5, dealing with privacy and proxy services, one thing I didn't see in your summary was anything about the reveal function which obviously is an integral part of the proxy service function. And I think there were some priority items identified there so we would want to make sure that gets captured.

Holly Raiche: Okay now when I went through where we got up to, let's see, develop an Internet program - you may be right, I went through and kind of looked for it and thought what did we finally decide about that.

Steve Metalitz: I'm actually...

((Crosstalk))

Holly Raiche: We've got the reveal function under two areas which is what I thought I had picked up. Now I'm just looking at...

Steve Metalitz: We have 5.6, 5...

Holly Raiche: Yeah, 5.5, 5.6. I thought I picked that up under - oh no, okay. Certainly not (unintelligible) that's the reveal function.

Steve Metalitz: Okay.

Holly Raiche: Yeah.

Steve Metalitz: So that needs to be accounted for in there.

Holly Raiche: Yeah, yeah.

Steve Metalitz: And then my other question about the radar issue...

Holly Raiche: Yeah.

Steve Metalitz: And this I guess is really a question to the compliance folks. As I understand radar is something where it's information provided by registrars to you basically or to ICANN. It's not necessarily information that's made public.

And in some cases some of these recommendations do say, you know, the registrar should provide ICANN with information about their affiliates and ownership and that type of stuff. And I agree that may be - if that's already covered then maybe we don't, you know, that's not a priority.

But there are some others that say it should be publicly, you know, it should be on your Web - on their Website and that wouldn't be covered by (radar). At least I guess I'm just asking David or others or Margie if that's correct that (radar) not like publicly accessible information just information that the registrars provide to ICANN.

David Giza: Steve, this is Dave. That's correct, (Radar) is a proprietary system that's used internally by ICANN.

Steve Metalitz: Okay. So it's certainly responsible and some of these maybe not all we'd need to differentiate between things that call for - topics that call for public disclosure of something and topics that call for just telling ICANN something.

David Giza: Correct.

Steve Metalitz: Okay. Okay, those were my main comments. And of course, you know, most people just got this a little while ago. And again I will apologize for that because Holly did send this to me earlier and unfortunately I didn't get back to her on it.

So I guess I'll certainly, you know, if people have other questions now - oh I do see Cheryl and Statton have their hands up so - anybody else wanted to ask a question or make a comment? Okay Cheryl go ahead.

Cheryl Langdon-Orr: Thanks Steve. Just speaking up on the point you were just making there with (Radar). I think if my memory serves that Michele was mentioning that at the time we were discussing it - inasmuch as it is not going to be a huge impasse for those people who are already supplying some information under that system, should we go down the pathway of suggesting that it needs to be provided for - yeah, he was mentioning it more as a matter of some of this we are already providing under the (Radar) system.

Steve Metalitz: Right. Yeah, that's a good point. So it isn't necessarily a show-stopper necessarily, saying it's out, it's just saying that it may be...

((Crosstalk))

Cheryl Langdon-Orr: Exactly.

Steve Metalitz: Right, okay thank you. Good point. Statton, you had your hand up.

Statton: Yeah, thanks Steve. I want to thank Holly for creating this document. I think it's helpful to - it's an easy way to look at all of the topics we put together so from that standpoint it's helpful. I haven't had a chance to read through it very carefully.

But did you say, Steve, that you thought it was our intention to just use this as an internal group document right now which we'll use to spin into a report and that this wouldn't be widely circulated? Is that right? Like this is not a work product really; this is again another distillation of what we've been doing as we move along our tasks.

Steve Metalitz: Yeah, I mean, that's certainly my sense. I think it's going to be very helpful in creating our work product which...

Statton: Right.

Steve Metalitz: ...we need to report. But obviously not everyone's had a chance to look at it and we've already picked up a few issues here and we need to, you know, obviously it needs to be expanded to the other topics. So that's my understanding. I'll defer to others about that. Holly did you have a comment on that?

Holly Raiche: Yeah, this was certainly not intended as anything other than by the way this is my view of the matrix and everybody else should have a look at it and see if this is their view. This was just a way of trying to trigger everybody's brain to say is this the - is the way forward so that in fact we all agree what it is we've agreed.

Statton: Yeah, and that's helpful.

Holly Raiche: It's just internal only.

Steve Metalitz: Good point, okay. Any other comments on this at this point? Well Holly, again, thank you very much. I think this is very useful. And let me suggest that everybody take a close look at this between now and the next meeting.

And on the list if you have - I will pledge to put a couple of the comments that I made on the list and let's get everybody's eyes looking at this to see whether, you know, to see if your eyes saw the same things as Holly's let's put it that way. So let's do that between now and the next meeting.

Is there anything else on Tasks 1 and 2 for us to discuss right now or should we move to the beginning of the discussion of Task 3? Okay hearing no objection I think we'll get that document up there.

And what I was - we discussed this very briefly on the last call, and I sort of made an oral suggestion of how we might approach it and people felt it would be important to have a written text to react to. And with some delay - and I apologize for that - it was circulated yesterday.

So this is what you have up on the Adobe screen now. And it's really to suggest how we should deal with, you know, Task 3 is we're supposed to advise or give recommendations to the Council on what should be the next steps on this list of topics.

And my suggestion was first that we recommend that the ICANN staff draft possible contract language on the high priority items. Obviously they've already done that on some of them because they - well some of their suggestions were almost in the terms of contract language.

But this would at least, you know, put everything kind of on the same plane at least all the high priority items we could look at possible contract language and that could certainly include options. And this would be intended as a

starting point for the negotiating team, you know, grist for the mill, obviously things would change as the process went on.

The second part of Task 3, the second recommendation would be to suggest that ICANN form a negotiating team. And I've just listed there as - again as a straw man that there obviously should be some registrars on there, there should be some representatives of registrants and third-party interests. And I've listed some of the groups that might be asked to propose participants for that.

And obviously the ICANN staff which could also kind of hold the pen and we'd leave it up to ICANN staff to figure out who would be the right people from the staff or the right departments to be represented there.

You know, rather than set a - this is not intended to be a voting body or anything like that. So rather than set a number I think we might be able to just say put a reasonable number of people on there and it may be because there's a lot of topics that this group will want to - if it got going would want to divide into sub teams. So it might not be a big problem with having a large number.

And then ask the negotiate team to report back in six months which is a arbitrary figure but just some set time and I guess to report back to the GNSO although I'm not totally clear on that because, you know, obviously creating this contract is not really a GNSO function as far as I understand it.

So I've got that bracketed and there maybe some other things bracketed. But my intent was really just to give people a starting point here, something to react to so I don't know if people - it's not a very long document, hopefully people have had a chance to look at it and think about it a little bit.

So if you have I'd open the floor now to any comments, questions, alternatives or, you know, (brick bats). So the floor is open or what do you do with a straw man? I guess you light him on fire or something.

Cheryl Langdon-Orr: I don't see anyone coming at you with matches.

Steve Metalitz: Oh that's good, that's a little reassuring I guess. Any comments that people want to make now? Holly? Anybody else? Go ahead Holly.

Holly Raiche: Yeah, just a question, if it's not the GNSO where would it be because ultimately it's the Generic Name Supporting Organization where you've got the people who do have contractual relationships with ICANN. It's certainly not the CCNSO. So where would it be if it's not the GNSO, I'm just a bit puzzled by that one.

Steve Metalitz: Well that's a good question. I guess the question is if it's an implementation issue and not a policy issue then there may not necessarily be anything for the GNSO formally to get involved in. The last time around the GNSO kind of did weigh in at the end of the process.

Holly Raiche: Well these are going to amount to new contractual obligations. I would imagine that at some point everybody's going to want to be involved. I mean, we are talking...

Steve Metalitz: Yes.

Holly Raiche: ...we're not just talking clarification we're talking about new obligations here. And since the - everybody was involved, the GNSO was involved with the amendments - the first amendments that came through in what, Mexico, I don't...

((Crosstalk))

Steve Metalitz: Well, yeah.

((Crosstalk))

Steve Metalitz: Okay go ahead.

Holly Raiche: How...

Steve Metalitz: Go ahead Holly.

Holly Raiche: How were the RAA amendments that were passed developed because aren't we actually putting ourselves on that track?

Steve Metalitz: Okay let me - I've got Margie...

Gisella Gruber-White: Margie and Dave, yes.

((Crosstalk))

Steve Metalitz: And David and so let's go in that order because I think - well anyway let's start with Margie. I think Margie may be able to answer some of that question anyway.

Margie Milam: Yeah, and I guess the question is are we going to follow the same process that we used in the past or take on a different process. And so I would suggest a number four to your tasks really to identify what are the different ways of implementing the new agreement.

I mean, you know, you could do a PDP; you could do a voluntary adoption in the 2009 agreement. I understand we got a lot of registrars to sign up to that version because of financial incentives provided by ICANN. So there's lots of different options that are available to us.

And so I think that's probably something we need to explore and maybe put that down as our Number four on our tasks to see whether we want to try to do this through a voluntary method or a formal PDP process. But, you know, that probably needs to go back and - with the legal department that provides you with the options are for you to consider.

Steve Metalitz: Okay Kristina and then David.

Kristina Rosette: I'm going to yield to David because I'm looking for something on the ICANN Website that I think will be helpful and I haven't found it yet.

Steve Metalitz: Okay. David, go ahead.

David Giza: Thank you Steve. I was just going to ask Margie if it would be, you know, beneficial to maybe add to this list a little bit of the history behind the negotiation process involving the 2009 RAA. Because, you know, as Cheryl and Holly and others have pointed out, without that history we won't have a really good foundation to determine if we want to - how far we want to change or deviate from the, you know, from the practice that was used previously.

Steve Metalitz: Okay. So are you offering to provide us a little bit of that history now or...

David Giza: Well I would if I had that history available to me Steve. But unfortunately I don't because I wasn't with ICANN...

Steve Metalitz: Yeah.

David Giza: ...when that process, you know, started. So I was actually looking to, you know, perhaps Margie or others to compile that information and then, you know, make it available to the group.

Steve Metalitz: Well it certainly seems like a salient question if someone could just do a little (unintelligible) about how it was done last time. And as Margie said, you know, we're not necessarily bound to do it the same way this time but...

David Giza: Correct.

Steve Metalitz: ...that's...

Margie Milam: Yeah, that's right. And I think I'll take that on as an action item and I'll send something to the list, because I believe there has been some - a document and maybe that was what Kristina was looking for that sort of explained what the different options were in the past. I just have to, you know, do a little bit of research and send some information to the group.

Steve Metalitz: Let's just make sure though that we're talking about the same thing here because I'm hearing two different things. One is how do you develop a new agreement or how do you develop amendments to the agreement? Then the second question is once you've got those amendments how do you get them implemented?

I think those are two separate topics. And in fact the first one is I think what Holly was raising which is...

Holly Raiche: Yeah.

Steve Metalitz: All right let's say we have this negotiating team and it does something, you know, comes out with some package of amendments. Then what or, you know, who has to approve it, who has to sign off on it, who doesn't have the ability to, you know, that's where we - it'd be great to know or have down in one place what happened last time.

I mean, I know enough about this to say that what happened last time was that there was a negotiation which was primarily between the staff and the

registrars. And then after that there was public comment, there was consideration by the GNSO Council.

I mean, that in the barest outlines that's the process as I saw it from the outside. But obviously getting somebody who - getting a little more detailed picture from someone who knew - has a better understanding of what happened would be really useful.

But I think that's what we need at this point. I mean, implementation is another important question but first you have to figure out how do you get the amendments drafted and agreed upon and, you know, that phase of it. That's my stance. Michele, you have your hand up and then Kristina.

Kristina Rosette: Still looking.

Steve Metalitz: Kristina's still looking so Michele go ahead.

Michele Neylon: Just in relation to the not so much to the process but towards the actual implementation side of it. I mean, just bear in mind that there are still a number - I don't know the exact number and I'm sure somebody from ICANN staff could confirm those. There are still a number of registrars on the old RAA who haven't signed the 2009 one.

And, you know, the - a lot of us who would have signed up last year unless we're given a massive (unintelligible) it's not likely that we're going to change to a new contract if one were provided within the next 12 months.

Steve Metalitz: Okay.

Michele Neylon: You know, just bear in that in mind, I mean, we've only just signed on so...

Steve Metalitz: Right, right.

Michele Neylon: I mean, okay, I'm open to big carrots, don't get me wrong.

Cheryl Langdon-Orr: I was going to say, Michele, surely you'd be appreciating a carrot or two.

Steve Metalitz: That's right.

Michele Neylon: Well it would have to be a very nice carrot, very, very, very nice carrot.

Steve Metalitz: Okay. We'll put that on the menu then.

Cheryl Langdon-Orr: Oh the metaphor, the metaphor.

Kristina Rosette: This is Kristina. I've given up. I know that it came up in the Mexico City meeting in connection with the discussions about the RAA. And I also know that it was Kurt Pritz that was kind of summarizing the issue. I've just gone through the transcripts very quickly of the Council Saturday working session and the wrap up session and I'm not seeing it there.

So I don't know if there's somewhere else I should be looking. But I do remember that there was a - that there was a fair amount of time spent as to is this a policy issue because that determines how the Council had to vote on it and the Board had to vote on it as opposed to whether it wasn't.

Steve Metalitz: Yeah, that sounds familiar.

Kristina Rosette: Painfully so.

Steve Metalitz: Yeah, yeah. Okay well that certainly is - gives some direction to Margie too about where she might turn to get some of this information. Any other comments on Task 3 at this point? I mean, I agree that it would be very useful to have the document that Margie will send us which is what happened last time with regard to negotiation and how was it implemented.

And, you know, just at least in bare outline. But given that we are not bound by what happened last time anyway do people have any - and this came up basically because of my brackets in Point 3, is there any comment on Point 1 and 2, you know, as recommendations first having all of this turned into contract language, at least all the high priority items? And second, the idea of a negotiating team.

Any comments now on that or do people need more time to reflect on that? I'm either hearing a lot of agreement or a lot of reflection but I can't really tell which so David go ahead.

David Giza: Thank you Steve. It's probably a lot of reflection right now. In fact that was the point I was going to make was that, you know, we did assemble a team inside of ICANN to, you know, to compile the recommendations that we provided to the working group. And I can tell you that that was a pretty robust cross functional team.

And it took us a fair amount of time to discuss, debate, negotiate and then ultimately draft the recommendations on the proposed contract language that we included in the document that was provided to the working group.

So although I understand why, you know, Item 1 would suggest that staff take on the responsibility to do this again, you know, I'd ask the group to consider, you know, possibly some, you know, drafting assistance from, you know, one or other, you know, outside resources, you know, to assist in the process. Otherwise I suspect that with the work going on today it's going to take, you know, probably more time, you know, to get this done.

It's not that we wouldn't want to do it because I think our legal department clearly, you know, would like to, you know, to take the lead and control this. I'm just, you know, again sort of thinking out loud that if there was any, you know, any potential barrier to getting done in a timely fashion we'd probably

want our legal department to, you know, to sort of weigh in and say yes, you know, we're open to outside assistance.

But if our legal group is fine and can provide that kind of support then, you know, Point Number 1 could stay as is and ICANN could take the first crack at this.

Steve Metalitz: Okay that's a good point. Other comments here? Let me just recognize myself on that point. Well two things, first of all, you know, outside assistance could take one of two forms. ICANN could hire somebody to do this and if the alternative to having it done internally is to contract it out then maybe that would, you know, that might be faster.

But that makes an assumption about resources that I don't know - I'm certain they're not willing to make that assumption, but it's certainly something that could be explored. The other point is, you know, obviously there are other resources that could do this.

And I think it was very useful that the staff team that you talked about did put a number of these proposals into very specific language which was good. But, you know, in the last go around the IPC had a working group that did a redline of the entire contract. We, you know, proposed a number of amendments and contract language and we could certainly do that again.

You know, that would be another way to do it and I think we can - assuming we can enlist a few volunteers to - we might be able to get that done fairly expeditiously.

David Giza: Well Steve, before we take that action let me take the action item to contact our legal department and let me check with them and confirm, you know, their position, their resource availability, you know, and let's say our continuing interest to take the lead in doing the drafting here.

And presuming all of that aligns with, you know, with a positive, you know, outcome here that staff will move forward, you know, I can report back to the working group and, you know, provide some clarity on that.

Steve Metalitz: Great. Yeah and I think the only thing I would mention there is to make sure it's communicated clearly that we're talking about a starting point here not, you know, for discussion, not final language. Michele had his hand up.

Michele Neylon: Yeah, I mean, I'd very much be in favor of David's proposal to see if ICANN staff have the resources to do this. But I'm very wary and cautious of ICANN committing itself to spending more money on consultants and because, I mean, ultimately somebody has to pay for this, you know, who's going to foot the bill?

And if ICANN staff themselves have the resources in house to do this then that would be preferable at least in my personal view.

Steve Metalitz: Okay thank you. Other comments on this straw man, Task Number 3. Holly.

Holly Raiche: Yeah, sort of really getting back to I think the basics and that is if everybody goes through everything that we've agreed and what it is down to this is what we really meant amongst the sort of many items listed in the matrix it's going to be a much easier task. You know, out of all of the items I managed probably to get down to three pages.

So I think the first task really is to - for everybody to agree what it is we've agreed. What it is - and that's going to help, so that before we launch into drafting language against every single entry in the matrix, whether it's high priority, but that we're agreeing that - on three different permutations of the same thing, let's make it an easier task that really can be done within ICANN.

Steve Metalitz: Okay. That's a good point. Anybody else - any other comments on this? Okay in that case maybe we should turn to our - I think our last item - our last

substantive item which is this - what I sent around from the GAC communiqué.

It basically endorsed - I don't think it actually used that word but it spoke favorably about the law enforcement proposal and urged ICANN to give it serious consideration.

And the question I have is were they talking about the same thing that, you know, the law enforcement people put forward and presented in Seoul and that - we had a call with (Bobby Flane) and kind went through it. Is that what they were talking about or were they talking about something different or something that is progressed beyond that I guess is the question?

And I don't know if anyone on this call actually has the answer to that. But we should try to find out because if there's something that the GAC says that the ICANN ought to consider and if we haven't considered it we - I would think we should consider it. But I think we may have already given consideration to at least most of what they were talking about.

So I guess my question is, first, does anybody know the answer to the question? And second how we would find out? And Margie is going to give us the answer. Margie go ahead.

Margie Milam: Sure, I don't have the answer. But I just - I suspect it is what they provided to us. And I have an inquiry into (Paul Hoor) whose with the...

Steve Metalitz: Yeah.

Margie Milam: ...serious organized crime in the UK. He was in attendance at Nairobi. And so hopefully I'll get the answer to that. And as soon as I do I'll circulate it to the list. But my assumption right now is it's the same document that we explored earlier.

Steve Metalitz: Okay. That would be good news if that's the case. Michele, go ahead.

Michele Neylon: Yeah, I mean I posted something to the list about that as well. I mean, whatever it is they seem to have ramped up the publicity machine behind this in the last couple of days. And I've seen at least 20 separate articles related to us.

It just would be interesting to know, you know, first off is it the same thing; have they changed in any way. And two, what's eating them at the moment? I mean, why this sudden interest when they know that we were already looking at this? I mean, it's as if they're ignoring the fact that we are looking at it at least that's the impression I've got. But then again tech journalism can be a little bit iffy.

Steve Metalitz: Okay. I've got Cheryl and then Kristina.

Cheryl Langdon-Orr: Thank you Steve. Look, it seems fairly simple approach but as Chair of the ILAC why don't I just ask the Chair of the GAC?

Steve Metalitz: I don't have - I don't think there'd be any problem with that. But the thing is that...

Cheryl Langdon-Orr: Well I am able to be in daily contact and there's no problem asking if that's what the group wants me to do.

Steve Metalitz: Well I think - let me ask Kristina about this because I think she's posted something in the chat on this.

Kristina Rosette: Just that I think Cheryl's idea is definitely a good one. I mean, it's my sense, Michele, that they are aware of this process in other words this particular sub team.

And it's really just my impression from, you know, listening to the recording and looking at the slides that the law enforcement sector from, you know, the particular countries that participated in that dialogue really just wanted to try and make sure that what they believe would be helpful and important to them is also on our list of things to consider.

Steve Metalitz: Yeah. Okay. All right so is there general agreement that - well Margie was going to ask (Paul Hoor) and I don't...

Cheryl Langdon-Orr: And I'll come at it from the other end.

Steve Metalitz: Okay and we'll - and you'll both report back what you find out.

Cheryl Langdon-Orr: Yeah. Margie, we'll exchange email a little later then make sure we're asking the same questions and giving them the same background.

Margie Milam: Okay.

Steve Metalitz: Okay.

Cheryl Langdon-Orr: Thanks.

Steve Metalitz: Great. So I think we've disposed of that topic and we'll find out what the answer is. Is there anything else that people want to bring up? If not we do have - we've been meeting on our biweekly schedule which would bring us to the week of March 29 for our next meeting or call. So we could circulate a (doodle) poll for that.

And I hope - well obviously we will have a number of questions answered by then. We will have - David will find out from the legal department whether they're in a position to draft contract language. Margie will obtain and circulate some information about how this was done last time but in terms of negotiation and implementation.

We will have the information about the - what was referenced in the GAC communiqué. And I would agree with - let's do as much as we can on the list both to comment on and take further what Holly has done on Tasks 1 and 2 and also to react to what I've put forward as the straw man on Task 3.

So I think we have plenty to occupy us and hopefully we can make a lot of progress between now and the next meeting. Is there anything else that people want to bring up? If not I want to thank everybody for their participation and we'll be talking again in a couple of weeks.

((Crosstalk))

Margie Milam: Thank you.

((Crosstalk))

Gisella Gruber-White: Thank you (Sean), enjoy the rest of your day.

Coordinator: You too.

Gisella Gruber-White: Thanks. Bye.

Coordinator: Have a good evening anyways.

Gisella Gruber-White: Thank you. Bye-bye.

Coordinator: Bye-bye.

END