Policy Process Steering Committee (PPSC) Policy Development Process (PDP) Work Team (WT)
TRANSCRIPTION
Friday, 29 May 2009 14:00 UTC

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 Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT)
meeting on Friday, 29 May 2009, at 14:00 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-ppsc-20090529.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 c. - Work Team Chair David Maher - Registry c.
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Paul Diaz - Registrar c.
Mike Rodenbaugh - CBUC
James Bladel - Registrar
Brian Winterfeldt - IPC
Greg Ruth - ISP
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ICANN Staff:
Liz Gasster
Margie Milam
Marika Konings
Glen de Saint Géry - GNSO Secretariat

Absent apologies:
Zbynek Loebl - Intellectual Property constituency

Coordinator: Excuse me. This is the operator. The recording has started.

Jeff Neuman: Hey. Thank you very much. Good morning or afternoon everyone. This

                 is Jeff Neuman, the Chair of the Policy Development Process Work

                 Team of the PPSC for a meeting on May 29 I believe, 2009.

If I could turn it over to Glen to just do a roll call of who's on.

Glen DeSaintgery: Thank you Jeff. Certainly. We have on the call James Bladel, Paul Diaz, Wolf-Ulrich-Knoben, Mike Rodenbaugh, Brian Winterfeldt and Greg Ruth. And I don't see anybody else on there connected I haven't mentioned. And for staff we have Liz Gasster, Margie Milam, Marika Konings and Glen DeSaintgery. Have I left off anybody?

I know Gabriel sent me a note yesterday to say that he would be joining probably on the Adobe Connect.

Jeff Neuman: Okay. All right. And we're also waiting for Thomas to join us, Thomas Nartento join us. So if you could just let me know when he joins.

Glen DeSaintgery: I'll do that.

Jeff Neuman: Great. Well welcome everyone from a little bit of an absence for the last few weeks of meetings. (Good to have) some more people show up so I'm hoping that means that that workload is lessening for you guys or that the less frequent calls are helping.

So what we wanted to do today and if you're on Adobe Connect you could see a document is - first what we want to do is just get a little bit of an update from some of the staff members that are on the call as to where the restructuring is and maybe some of the progress of the other groups as to where they are and kind of what we're - what our thoughts are for Sydney which is in just a few weeks.

Also to talk about, you know, the second thing to talk about is document that you see in front of you that was sent around a few days

ago or maybe even a week ago by staff as to some of their thinking and how we progress further.

And when Thomas Narton joins to actually - because he only has a limited time with us is maybe interrupt where we are at that point so that Thomas Narton can talk about the paper he wrote, the Internet draft that he wrote for the IATF on a Birds of a Feather meeting which really relates well to the issues that we've been discussing about initiating a request for or the planning initiation phase even before a working group is created or even whether to determine a working group is created.

I think, you know, I've read the paper a couple of times. I think it's really helpful for a number of those key points. And since, you know, Thomas is also an ICANN Board member and familiar certainly with the ICANN processes, he could let us know how that all relates to the ICANN world or if it relates.

So given that, is there any question on some of the topics that we'll cover? Okay. So I'm going to ask Liz, Marika, Margie if you could just I guess maybe Liz provide an update of some of the discussions that are going on around restructuring and where we are on that.

Liz Gasster: Sure. So very briefly, there are number of other GNSO improvements activities going on simultaneously, key among them is the Council restructuring planning and the final arrangements for that.

You probably know that there was the hope and expectation that the new Council would be seated in Sydney. And there is still continuing work to be done on defining the role of stakeholder groups and

defining the role of constituencies going forward in the new Council and so there are continuing decisions and discussions that the Board needs to make and it's now presumed that Council will be seated in Seoul, the new Council, and not Sydney.

So the key question for us in that regard is, you know, whether there are any impacts to this group or dependencies, which we've discussed before but it's something to keep in mind.

There are also four other work teams under the GNSO improvements. In the PPSC there is of course this PDP redesign team but there's also a team looking at working groups and what the operations of working groups should be. That team is chaired by J. Scott Evans and you know.

And they have divided into two subgroups that are developing guidelines first on working group charters and guidelines for the Council itself in considering, you know, what elements to consider when creating and guiding working groups, the tasking of working groups, the defining of what the objectives of a working group would be.

And then guidelines also for how the working group itself would operate which would be guidelines for the working group chair and participants including kind of structuring the working group, the tasking, how reporting, periodic reporting in delivering outcomes.

And so that work team is developing initial outlines for these deliverables. And candidly is at a fairly (macent) stage of that process although they have defined these two deliverables.

And then on the OSC, the Operations Steering Committee, which is chaired by Chuck Gomes, there are three work teams underway. One dealing with the operations of the GSNO Council itself which is focused on the role of the GNSO Council as a kind of strategic manager of the policy process changing the Council from more of a legislative body that's the way the Council's thought of today and more into a strategic manager role as well as (dealing with the) statements of interest for that group.

There is a constituency and stakeholder operations team that has several sub teams that are looking at constituency and stakeholder group charters and that elements for a constituency toolkit services that ICANN could provide to constituencies to help them function more efficiently and effectively.

And then there's a communications team that's focused on improving the GNSO Web site, improving translations processes but also really looking at communications broadly between the GNSO and the other SOs and ACs and with the community and hot to strengthen those activities.

So those are just a snapshot of all the teams that are under way. And I'm happy to answer questions.

Jeff Neuman: Okay. Thank you Liz.

Anybody have any questions for Liz? So just to summarize, although this group had a due date of having a final report by Sydney, I think given the fact that the Council's not going to be seated until Seoul

given the progress and the contributions, I think it's safe to assume that that's no longer required of us.

Liz Gasster: More realistic.

Jeff Neuman: Right. That's good.

But that being said, I think it's important to just, you know, discuss amongst the group what our output is for Sydney. You know, what our goal is. And maybe I can just have - Marika talk about the document she presented and sent around as to what she tried to do in this document and how we could push it forward to have kind of an output for Sydney.

Marika, do you want to talk about the document?

Marika Konings: Yeah. Yeah. I can just briefly say a few words about that. The document was indeed sent out last week and then you can see it as well on the Adobe Connect.

This is basically an attempt from our side to try to bring together different elements from the discussion and the notes pages that we develop, the staff papers as well as the notes we took from the brainstorming session and trying to bring it all together into one document which we hope might facilitate and structure the discussion further towards working towards a solution.

So, basically as it looks like, you'll find in the first column basically the issue outline that we're looking at addressing. The second one basically indicates what is the current practice and rules. Then we've

tried to add a column, which basically highlights the concerns and questions because we think it might work easier if we try to address these questions.

If we can get a consensus around the answer to these questions, it might be easier as well to come to an agreement on what kind of solution would be appropriate. Then the fourth column looks at the notes from the calls and how our discussions - then, you know, going forward we hope to have another column where we would actually work out this proposed solution.

And the last one is basically just a placeholder for now saying if we come through proposed solution, should that be covered in the bylaws or should that be in another kind of document or where would that be placed.

So this is really just a first draft and, you know, we just would like you to review it. See if you think this might help the discussion and especially add any information you feel is missing or should be added in order to have, you know, have good discussions around these different issues.

And I think the idea would be if the group would feel that this is a, you know, a workable approach. It might be something we can use as well for the other stages that, you know, are still coming after the planning initiation phase.

So that's it. I don't know if anyone has any specific questions. I don't know if people already had the time to actually review the documents.

Jeff Neuman: Is there any questions for Marika? The only thing I'd want to say while I'm waiting to see if anyone - if anyone has any questions, either speak up or raise your hand on Adobe and I'll - we'll get to you.

You know, I do want to say that all of the notes, you know, that are relevant to this planning initiative phase are represented in that last column. And I do think the concerns and questions, answering those will give us more clarification to actually write the proposed solution.

And some of the ones from the notes we actually do have recommendations on. Some of the ones we just noted, you know there are concerns and we need to figure out how to come up with some solution to those. Like if you look at the first item for example, it, you know, who has the right to request an issues report. The bylaws have a certain requirement as to who can initiate.

And putting aside the threshold of how, you know, for the Council initiation, putting aside that, the group basically decided that the recommendation from the group on the calls that we've had was look, we don't really want to change where the request to initiate this policy process would come from.

So, you know, that's already, you know, kind of a good - pretty concrete. I mean I don't know if anyone wants to reopen that but that was pretty much what was decided by the group.

But we also talked about things as to whether we should have a formal mechanism to allow parties other than the ones who are mentioned, you know, other than the Board, the Council or Advisory Committee to have a way to actually bring up a topic for the GNSO to consider.

You know, there was nothing final on that. I think most of that discussion really focused around, you know, summarize what happened, it was well they should have a right - they should know people who aren't constituencies at least in the Council or (unintelligible) constituencies or stakeholder groups to be able to take issue to them and raise up - you know, they should have some threshold to raise some interest within at least one of those stakeholder groups so that, you know, they could - or within an advisory committee so that they can get the issue to be discussed at least at this stage.

You know, there were - and again there were things like, you know, the anti-phishing working group, ISOC and other groups that, you know, may want to make suggestions as to, you know, policy work.

But again, the recommendation that we came up with was we're keeping the three mechanisms the way they are as far as either coming from the Board, the Council or the Advisory Committee.

So, you know, that's kind of an assimilation of what's in the first column of the first issue. And then what we would need to do now considering those additional questions that came from, you know, other comments that were made either on the mailing list or the policy paper is, you know, the current language in the bylaws are first to initiation of a PDP when the issues report is requested.

I think the terminology is confusing. And we already talked about kind of changing the terminology and differentiating between when a process is initiated versus when a PDP is initiated. Any comments or

questions on that? I really think we've covered on a lot of the calls - we've covered topics, you know, one - I think two is something we will need to talk about a little bit again.

But, you know, we've covered things like Topics 1, 4, 6 we've covered to some extent. It's some of the other ones like Number 2 and others that I think we really need to delve into. (Being) silence. See everyone's fully awake today. Not even laughter; nothing. Okay.

So why don't we - why don't we get into, you know, to start getting into Number 2 I think because we haven't really - I just want to make sure we're good with - you know, Number 1 it seems like it's moving forward. Number 2 is the procedures for requesting an issues report.

We do have some of this defined in the new threshold that actually maybe Marika we can update it with the new threshold in there.

Marika Konings: Okay.

Jeff Neuman: (All right). So I mean the Board is still the Board. They still go through the same - but the Council obviously is, you know, that threshold will once the new structure takes place, that's no longer 25% of the members (present) of the Council.

Mike Rodenbaugh: Well what is it?

Jeff Neuman: What's that?

Mike Rodenbaugh: What is it?

Jeff Neuman: The threshold to - for initiation of an issues report?

Mike Rodenbaugh: Yes.

Jeff Neuman: I'm sorry. Yeah, so Liz, do you have that handy?

Liz Gasster: I will in just a sec.

Jeff Neuman: Yeah. I wish I - I don't have that handy at the moment. But it's essentially either - I think it's 60% of one house - I'm sorry, of - or a majority of both houses or - no I'm wrong. Sorry. I'm going to wait for Liz. I'm thinking about it and then I know I have it wrong.

Liz Gasster: I mean maybe we can just keep talking and it'll take me...

((Crosstalk))

Liz Gasster: ...to pull it up.

Jeff Neuman: There is a new threshold that will update in there but it's basically a certain percentage of both houses like, you know, you guys have X percent in the contacted parties house and X percent in the non-contracted parties stakeholder group. I'm sorry, the house. Or it's a certain higher percentage of one of the houses.

                 And I'm not - Liz will look up that threshold.

Mike Rodenbaugh: Okay. So the bylaws again maybe we've changed on this anyway. So we've cleared up the language about initiating the PDP.

Jeff Neuman: Say that again Mike.

Mike Rodenbaugh: So there's language in here it says that each of these people can initiate a PDP. Really it (says can) request an issues report. And the (key one that) can initiate a PDP is the next step later.

Jeff Neuman: Correct. Correct.

((Crosstalk))

Liz Gasster: Yeah. That's another sort of just cleanup almost clarification that we want to make in the bylaws I think because it talks about sort of initiate the language of initiating a PDP in a couple of different places sort of incorrectly. It was something (Alan's) talked about too on these calls.

Mike Rodenbaugh: Okay.

((Crosstalk))

Margie Milam: This is Margie. I have the language if you want it. The creation of an issues report requires more than 25% of both houses or a majority of one house. And then authorizing initiation of working group charter is 33% of both houses or more than 66% of one house.

Approve a PDP recommendation without a super majority requires a majority of both houses and further requires that one representative of at least three of the four stakeholder groups supports it.

And then approving a working group recommendation with a super majority requires greater than 75% majority in one house and majority of the other house.

Jeff Neuman: Okay. So getting back to the - thank you Margie. Getting back to the issues report, you know, one thing we've never been able to do yet and I really challenge people is to come up with a name of the overall process versus the formal PDP process because we've kind of confused the terms in this language.

But Mike you're exactly right. So the - obviously the wording in the bylaws are changing as Margie talked about to reflect - to reflect that.

Mike Rodenbaugh: Okay.

Jeff Neuman: Or we'll need to recommend that. But as far as - is there anything else that we would want to change as far as how they initiate it. I mean is it just, you know, the Board basically just sends a note to Council and says okay, there's a resolution passed.

I don't think the Board's ever actually initiated a PDP or an issues - has the Board ever even requested an issues report?

Liz Gasster: It's Liz. Not that I know of.

Jeff Neuman: Right.

Glen DeSaintgery: No. Not that I know of either Jeff.

((Crosstalk))

Jeff Neuman: Sorry, go on.

((Crosstalk))

Glen DeSaintgery: Not that I know of either.

Jeff Neuman: Okay. And then - sorry, Mike.

Mike Rodenbaugh: So the ALAC (has done so).

Jeff Neuman: Right. So the Advisory Committees have.

Marika Konings: And there's been confusion around how an Advisory Committee can request because I remember when the ALAC requested the (Asia's) report for the post expiration domain name recovery issue, people wanted (should) the Council (first) approve or can they directly request.

And the bylaws are (unintelligible) -I think they're being interpreted as once an Advisory Committee requests, that's it. The Council cannot say anything about it or doesn't need to do anything. It's just requested. They just need to acknowledge or, you know, just recognize that the request was received.

So that might be an area where maybe more clarity might be welcome. So it's clear for Advisory Committees how they can initiate. That, you know, they need to basically submit the request and that's it. There's no further vote required or anything like that. I don't know if that's something to be considered.

Jeff Neuman: Well so then there's two different issues behind that right. I mean what the bylaws say is that they can initiate a PDP. We could make a recommendation that they could certainly initiate an issues report, but not necessarily a PDP, or we could - or we could recommend the other way. That they could - they could both request the issues report and kind of override a Council vote for a PDP.

                 So I want to through that out to the group as to what the thoughts are. I mean I know (Alan's) not on the call. It would have been nice to have him give his thoughts on the issue. I'm sure he's got some on it. But, you know, what do people think? I mean Mike.

Mike Rodenbaugh: I think we should ask the SSAC too. But I think generally an Advisory Committee should not be able to force work upon the Council. We have enough, you know, we have enough of our own work to do. And an Advisory Committee is always free to start their own working group for example if they really want to look at an issue.

                 So I think there should be some gating going on before the Council decides what to do.

Liz Gasster: And it's Liz. Just to be clear, I don't think the GAC and I know the SSAC have never requested an issues report. But it's something the SSAC has talked about recently.

Jeff Neuman: And the SSAC has said we think the GNSO should address this or, you know, they might have GNSO but they do definitely say that we think this should be addressed and a lot of times - or there have been times where the Council has then taken that and started the process. But it's really a Council initiation as opposed to the SSAC initiation.

Mike, let me just drill down on that. So let me separate the two things. You said that they shouldn't be able to force the GNSO to - it sounded like you were saying - well you said basically to do work. But do you think that's both the case for an issue - what about just requesting an issues report and then the Council could still vote, you know, to initiate a working group on it.

Mike Rodenbaugh: Right. Well then that's really a staff issue. And then they're forcing work on the staff and that's fine. It seems to me they should be able to request an issues report. So right. And then yeah that would get reported to the Council and then the Council would decide what to do about it if anything.

Liz Gasster: If I can just be clear about what the bylaws require today and allow today. So today the Board or any Advisory Committee can request an issues report and it will be done automatically. There's a notification to the GNSO but staff does the issues report at their request.

Following the issues report, and there is this ambiguous language about initiating a PDP both times. But when you're actually initiating a PDP, when an issue is - if a PDP is requested by the Board, the Council will meet and do within 15 calendar days. No vote. No intermediate vote at a Council.

But if an Advisory Committee or other group requests a PDP, the Council does vote on whether to initiate the PDP, the actual PDP. So I'm making a distinction now between the issues report where it happens automatically at a Board request or another Advisory

Committee request and the actual launch of a PDP which only
happens automatically if the Board requests it today.

Jeff Newman: I think - I think that's what Mike's saying; should continue with the case
but we just need to clarify the language. We need to get rid of words
like commence a PDP and those words just make it really ambiguous.

Liz Gasster: Right. So that's...

((Crosstalk))

Mike Rodenbaugh: That's right. I agree with that. And then also just another minor point
is in B about the Council present at any meeting. I think there should
just be - clarify there that that's subject to (unintelligible) voting rules.
Because I believe now you can vote - you can be not present at a
meeting and vote on an initiation of an issues report or PDP.

Jeff Neuman: Or an alternative, I'm now - and that's one alternative certainly a good
one. The other alternative is to let each house set up its own rules on
how it reaches that percentage. That could be a recommendation. Not
saying one way or the other. It doesn't even have to say members of
the Council present. It could just say 25% of the members of the
house.

Mike Rodenbaugh: Sounds cool.

Jeff Neuman: Or it's actually 25% of both of the houses is what it says now or
whatever percent it is of one of the house - of one house.

Mike Rodenbaugh: Right, 51%.

Jeff Neuman: Right.

Mike Rodenbaugh: Okay.

Jeff Neuman: So is that - is that - so one recommendation - so one recommendation
                 is to strike the words of the members present.

Mike Rodenbaugh: That are attending the meeting. Yeah.

Jeff Neuman: Anyone else have any thoughts? I know I don't want to put people on
                 the spot but a bunch of people on the call, Brian, Greg, James, Paul.

Mike Rodenbaugh: I think that's a pretty minor point across the (board). There's lots of
                  (immediate) issues we could talk about.

Jeff Neuman: Yeah. No. I just wanted - that's why I wanted to see if there's any other
                 comments and then we just take note of it, write it down and I think
                 we're good.

                 Now Question 2B there's no requirements at this point as to what this
                 request would contain like what kind of information is required. Do we
                 think there should be a template such - and then or something of
                 defining the issue, identification of problem. Any supporting evidence
                 or even a statement of why should this be considered (unintelligible)
                 development?

                 And we've talked about pre-work done by the Council or in the GNSO
                 but we haven't talked about whether, you know, there should be

anything required of the Board or an Advisory Committee when they recommend an issues report be created.

Mike Rodenbaugh: What do you mean we've talked about it with reference to the Council?

Jeff Neuman: Not necessarily the Council but within the GNSO we talked about a bunch of - you know what? We haven't. I'm mixing of things of when - I'm looking at Question 4 which is in the creation of the issues report we actually talked about two types of things where there's, and maybe Marika we need to kind of separate these things out, where it was basically even before an issues report is created there was a discussion of the - that there should be the what is called the light issues brief which is really just the proposed issue raised for consideration.

The identify of the parties submitting the issue, the main dimensions of the issue, those elements we talked about that should be kind of in the request to create an issues report. Marika, Liz, jump in if you think I'm...

Liz Gasster: I think it's further down. It's further down in this document I believe.

Jeff Neuman: Yes. Number 4.

Liz Gasster: Yeah.

Jeff Neuman: It's in Number 4. So...

Marika Konings: But you got two different things because this is what needs to be in the issues report but when either a member of the Council or an Advisory Committee sends in a request it really varies. Sometimes it's one sentence and some they provide - sometimes they provide like five pages of, you know, explanation as why they should be explored.

So this is just a question and I think at lease speaking from staff, I think it would be helpful to have some kind of information already at that stage because normally the party requesting an issues report will have some kind of information or evidence why the feel an issue should be considered.

So maybe providing some kind of template or some kind of, you know, information checking to make sure that, you know, there's some underlying ground to the request might be - might be helpful.

Jeff Neuman: So just to go back a few weeks Marika and I think it's just maybe placement of where we put this in the document, but it was per (Sean's) recommendation and a bunch of people agreed that the first item, the first - the light issues brief would actually pre-date an issues report.

Marika Konings: But would that be the request or that would be actual the first product because there are two different things. I agree that we talked about and I think we listed now - I've listed now under like, you know, how an issues report should look and maybe that needs indeed two elements where the light weight and the - but this is - this Number 2 is really talking about the request.

When Council member puts something up for discussion or a vote, how should that look? Is that enough that it's just two lines saying I want to make an issues report on Fast Flux or...

((Crosstalk))

Marika Konings: ...would it be helpful that that states - if there's already some kind of supporting evidence saying I want a report on Fast Flux because I've seen the SSAC report, I've seen this and this and this. I mean it's an open question.

Jeff Neuman: So and I'll let Mike jump in in a sec. What was discussed - and it looks like James as well. What was discussed was that it would be part of the - it would be pre-asking the staff to do an issues report. So it would be as part of the request just those items. Right.

((Crosstalk))

Marika Konings: It would be staff - I mean just to (unintelligible). That would be staff's work. It wouldn't be at a request or having to provide that information. Or that's open.

Jeff Neuman: Yeah, I think that's open. But let me go to - let me go to James and then Mike.

James Bladel: Hi Jeff. Thanks. And I apologize if I'm covering territory that we've already been over. But I was just wanting to support the idea of a template to submit when requesting an issues report and that that could possibly include different sources of information or background on the issue that's under review. So that can include different groups

within the ICANN community or possibly outside experts that could be consulted.

And perhaps even some non-binding guidance on what is and what is not part of the issue. One of the things that I think we've seen with Fast Flux and with some other groups is that we start to - it's like a snowball rolling downhill. We start to pickup some of these side topics that may or may not be germane to the actual issue but are associated with it and so maybe setting some boundaries.

But of course the preliminary working group, or the actual PDP working group, could just take that under advisement. But if they through the course of their work found that it was something else, they could do, you know, incorporate that into their - into their recommendations.

But just thinking that a template would probably be helpful to set some boundaries around that as well as identify some information sources.

Jeff Neuman: Okay. Mike.

Mike Rodenbaugh: Okay. I would just say that I'm all for anything that makes staff's job easier. But I'm definitely opposed to anything that makes the process take longer and makes it harder to initiate a request. And that's what Bertrand's proposal seems in my mind very clearly to do. There were significant issues with his proposal as I'm looking at it here but this one in particular.

You know, putting together three-page brief, that's just - that is a lot of work. It's hard enough frankly putting together a motion and then shopping it around to like (90) counselors and that sort of thing. And it's

a lot of work to get a motion before Council that you think will be approved as it is today.

And I don't think we have a whole lot of frivolous motions or frivolous requests for issues reports today. So again, I think a template and suggested information ought to be provided. Certainly a good idea. But it ought to be optional and otherwise not make it more difficult than it is today to request an issues report or raise an issue at Council.

James Bladel: Jeff, it's James.

Jeff Neuman: Okay. James.

James Bladel: Mike, I agree with your concerns. We don't want anything that's going to drag the process out unnecessarily. I also feel that that work is going to occur and it's a question of can you preempt that with a proper template or does it essentially defer that type of effort into the - into the PDP working group itself. I mean I can kind of see it falling both ways is all.

Mike Rodenbaugh: It is - you can't push every issue into a bunch of finite little boxes. Some of these issues, they deservingly (smell raw). As you get into them and start to understand them and how they're - how they're affecting the various stakeholders, yeah their other issues come up. You have to allow that sort of flexibility.

Jeff Neuman: Let me go to the queue. So we have - I see Paul and Liz. So Paul.

Paul Diaz: Yeah. I just wanted to follow up and Mike and James I mean we both experienced this in Fast Flux. I think I come down more on the side of

Bertrand or James right now with the idea of a template because to Mike's point, in some cases we may not know.

So if we had a template and the requestor wasn't sure by identifying that, you know, that there are gaps in knowledge or there are certain research needs, et cetera, I think that ultimately will be very beneficial in the policy work that will follow because rather than launching into a PDP and then figuring out oh my God.

There are so many things we don't know, it'd be better to have that work done upfront by the requestor or by the specialized parties that are better positioned to develop information that can be used by working group participants rather than launching a PDP then figuring out and having some of these processes go on for what feels like forever and ultimately coming to the conclusion that you know what, we don't have policy recommendations here.

So I kind of agree with Bertrand or James right now that the importance of having a template, of requiring some work upfront is very important. Not that we're going in necessarily get frivolous requests but I think some requests that have been made in the past have been made with far less than a full appreciation of the amount of effort that's going to be involved and/or, you know, whether this is appropriate for policy work.

And again using Bertrand's guide, I mean it will look to Council's input on whether this is an appropriate issue, et cetera.

Glen DeSaintgery: Excuse me Jeff. This is Glen. Thomas Narton has just joined.

Jeff Neuman: Oh great. Hey Thomas. How are you?

Thomas Narton: I'm doing well, thanks.

Jeff Neuman: Good. You actually joined at a good moment. I'm going to take Liz off - Liz if you want to just make a point that I'm going to - then I'll get back to you Thomas and you've actually come in at a real good point.

Liz Gasster: A very quick point was I thought - I think the rationale behind - yeah, the template, I don't think we want a lot of boxes but I think there were some threshold questions we were trying to get at from the initiator of the request in the way of sort of baseline providing information on, you know, the scope of the harm or the scope of the concern to be address and the impact to the affected communities of the problem.

                  And a good example I would point to and then I'll stop would be our current charter drafting on the post expiration domain recovery issue because I think in that context for example it would be very helpful to know sort of the evidence of harm, some specific examples, even if it's anecdotal.

                  Where we've heard this problem, who's - are the specific regions or registrars that, you know, are being pointed to? Some kind of factual baseline for the assertion that there is a problem. And that's where - you know, not a whole bunch of rationale but just some factual baseline. And I'll stop.

Jeff Neuman: Okay. Thanks. Let me first ask - I don't know, Marika or Margie, I don't know who has control over the Adobe but it seems like everybody's got

in the queue. So I'm not sure who's in the queue and whose - or who just has microphones in front of them. I can't change that.

Marika Konings: I can take away the microphones and then we can start off again after the - after Thomas if that's okay.

Jeff Neuman: Welcome Thomas to the call. What we're talking about now is actually in the stage of - in the - what's currently called the whole PDP which is the confusing terminology in ICANN world about just initiating a request for an issues report.

And one thing that I thought was helpful that was circulated around the group several weeks ago was your draft, Internet draft, that was published in February of this year on the creation of a Birds of a Feather and I was wondering if you could kind of help us understand what kind of - why do people use Birds of a Feather groups?

What is - what is the amount of preparation in your experience that's done and do you think the preparation at that beginning actually - how it helps the work of a working group if it's created and actually can make the process faster as opposed to bogging it down. I know I've asked a lot of questions there.

Thomas Narton: Yeah. So let me respond by saying first off I think it's - I mean the way the (ICAF) works, BOF has always been a crucial part to starting any kind of work effort. And, you know, we are a (bottoms up) organization, which means that anybody can at least in theory propose work.

And a BOF is just a venue that allow people to propose doing work and discuss work and get down into the details of trying to figure out what

does that work actually mean and is there actually agreement on what that work should be. Do people agree on what the scope is? Is there a shared understanding of the problem? Is there a shared understanding of the general direction of where the solution should go? And so on.

And, you know, the process and the idea for creating an actual working group, you know, there's the kind of the official process which is somebody proposes a charter. The charter is taken to the ISG. The ISG reviews it and either approves it or, you know, modifies it or sends it back.

And what the BOF is supposed to do is to generate support for a specific charter to form a specific working group. So it's part of the process of vetting the work, figuring out what the deliverables would be, scooping the effort and showing that the community has agreement or consensus or whatever you want to call it that this is an effort that ought to go forward and will produce a meaningful result.

And they vary from being fairly formal to being quite formal. And it really just depends on how much preparation has been done and it something of how high the stakes are.

There's a sort of an assumption that you can't - I mean anybody can propose holding a BOF but an area director has to agree to hold to it so somebody - there is some upfront, you know, quality control saying that if there doesn't appear to be support, there doesn't - they haven't done enough prep work that it doesn't take place.

It's a balancing act of trying to make sure that if there - the community is calling for some work in an area than an attempt be made to support

that effort. Balance without, you know, against not wasting people's time for efforts that clearly aren't going to garner support, aren't going to go anywhere.

But the purpose of the BOF really is to get people in the same room to talk about the issue and get agreement on what to do. So it's tied into the whole notion that the way it worked - the formal mechanism for creating work have - is to propose a charter.

And so the BOF typically focus around garnering support for a specific charter and the specific work items in the charter. And certainly if you - if there was for example an ICANN (context) a group wanted to have explore a topic or have an issues report generated, it might well be worthwhile to have, you know sort of a BOF where people go in and kind of summarize what the landscape looks like.

Different people might say what their view on the topic is and then people discuss specific work items that could be done. I mean is this something that should be a PDP? Is this something that requires an issue reports first? Is this something that - something ought to be done but we don't quite know yet what it is or it's not clear, you know, in ICANN context what that work should be?

Or is it really more properly done outside of ICANN or in combination of ICANN and somewhere else? But it's a good place for the public to either have both visibility to what's going on and also have input into what work's actually done. Let me pause there.

Jeff Neuman: Okay. Is there anybody that's got any - you know, I'm not sure as to I
                 know what an area director is because I'm familiar with the IATF. Do
                 you want to just...

((Crosstalk))

Jeff Neuman: You had said at one point it's for an area director to have approval.

Thomas Narton: Yeah. So the way the IATF is structured, the ISG is kind of the day to
                 day management body. They oversee and manage all the working
                 groups. And so the IC approves all documents that come out. They
                 approve all charters and things like that.

                 So in order to start work, you have to get the ISG's approval. And the
                 IC consists of like 15 members. They're individually called area
                 directors and area directors are responsible for some set of working
                 group. So for example there's like a routing area that deals with routing
                 working groups. There's a security area that deals with security
                 working groups and so forth.

                 So just a management structure. But the upshot is that you have to
                 have an area director that kind of champions the work within the ISG
                 as a whole and the ISG as a whole has to sign off on the work.

((Crosstalk))

Thomas Narton: There's a fair amount of give and take in the development of the
                 charter where people argue about the wording and the scooping. And
                 partly what you really want to have is to make sure that people actually
                 read the charter, understand the charter and that, you know, three or

four people read the charter, they all agree on what the - what the working group is going to do and they don't continue to argue later about what they're supposed to be doing.

Jeff Neuman: And is there any criteria then the area director has? You know, is there any documented criteria as to whether to decide if the Birds of a Feather group is worth it or is it kind of just use their judgment.

Thomas Narton: The use their judgment. You know, we have a fair amount of experience with that. And in some sense it's a - there is agreement in the group as a whole that, you know, there's a - well specifically what they look for is do people understanding and agree on what the problem is that needs to be solved.

Do people agree on the proposed deliverables, the specific documents that will come out from it? Do people agree, you know, that there's actually a critical mass of people that do the work such as a volunteer organization.

And, you know, and then at a management level the area director has to go say like well, do they feel like the group has a reasonable chance at actual success or is the - or are the - you know, do the parties actually divide it and unwilling to compromise and unlikely to actually agree on anything.

So part of it is, you know, based on some fairly concrete metrics like is there real support and are people willing to step up to the plate and review documents and be editors and things like that. And part of it is also just the experience of the area directors and the ISG based on what they've seen from other working groups.

Jeff Neuman: Okay. And one other thing I think is important. You said it - said it a couple times and it's definitely focused on your paper but it's a point that the BOF is really for figuring out the problem and you really discourage kind of discussions and solutions at that standpoint.

Thomas Narton: Right. But I mean, you know, of course in the IATF context, the deliverables are typically standards, documents that document technical standards. And one of the things we found repeatedly over the years is if people don't actually understand the actual problem, the real problem that they're trying to address; the solutions that get proposed won't address the actual problems.

And if there's a disagreement about what the fundamental problem is then you're not going to get agreement on the solution because different people have - you know, will say this doesn't solve my problem or my view of the problem whereas somebody else might say it does.

And so it's really, really important to understand what the underlying problem is so that you can - you know, when you have a solution or a proposed solution, you can go back and say does it actually solve the problem that people actually have.

Jeff Neuman: Okay. Mike's got his hand up. Mike.

Mike Rodenbaugh: Yeah. Just say that - I mean all of that sounds very excellent. It is essentially what we do now on Council. I mean it's a few people that get a few other people to start working an issue. You've got to get a critical mass of folks to deal with this.

Then we - then we get, you know, a majority of Councils have to approve a (drafting theme) has been typical practice you've seen. And our (drafting) really is your BOF as you've been describing here. It's people from different - all of the different constituencies hopefully participating and trying to define what the problem is a drafted a charter.

So I complete agree with that. I feel like it's something that is - has progressed to become our standard practice (because) there is one on Council these days. And we just really try to memorialize that.

It's certainly contrasted to what (Sean) is putting forward which is, you know, a fairly radical departure from what we're doing today and really requires in my mind quite a bit more of upfront work.

Thomas Narton: If I could - if I could just jump in here for a second again. What observation I'll make is there's two aspects of BOF that are important. One is they often do start kind of from the top down to where the area director or the ISG, you know, who - they're plugged into the community. Kind of have a sense for what problems are there and they try to create a BOF and they try to get people to go off and do a BOF. So you can sort of say that's a top down design.

But it's also the case that anybody could propose having a BOF so that it isn't rely on the management to control everything that's done. Now the management still decides whether a BOF has - you know, is ready to go forward or not and whether it should be held and whether it's useful to spend, you know, meeting time at it.

But it provides - allows - it allows people, you know, the Council or the management team to basically say well if the community agrees that there's a problem here and they want to have a BOF, go ahead and do it but show us the work and do the prep work for it. And then you can see by whether people actually deliver how much support there is.

Jeff Neuman: And the BOF may or may not lead to a working group, right.

Thomas Narton: Absolutely. It's not at all uncommon for a BOF to have no consensus with people disagreeing on the problem or disagreeing on whether a solution is feasible, you know, or whether it's in scope for the IATF to work on and so on.

Jeff Neuman: So going back to Mike, in the drafting team example that we've been using, is it your view that that should happen before an issues report or after? Or should it be helping the creation of the issues report?

Mike Rodenbaugh: I think it should come at any - it could come either to draft a request for an issues report or it could come after an issues report to draft a charter for a working group. Or some other solution or perhaps - we use drafting teams to create plans for further research or fact finding that needs to be done before forming a working group.

But the answer to your question is it could come - you could have a Council form one of those drafting teams at either exchange. But it ought not be required in order to request an issues report. You get the - I mean it was already bumped up to thresholds now. It made it more difficult on Council to have enough support to get an issues report. So I think that alone is enough check. You're not going to get a lot of frivolous reports - I'm sorry, requests.

Jeff Neuman: Okay. Liz.

Liz Gasster: This is an important question and I think we want to be thoughtful here. Here's my only concern. I think the one situation here I want to avoid is staff getting taxed to prepare an issues report without any foundation to do the report and it's - I think this is where you get into maybe more of the nature of the request or the problem.

Some issues reports are more like let's just call it internal research. You know, look at previous contracts like the registration abuse Mike where, you know, look at an inventory of these previous contract terms and what they've said or, you know that kind of thing.

But sometimes there's no foundation to actually write the issues report because there is no - and I go back to Fast Flux on this where other than the SSAC report there was no foundation.

There was no community discussion. There was no articulation of the nature of the problem or experience with the problem or analysis of the problem to draw on to even try to answer the kinds of questions that would normally be encompassed by an issues report. And it was jus a - it, you know, unsatisfactory position to be in.

Mike Rodenbaugh: Well okay Liz. I mean I certainly differ with you about how that working group started. And if staff felt that it didn't have fair enough direction of time then that would have been the time to clarify it.

Liz Gasster: We did though.

((Crosstalk))

Mike Rodenbaugh: You know, but there certainly was...

((Crosstalk))

Liz Gasster: In the report that we wrote...

Mike Rodenbaugh: And there was a bunch of whereas clauses and Council discussion about what the problem was.

Liz Gasster: Well in that case staff did say that we thought it was premature and why and that there wasn't sufficient foundation and the Council opted to proceed anyway and that's fine. And then we ended up doing all the research that might have gotten done upfront after the fact.

But it made it - it made it very difficult to accomplish the task of doing the issues report. And it in a sense led to a substandard issues report based on the standards we have today because it wasn't informed by any kind of information in advance.

Jeff Neuman: So is there - Thomas is there anything - any requirements, any template, any forms to fill out in order to get a BOF?

Thomas Narton: Well yeah, certainly there are but it's pretty informal. I mean essentially you need an agenda, a proposed agenda and the area director has to approve. But there is - you know, it's generally assumed that you don't get it - you won't get approval unless you've done some steps in advance which include for example writing a draft document that explains what the problem is and why, you know, the work is needed.

You have a - you have a mailing list that's been created where people have the chance to sort of talk about the problem and, you know, show there's some agreement for actually doing some work in this space and so on.

You know, the more advanced prep you can do, generally the better the BOF goes. That's the overall theme. So we're always trying to make more work be done in advance on the mailing list, you know, and through writing as opposed to doing it face to face.

Jeff Neuman: So Mike, listening to that - so your concerns are with timing and whether it delays the process but is there anything that you could - I mean you would think would be a good idea as requirements even in a template before you can make this request?

Mike Rodenbaugh: The requirement is that you get 25% of both houses or a majority of one house. So that means you've got to provide enough information to enough councilors to get their support.

Jeff Neuman: So if we could - I mean...

((Crosstalk))

Jeff Neuman: Is there anything that you'd recommend not...

Mike Rodenbaugh: ...suggesting information that would be helpful for staff in preparing an issues report is obviously an excellent idea. But you shouldn't be encouraging absolute requirements on how this gets done. You have to have flexibility.

Jeff Neuman: Right.

Thomas Narton: Let me just add one thing too. Even thought the (unintelligible) uses BOF a lot for creating new work, it's not technically required. You can - you can have, you know, the technical requirement or the - is that the ISG approval a charter or approve some work.

So it can be fast tracked and you don't need a BOF. But in practice we find that work is usually not that urgent that you can skip the BOF and the BOF is a really good place to get everybody in the same room and get a pulse, you know, get a feel, get a sense of the community on whether they agree, you know, with the work and they are comfortable with the work, they are comfortable with the scoping.

I man I'm, you know, maybe guessing a little bit but, you know, on the context like an issues report on Fast Flux, it might have been useful to have a discussion with the community about whether there's a lack of, you know, real data to draw on to start any work. And, you know, what do we do about that?

Jeff Neuman: So Mike...

((Crosstalk))

Mike Rodenbaugh: That was - that was realized and we decided that the majority of Council the way to get it done was to form a working group and that's exactly what happened. (Unintelligible) working group the first step was to pull data.

Jeff Neuman: So Mike, putting an aside whether something should be required or not, I think that's a different discussion. I mean is it possible for this group to kind of suggest some guidelines like in the IATF, some guidelines that would be nice to haves or good information to have to make it easier for both sides of the Council to actually have that vote? Right.

So let's say it's an issue in one house that's got some attention but really hasn't really been brought to the other house or they don't understand the scope of it. Isn't their something that we could recommend even if it's guidelines or suggested but not required?

Mike Rodenbaugh: Absolutely.

Jeff Neuman: Okay. I mean I think that might be one of the things this group might want to approach, and I see James has his hand raised, even if it's not technically required just, you know, encourage. Maybe it's an encouragement of people to use this other process even before an issues report is created. James.

James Bladel: Yeah. I just - you kind of already touched on it Jeff but I just wanted to reiterate the recommendation that this be a guidance and not binding or straining on the - on the work.

Jeff Neuman: Sounds like someone just joined or maybe someone took us of mute.

James Bladel: I think that this information again shouldn't be to draw boxes but just to provide some, you know, a little bit of the lay of the land for a particular issue. And, you know, to Mike's point, I think it's correct. It is an extra step.

It is an official work and delay but I'm afraid it's one of those things where if you build too much flexibility into it and just kind of throw it over to a PDP that the PDP working group can kind of for lack of a better metaphor drown in that flexibility without any sort of milepost laid out on what they should be looking at.

And again, all of this being recommendations and guidance, not, you know, fencing in this conversation.

Jeff Neuman: Okay. Marika.

Marika Konings: Yeah. No, I just wanted to support as well what Liz said and I think that, you know, having more information will as well helping make an informed decision at the Council level wanted to, you know, request an issue report or initiate a PDP.

But I think something as well that is mentioned, you know, or has been raised in previous discussion, could there for example be as well an option to allow constituencies to state their position on the issue because if you - you know, if there are strong views or information that constituency have on a certain issue that might help as well to share at this stage if they would really say well we don't think there's an issue at all because of these, these and these reasons.

Or we really think that this issue should be addressed because we have evidence part of this, this and this. That might be something as well that's helpful to inform the decision following an issues report whether to actually initiate a PDP.

Mike Rodenbaugh: But Marika that could happen today.

((Crosstalk))

Marika Konings: Yes, but it's not happening. So I don't know if we need to provide more guidance or provide for more room. I mean it actually - it doesn't happen for the issues report because there's no time to actually - I think there's officially we cannot really ask certain parties to provide information or there's not and there's no real, you know, request for information or open discussion on the issues report currently. So it doesn't really exist.

I mean it happens in the PDP once you actually have launched the process but, you know, apart from some requests where certain constituency will identify like what the ALAC (that thing). We think this is an issue because of these and these reasons. That debate doesn't really take place at the initiation phase or I haven't experienced it yet at least.

Mike Rodenbaugh: Well there's - first of all, I think it does take place. There certainly is debate around whether to request issues reports (often) vigorous debates, you know. That's part of threshold as well. And we don't require a majority. I guess...

((Crosstalk))

Marika Konings: But I don't see that a low threshold as a rigorous debate. It just means that it get very easily accepted just with a few people saying it's a good idea.

Jeff Neuman: All right. Let me just - sorry, let me just jump in a little bit. It sounds like what I'm hearing for most of the people on the group is that we think it's a good idea to build in some guidelines as to information that would help in the preparatory phase even before an issues report is created.

That it's a good idea to encourage people to have certain information, whatever that is, before an issue report is created but not necessarily to make it a hard and fast requirement similar to the way the IATF does their Birds of a Feather which is encouraged but it's not a requirement to actually initiate a working group. Does that sound like an accurate statement?

Paul has his checkmark up. Mike does that sound accurate.

Mike Rodenbaugh: I think so.

James Bladel: This is James. I agree. I'm away from my keyboard right at the moment.

Jeff Neuman: Okay. Does anyone disagree with that? Okay. Good. So I think that the next part of the discussion and not necessarily for today is to, you know, scope out what are some of the useful things we could encourage and guidelines that we could create as to types of information that we would like to know as, you know, members of the stakeholder groups that would be voting whether to initiate a issues report but also things that staff would like to know that would be useful to them in creating the issues report.

Again, none of this is mandatory but it's the kind of information that we could put out in some guidelines or best practices. We'll agree with that

statement? Sounds like Marika - Marika is yours raised? Is that new or is that...

Marika Konings: No, sorry. My hand was still up from before. I'll just take it (down).

Jeff Neuman: Oh okay. Sorry. Does that sound like an action item that we can work on? Thomas, my last question to you is you've observed the ICANN world for a few years now and obviously have been very active in the IATF. Is there any - from your standpoint is there anything that you could recommend in a policy development process? Things you haven't seen happen, things you'd like to see happen, things you think that have worked or not worked?

Thomas Narton: I guess I don't have a quick answer to that. I have to think about that a little bit but I sometimes have wanted to see the equivalent of a BOF where I get the sense that within the community there is a topic that's bubbling that, you know, people are talking about in the hallway.

And it doesn't actually get discussed formally and it would be nice to be able to have venue for people to talk about something like well, you know, this is what we think is going on. Should we be doing something? What can we do? And a BOF would be the normal way you do that in the IATF.

And I don't - I just don't see an equivalent mechanism in the ICANN side for that. But maybe it goes on within the Council and, you know, and I just don't have visibility into that so much.

Mike Rodenbaugh: I think it - the workshops at the meetings they're about as close as they come to that. But who proposes workshops and, you know, who

has the ability to do that? You're right. That's a very mysterious process.

Jeff Neuman: Yeah. I definitely agree with that. I think it's, you know, a lot of times it's, you know, maybe staff hears issues talked about and then think the workshops a good idea. It may come from other political sources too that thinks an issue should be discussed. But I definitely think that that's something that may be in our guidelines.

One thing that - last thing Thomas is that in your paper you emphasize that even the creation of a BOF there's a lot of work and a lot of time that you emphasize in that draft that you should really be thinking about a BOF, you know, at the previous meeting which is three to four months before the actual BOF is held.

You know, that there's a bunch of work and a lot of it you call is really socializing the content. But just to kind of emphasize that this is not something that you come up with a few weeks before a meeting. Part of that's driven because the IATF, and correct me if I'm wrong, you actually have to have your agenda item for the next meeting. What's it like six weeks before?

Thomas Narton: Yeah, partly to - part of it is just that the vast majority of BOFs are focused on forming a working group and that's a pretty big step. And it's not really acceptable for two or three people to get together and say we'd like to propose work in this area and have them run the show.

You want to open it up and allow other people to also participate kind of even - on an even keel, which means they need to know about the effort in advance. They may want to write their own draft and, you

know, have their own input. And you can't - you just can't get that to come together at the last minute.

Jeff Neuman: Okay. Anybody else have any questions or comments for Thomas? Sounds like it's pretty quiet. Well I definitely want to thank you for coming on and sharing that with us. I do think the draft is really helpful and I think it will help us to come up with some guidelines or some, you know, encourage certain things to be done before or with a request for an issues report.

Thomas Narton: I - well, glad to be able to help.

Jeff Neuman: Okay. Well you can stay on and listen or you can drop, whatever you feel like doing.

Thomas Narton: Okay. Thanks.

Jeff Neuman: Thanks Thomas. So is there anything - so I - so again the action item is for us to kind of come up with - and one of the things that will help too is Thomas Roessler is going to talk to us hopefully at the next meeting or soon about what the W3C does as well. Kind of similar to BOF but in their own kind of - how they prepare.

So that'll also be enlightening to help us come up with other things that may not be in the IATF's draft. Is there any other comments that people have on Number 2 on our paper of, you know, the procedures for requesting an issues report? Liz, Margie and Marika, anything you want to add? Now it's quiet.

So I'm thinking that the next item on our list is Number 3, which is issue scooping. There's really nothing in the current bylaws that talk about that. I think we kind of touched on this a lot. And actually some of this is actually useful for guidelines for the - for the issues report. Questions like should you identify a goal or an outcome of a PDP?

You know, what is the goal? Is it necessarily to create a working group? Is it to create a best practices? Is it just to have a discussion? And one of those items - it's actually jumped ahead a little bit to Item Number - kind of mixed in with Item Number - I'm scrolling down the list here, sorry, on my own which is 5, which is what can be the end result of a PDP.

So if I can jump to that one as well because we haven't really spent much time. You know, we have discussed in a number of the meetings previously. You know, part of the misconception or part of hat some people believe is the role of the PDP is usually the thought that, you know, whatever the outcome of PDP has to be a policy that's mandatory either on the registries, registrars or, you know, the contracted parties.

But, you know, we've also discussed in this group that it may be a perfectly acceptable outcome to have best practices. It may be a perfectly acceptable outcome to have some sort of recommendation to the ICANN, you know. It's not only contracted parties, right, but it could be, you know, we believe ICANN should be doing more in X, Y and Z.

So are there people that have thoughts of what they view as or what we can write in this document as to potential outcomes of a policy

development process? Being quiet. Well, I mean I just rattled off a few of them, right, that...

Mike Rodenbaugh: Yeah I mean it could be recommendations. For example, recommendations that are requesting names (unintelligible) or something like that or there can be recommendations of best practices or (unintelligible) with contracting parties or some sort of contracting parties. Or there could be consensus policies (principles) to all contracting parties or even the registrars or the registries.

Jeff Neuman: So it could be for example the first sort of like a recommendation to SSAC a study, some issue that maybe we don't have the technical capabilities to look at.

Mike Rodenbaugh: Yeah, it came up in our - or maybe to the (HEWG), whatever, you know. Just determining that we've looked at this as much as we can in the working group and that we can't resolve it and we think it would be of (interest) for somebody else to look at it.

Jeff Neuman: Okay. So I have listed best practices, you know, for contracted parties or a subset of contracted parties a recommendation to ICANN, SSAC or some other group that maybe can handle the issue or we, as you said, we've kind of gone as far as we can go. And then the most obvious one, which most people believe it was for - it was for development of consensus policies to be implemented by the contracted parties.

Are there any other outcomes that we can think of as a - I mean in theory it could be acceptable outcome of a PDP that nothing changes. That there are no - or it's just an affirmation of what's going on today.

Mike Rodenbaugh: I theory I mean that's how one of the work - who is the working group (unintelligible).

James Bladel: Jeff, this is James.

Jeff Neuman: Yeah. James sure.

James Bladel: One possibility would be, and maybe this falls under the heading of recommendations, but one possibility could be that a PDP could spawn successor PDPs. So for example if an issue was raised during the work that was not part of the course, issue under study but one of the recommendations could be future PDPs or breaking up the existing PDP into subdivided working groups.

So that's just a thought. I don't know if that's ever happened before or if that's something precluding that from happening but I just was thinking that is one possibility.

Jeff Neuman: Well I think it's sort of it's happened in the sense - well not really future PDPs but I think that's a good suggestion. I think that's right. What's happened before is it's another item we'll talk about later on. Not necessarily today.

But which is, you know, obviously a PDP comes out with a result and then, you know, what hasn't happened as much as it should is a recommendation of follow up work that needs to be done with respect to either monitoring whatever the outcome is of a PDP, monitoring the performance of even if it required a contracted party or parties to do

things, you know, monitoring those results and, you know, maybe to have an assessment after the fact.

That's kind of - that's where that has arisen but your point is different in the sense of during your - during a working group's discussions, a topic could come up that may be on the fringe of what your - the core issues you're trying to address or outside the kind of scope of the charter that's created but you strongly feel that the work should be done. Therefore it's a recommendation that, you know, a future PDP be started at some point to address that issue.

James Bladel: Correct. Or if for some reason the charter needed to be further subdivided or (mirrored). Another thought would be any recommendations I guess, and maybe I'm being too specific, but any recommendations for changes that would involve like a - I'm thinking for the IRTP that would be a clarification of an existing policy or recommendations for additional work for compliance.

I don't know if that falls under again the whole category of recommendations or best practices but one specific outcome that could result from a PDP that's not necessarily new policy.

Jeff Neuman: No, I think that's - I think that- I think that's a good - those are good ones and yeah they fall under recommendations but I think when we list them out, you know, in the category of recommendations we can list those as separate items. I think that's good.

Anybody else with comments as to what the outcome end result of a PDP could be?

Margie Milam: Yeah, this is Margie. I have a couple comments. I've been analyzing this kind of stuff for other reasons. In the category of advice to ICANN I guess something like recommending contract changes. I mean I know that that may be appropriate from time to time and I look at that as an advice to ICANN type of work.

Another type of work is technical specifications. Is that something that is a potential policy outcome?

Jeff Neuman: Can you go into a little bit more as to what you mean by technical specifications?

Margie Milam: Well I think it's coming up already in the - it's in at the IRTP where we're talking about whether IRS would be an appropriate protocol for to deal with some of the trademark, I'm sorry, the transfer issues. I know we typically don't get involved in very detailed technical spec issues but I mean like what does IRS (request) if that were something that were to be suggested. Is that an outcome of - a possible outcome of the PDP process?

Jeff Neuman: I didn't realize that that was going on.

Margie Milam: It actually came out of the GNSO resolutions. Not this meeting but the meeting before. Right Marika?

Marika Konings: Correct. It's a specific request relating to whether IRS could be a suitable option for some of the IRTP issues. It's not merely going to the who is discussion but yeah.

Jeff Neuman: And that's a group of GNSO people discussing or is it - is it referred out
                 to more technical minded.

((Crosstalk))

Marika Konings: It was a recommendation that was made but it hasn't been
                 implemented yet or I think it's being reviewed in relation to the - I think
                 Liz you know more about that as well. The other who is related motion
                 that was up for discussion at that meeting.

Liz Gasster: Right. So that particular recommendation that was approved by the
                 Council for now anyway is incorporated by reference if you will into
                 another motion that the Council - resolution that the Council approved
                 on the 7th of May having to do with the who is service requirements
                 and directing staff to do a synopsis or inventory of all sort of possible
                 discussed technical service requirements for a replacement to who is.

                 And so staff is actually taking that on as a - as a project. It's another
                 example of the way in which the Council can request that work be
                 done, request that research be done, analysis be done independent
                 from a PDP.

Jeff Neuman: I mean I suppose that kind of fits within the recommendations I guess. I
                 guess recommending that someone look at whether technical
                 requirements - technical specs to be used for addressing policy issues.
                 Is that kind of...

Liz Gasster: Yeah. I think that's right. I mean I think that's the context where it's
                 come up.

Jeff Neuman: Okay. Do you have anything else to add to that?

Liz Gasster: You talked about best practices. Codes of conduct, is that the same sort of thing? I know in the registrar agreement for example there's a, you know, there's a placeholder for codes of conduct.

Jeff Neuman: So oh that's come up with the - for a code of conduct. So that's kind of like a - well, okay. Yeah, we could. Okay. Write that down. All right. Any other outcomes?

James Bladel: Another recommendation - sorry this is James. Another recommendation for follow up or possibly even reassessment of the success or failure of a particular policy in addressing the issues that spawn them. So for example something that would cause a study to occur 12 to 18 months after a policy would be implemented, just measure whether or not it was successful.

Jeff Neuman: Okay. I'm writing these down too. I know that the ICANN staff's taking notes but I like to take notes too. All right. Any other comments on this one? All right. Well, I didn't want this call necessarily to take longer than and hour and a half because I know people have said that they have to jump off. But I'm trying to see what other areas we can just create some action items for next time.

                 We haven't talked about the next call. Normally we have our calls on Thursdays. We had it weekly. But it became a problem where people couldn't make it every week. And so we were getting pretty low attendance. But what I would like to do is have at least one more call prior to Sydney.

So I think what I'll do is try to keep it to our normal Thursday time which was the - I believe it was 10:00 am Eastern. But to just send out a doodle for which of the Thursdays would work best for people starting in - yeah, starting on - we have how many weeks now. We have - counting here we have...

Glen DeSaintgery: Four or 11 June Jeff.

Jeff Neuman: The 4th or the 11th?

Glen DeSaintgery: Yeah.

Jeff Neuman: It might be just easiest just to do it for the 11th then because the 4th might be a little too soon.

Glen DeSaintgery: Because the 18th is already the day - is already the Thursday before Australia and I'm sure everybody will be traveling on that day.

Jeff Neuman: Yeah. Then why don't we just schedule a call for the 11th at the normal time?

Glen DeSaintgery: Okay. And that time was also the same time now?

Jeff Neuman: Yes. I believe so, yes.

Glen DeSaintgery: Yes. Okay. I'll do that Jeff.

Jeff Neuman: Okay. Is there any other comments, questions? We'll try to keep the dialog going on the email. I know it hasn't been the greatest but I think - Marika is there anything you want to add? Margie? Liz?

Liz Gasster: It's Liz. I just - yeah. I think staff is going to try to write up these notes and incorporate it into this document using, you know, red lines. There were some very good comments and suggestions identified today. And I think it would be extremely helpful to have dialog on the list prior to that call. So we're going to try to get our summary update out as soon as possible and then we really encourage online discussions.

Marika Konings: Yeah and just - this is Marika. Just to encourage everyone as well to review the document in detail and just make sure that we haven't left out any issues or any questions that we feel should be included here as well.

((Crosstalk))

Liz Gasster: I think staff may also take just the first (laboring) or going back to Bertrand's document and hopefully he'll be on the next call but to try to maybe correlate some of the discussion today with his proposal and see, you know, if we can harmonize those at all or at least highlight the differences and the points that are being raised so we can come to some further discussion and ideas about that.

Jeff Neuman: Okay. That sounds good. Is there anyone else that has any questions or comments? All right. Thank you everyone. Thanks for a good call.

Paul Diaz: Thank you Jeff.

James Bladel: Yeah. Thank you Jeff.

END