

**Privacy and Proxy Services Accreditation Issues PDP WG
TRANSCRIPTION
Tuesday 21 January 2014 at 1500 UTC**

Note: The following is the output of transcribing from an audio recording of the PPSAI PDP WG meeting on Tuesday 21 January 2014 at 1500 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-ppsa-20140121-en.mp3>

On page:<http://gnso.icann.org/calendar#jan>

(transcripts and recordings are found on the calendar page)

Attendees:

Don Blumenthal - RySG
Luc Seufer - RrSG
Marie-Laure Lemineur - NPOC
Michele Neylon - RrSG
Volker Greimann - RrSG
Griffin Barnett – IPC
Justin Macy – CBUC
Kathy Kleiman – RySG
Jim Bikoff – IPC
Maria Farrell – NCUC
Graeme Bunton – RrSG
Tatiana Khramstova - RrSG
John Horton – BC
Nic Steinbach – RrSG
Tim Ruiz – RrSG
Roy Balleste – NCUC
David Heasley - IPC
James Bladel - RrSG
Susan Prosser – RrSG
Kiran Malancharuvil – IPC
Gordon Dick – RrSG
David Cake - NCSG
Sarah Wyld – no SOI as of yet
Todd Williams – IPC
Statton Hammock – RySG
Valeriya Sherman – IPC
Alex Deacon – IPC
Steve Metalitz - IPC
Phil Marano – IPC

Amr Elsadr - NCUC

Apologies:

Holly Raiche – ALAC
Gema Campillos – GAC
Osvaldo Novoa - ISPCP
Tobias Sattler – RrSG
Kristina Rosette - IPC

ICANN staff:

Marika Konings
Mary Wong
Joe Catapano
Nathalie Peregrine

Coordinator: Excuse me, I'd like to remind all participants, this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Woman: Thank you ever so much (Kelly). Good morning, good afternoon, good evening everybody. This is the PPSAI Call on the 21st of January 2014. On the call today we have (Graham Bunton), (Todd Williams), Statton Hammock, (unintelligible), (Griffen Barnet), (Valaria Sherman), (Alex Deacon), Steve Metalitz, (Justin Macey), (unintelligible), (MacKayla Nailen), James Bladel, (unintelligible), Kathy Kleinman, (Luke) (unintelligible), (David Heasley), (John Holten), (Roy Volesti) and (unintelligible).

And then (unintelligible) has just emailed saying that she will be 20 minutes late to join the call, apologies. We have (unintelligible). From staff we have Mary Wong, Marika Konings, (Joseph Pipano) and myself (unintelligible).

I would like to remind you also please state your name before speaking for transcription purposes. Thank you very much and over to you.

(Don): Okay, appreciate (PCG) joining us here. I'd have more fun with (a chat) than I think - but, whatever. Just one question in case the person might post a chat item. Could M (amend) your name so we know who you are or let us know?

Okay, we've got somebody listed there is just M so hopefully they'll figure it out as we go along here.

We've got the agenda on the right-hand side here. Already (got) your Item 1, I like that. I just wanted to have a brief discussion about the (unintelligible) send out to be (unintelligible), this change would have happened at the end of last week and we would have gone (unintelligible) since we did go to the day before the meeting. As I said in my note it's really important to get those things out so that we can get the answers and incorporate them as we do our work. I'm not saying you wait 35 days but we need to get them in so that we don't go too far down the road and realize that we did something critical.

Just wanted to - thank you (Maria) (get) it out and if we give people a chance to say anything and then move on to looking at the Mind Map, work plan and charter questions. I think those all (evolve) into one discussion.

Okay, that was a short one. Thank you. Hopefully we can - everything can move along this smoothly as we continue.

Did you bring up the Mind Map document?

Marika Konings: (Don), this is Marika. Do you prefer me to share the PDF version which may make it easier for people to zoom in and zoom out or do you prefer me to share my screen so I can take notes but it may be harder for people to read? If I put up the PDF people can just look at it and I'll still take notes and I can set up an updated version after the call if that may make things easier?

(Don): I think to begin with it would be useful to have the PDF mainly because I'm not sure that folks are familiar with Mind Map software. I've had that impression from some side discussion. I got the impression from some side discussions earlier last week so I wanted to just go over the concept. I tried to

find them demos, video demos, that I could send out that showed Mind Map software and the way we're going to use it but I couldn't.

I can foresee using it in the early phases of our project, I'm not sure how long we'll stick with it but Marika, could you zoom out so we can at least see a bit of the right side?

Marika Konings: Yeah, this is Marika, people have control individually so you can either zoom in, zoom out, move around. You can do the full screen if you want to enlarge it, and (Don), if you maybe want me to just briefly go over the changes compared to the previous version if that may help people if they didn't have a chance to look at it before?

(Don): No, not yet.

Marika Konings: Okay.

(Don): Not yet. What I want to do is go through what's involved in this. I apologize if I'm wasting time here but, again, I had the impression that folks hadn't seen how Mind Map software works.

Can you turn control over to me by any chance?

Marika Konings: This is Marika, hold on, I'll upgrade you to presenter and...

(Don): I didn't realize it was this (open).

Marika Konings: Yeah. Now you have control and if you move the document around or zoom in others should see the same.

(Don): Okay. It seems to be lagging but I'll work with what I've got. Okay, basically I'm used to working until I saw this kind of software (without lines) and at one point I was - people tried to force me to use project management software

and I learned to hate it very quickly; that was back in the days of Microsoft Project for those of you who remember it and that was probably not a fair way to judge but this is in an outline form, you can see but the beauty of Mind Map software is that we can kind of add on the fly (unintelligible) 7:20 just kind of adding elements that (flow from) other things but not having to worry about numbers and letters and whatever else. You can also use this software to do circles. So you'd come up with, well, other characters. So you can come up with flowcharts and that's the reason - Mikey O'Connor is a big fan of it for those of you who know Mikey and I was a skeptic when I first started playing with it in another workgroup but it makes brainstorming, that's the word I was looking for, during the organizational days a lot easier.

So we'll work with this at least for a while and now that you can see right off the bat we had the original categories that (Jim) or (Jim)'s group had suggested. It's easy to add one and well, yeah, this looks like an outline and that would have been very simple to toss in as we were talking and then branch out and start to group questions and people's points, reminders, whatever, as we go along and that's what Mind Map is all about and we use it and I think you may see from looking at this why I'm thinking that (three) might work, three and four at the same time (because they're going to draw) on each other.

Okay, I will turn the control back to the group and then start the discussion. Switch over to the working version so that we can do this brainstorming I was talking about.

Steve? Steve?

Steve Metalitz: Am I off mute now?

(Don): Yeah, okay, (I didn't know) if you were on mute or if you put your hand up by accident.

Steve Metalitz: No, no. I'm sorry. I think it would be useful if Marika would just review what the changes have been to this and where material has been added so that we get oriented on that.

(Don): Agreed, thanks.

Marika Konings: So this is Marika and first of all just to add to what (Don) said, the Mind Mapping tool has been used as well in all of the working groups and has proven very useful as well as a brainstorm which is usually the starting point of a working group and from there then to derive the work plan which is one of the first things that a working group is expected to develop.

And also then at the end of the process working groups typically come back to the Mind Map and say, look, did we actually cover everything that we said we were going to do as well as a way of checking to really make sure that throughout many things may happen or we may go into interruptions, check back in and really make sure that we didn't forget anything we initially identified as one of the things that we were going to look at or issues that we were going to address.

So just very briefly on the things that I've added and I'll have control here for a little bit so you can see. So basically on the basic requirements I added some of the details on what we have already been doing so basically we're looking at the (unintelligible) 11:19 stage, the request for (unintelligible) 11:20 input, (EWU) survey we basically already completed our feedback there so we're now looking at - basically waiting their feedback and then review the results on the (unintelligible) 11:34, the working group survey, the working group members is open and we have started working with our colleagues internally to look at how we can approach registrars and the 2013 (REA) to obtain a sample of privacy and proxy services terms and conditions so some additional source of information for the working group to start looking at and then, of course, we're looking at the categorization of (charter) questions and identify issues that need to be considered for each chart of questions.

So what I then did as well is based, indeed, on the feedback that was received in relation to the categorization and as well as we shared on the working group mailing list and we said, well, instead of maybe focusing on adding the charter questions themselves maybe it's actually more helpful to actually leave the charter questions as they are for now, indeed look at categorizing them but then for each of those charter questions actually start identifying the issues or questions that have been raised either through added (unintelligible) 12:37 charter questions or through separate comments so that these hopefully will form as well a path of addressing each of the charter questions.

So basically as you see not for all questions we already have any specific items or things to consider but you see for several of these we've started identifying specific issues that have been identified by people.

So, the idea is that through that exercise hopefully for each of these charter questions there will be a list of items that the working group believes needs to be considered or addressed as we go through our deliberations and then the idea would be that at the end of that process in the recommendations themselves it will be obvious whether indeed the working group took the question as is or whether through it's deliberation and its recommendations, further clarifications or additions have been made to the charter questions themselves.

So basically our suggestion is to see if that's maybe an exercise that we can start focusing on, you know, getting out the (SOEC) letters and stakeholder groups and constituency templates and actually get people to maybe focus on, for each of these items, I think first of all identify do we have the right categories and are the charter questions aligned with the appropriate categories and then really for each of those dive into what are some of the issues that need to be addressed or asked and then, I think also, some of the

suggestions have been made on the call as well, what is the kind of data or information that may be needed in diving into these charter questions.

Some of it may come from the (EWCG) survey, some may come from the research that we're doing on the existing terms and conditions but there may be other sources or information the work group (completes) that should be gathered and if we can start identifying that now that will hopefully send out as well a work plan in trying to address these charter questions and one of the questions or issues that the working group may want to look at or address, as well, how should these be tackled? Is this, you know, from top to bottom? Are there some that need to go first? Can some go in (parallel) and if so how should that be done?

So I think we're really now at this stage and I know there has already been a lot of substantial discussion on the mailing list which is really good and very helpful but I think at this stage we're really trying to say let's first focus on just listing what do we need to be talking about so that from there we can actually come to a work plan and really work in a structured way through all of these items instead of maybe getting lost in the overall conversation and going into all kinds of different parts at the same time. So I think that's what we're trying to do with the Mind Map. That's some of the updates that we've made so far and, as I said, it's really up to you to see if you like this approach or if you think we should be approaching this in a different way so that's (where) things stand.

(Don): Yeah, Marika just for your information, you kind of seemed to periodically drop in and out. I don't know... Again, for your information if there's anything that you might do to adjust that.

Okay, Kathy?

Kathy Kleinman: Let me come off mute. Can you hear me (Don)? There's an echo in the back.

Man: Yeah, we hear you Kathy - I hear you Kathy.

Kathy Kleinman: Sorry, I had to shut off the Adobe sound in the back. (Don) thank you for the explanation of the Mind Map. I'm one of the people that's still getting my hands around this but the questions on the basis of the Mind Map were exactly what we were working on in the other document with (Jim) and so I wanted to cross reference that because it's hard to know which document to edit so I started with the one that I understood which was a list of questions and trying to encapsulate and summarize some of the really good questions that are being raised on the list that expand and frankly balance out the questions that have come into us as the charter questions, questions that have come into us as the charter question, as we know, come in from the staff report on the (RAA) of questions of issues that kind of weren't really decided or people weren't comfortable with that through the (RAA) negotiations.

But what it doesn't include is people who were satisfied after the (RAA) negotiations and really happy with the progress there. So, for example, a basic registration question that I added is should proxy privacy services continue to be available and accessible to companies, not commercial organizations, and individuals who seek them for legal and legitimate purposes?

So I think what I'd like to do is just double check that this is still a work in progress that we can go back to the other document because we were invited to edit both, both or either, and it was kind of hard to know what the starting point was but go back and ask - so I'd like to ask (Don) whether we can go back, look at some of the edits that are being suggested to (Jim)'s outline, his grouping of the questions and then see what questions we want to bring in here?

Because, again, if we don't start, as we've talked about on the list, if we don't start kind of a balanced set of questions, if we're only looking for exceptions

but not basic rules we may not wind up where we want to and in the Mind Map it would be good to have kind of the full balance of questions on the left side and not just kind of issues on the right.

So I'm just trying to see how we cross reference the work that's going on in both documents. Thanks!

(Don): Appreciate it. Marika?

Marika Konings: Yeah, this is Marika, it is difficult to edit the Mind Map, the ideas that people look at, the document that Mary circulated and then that I re-circulated as well and specifically look in there and make any proposed edits or additions in that document.

In that we've already tried to capture several of the comments or suggestions that have been made either through adds that people made to the charter questions or through the conversations. We really would like for people to focus on that document and then from there any changes we can add...

Kathy Kleinman: Marika, which document?

Marika Konings: ...as needed. The document that Mary sent out yesterday with the agenda and then I sent as well in response to, I believe, that was your question. I specifically said please use this document and we can circulate that again after this call so people are clear on what we're looking input on and it would be really helpful if, indeed, people would provide red line or either color code additions so it's clear for us as well what has been added. And, as I said before, I think we're really trying to move away, as well, from actually editing charter questions which may be a very difficult conversation because, you know, we would really need to get working group agreement and we'd probably need to go back to the council possibly to really try to say, instead of adding charter questions, people just list the number, the issues or items, they want to address or believe are missing from the charter question or are

not clear or need to be defined so that can really be kind of a mini work plan for the charter question what the working group would need to go through to be able to answer the charter question at the end of the day. That's the idea and to make that clear we'll send out that document after this call with a big headline in the subject to really make sure that people understand that that's where we would like to get the edits, that will be the easiest as well; consolidate that into one place and get that as well into the Mind Map ahead of the next meeting.

(Don): Yeah, as one quick follow-up the reason we were focusing on maybe trying to get issues together is not to avoid rewriting or editing questions but to rewrite, to do any editing of the questions properly, I think we need to need to - what's making us say these aren't clear, these weren't well written.

And before I go to Steve, Marika, could you expand on what you posted in the chat?

Marika Konings: This is Marika, I'm not really sure what you're referring to (Don)?

(Don): Marika?

Marika Konings: Yes, I'm here. Can you hear me?

(Don): Yes, you said the questions were reviewed and updated based on...

Marika Konings: Yes, in response to Kathy's comment where she initially said that the charter, or the questions, come from a staff document that wasn't reviewed or debated. I just clarified that staff provided an initial draft that was, indeed, derived from that staff document but that was reviewed and discussed by the (unintelligible) 21:30 council and changes were made based on that input before it was actually adopted by the (unintelligible) 21:36 council so I just wanted to make that clarification.

(Don): Steve? Yeah, Steve?

Steve Metalitz: Yeah, thanks. This is Steve Metalitz. As I looked at both the grouping of charter questions document with additional suggestions that were sent out and looking at Kathy's email from yesterday, similarly as additional questions, it strikes me that everything that's in italics in all of the sub-bullets on the 16th of January document and all of the italicized material in Kathy's email from yesterday morning, I think the - I want to support what the staff has done to put those issues kind of on the right hand side of the Mind Map. These are all basically suggested answers to the questions that are being post and that's exactly what we should be discussing when we get into each question is, you know, Kathy's proposed answers really and other proposed answers from people in the working group.

So I guess my question is to Kathy whether she can identify any of the material in her email of yesterday morning which I think is the most recent version of her additional questions. Can you identify any questions that you've added there that aren't answers to the basic charter questions or aren't suggested answers to the basic charter questions or refinements of them?

I guess my point is that these leading questions are really proposing answers that are within the scope of these questions. These are - I don't think there's any need to change the questions based on that. So I guess I'd like to ask Kathy if she agrees with that?

Kathy Kleinman: (Don) can I respond?

(Don): Sure.

Kathy Kleinman: Okay, yeah. See the answer is yes. There's a lot in the proposed questions that I, in the italics, that just expands and balances so that when we look at the charter questions we have a more basic idea what's being asked or

what's not being asked not answers so much as considerations. So there's an issue of commercial versus non-commercial but the overlay that we've discussed extensively on the list said a lot of non-commercial organizations are commercial isn't intuitively obvious as you look at the question.

The basic question of, you know, the basic registration issues which is now a category which I appreciate, the idea that all of the questions are kind of about are you unhappy with the situation? So to ask a question, are you happy with the situation as an outset. But the answers this would take, you know, that I would actually like to ask for staff to go back and include some of the materials since twice now we've been invited to edit and we've taken up the invitation to edit; one was for the letters going out the other was for this document and it wasn't said that we had to edit the Mind Map, both documents were open. And so if I choose the wrong one, that's fine, but, yes, there's a lot in the basic underlying questions it's not answers but opening up the questions so that a range of perspectives can be easily seen. So, yeah, I'd really like to urge the group in the next week with staff if we could go back and look more closely at the italics questions that I circulated.

Steve Metalitz: Kathy could you...

Kathy Kleinman: They don't all have to be adopted but a lot of them are really opening up the discussion to the type of things that we've been talking about on the list and so will help with the categorization and the capturing of what we're talking about.

Thanks!

Steve Metalitz: Kathy, could you point to one of those italics...

(Don): Steve and I know Mary's hand up there for a while. We'll get to you next...

Steve Metalitz: ...that meets that criteria. I mean, let's look at the first one and...

(Don): Steve?

Steve Metalitz: ...maintenance 0.2. The question is, should these providers be required to conduct periodic checks to ensure accuracy of customer contact information and if so, how? And you read, if so, to what level, e.g., following the levels of validation and verification set out in the 2013 registrar accreditation agreement or some other level. I think that's right but that's already included in the question which is, if so, how? You're just giving one example of how so I don't see that creating a change in the question.

The next one is that we be updated on (unintelligible). I agree with that, that's not a change in the question that's just so that we understand what the status quo is.

The next one under basic registration issues is, while I think it misstates... It just basically says people could say - they shouldn't distinguish between commercial or personal because today we don't distinguish.

So I just don't see which of these lead to a new question? Maybe you can identify one.

(Don): Let me step in here. I'm concerned about getting too deeply into this. What I'd like to do is suggest - well, let me back up. I think, I agree, it doesn't change the question but isn't Kathy's additional question there a logical type of thing to throw in as part of the Mind Map process? You can't answer the first without looking at the second. So it probably is worth taking suggestions whether they're written or - on the call and just using the Mind Map software the way it should be used which is to expand.

Now, I don't remember, just for the record, I don't remember any suggestion that people edit the Mind Map. That was just sent out for information. I can

recall a request for edits where the letter, which we took, and worked with in the charter questions document.

Again, as I said, I think that there was some confusion about that at one point but I spoke about it, needs clarified.

Mary?

Mary Wong: Thanks (Don), actually I typed one of the things that I wanted to say in the chat about the questions because if you go and look at the staff paper you'll see that the questions are directly correlated to the remaining issues that were not dealt with in the (RA) negotiations and that tracked back to the Whois review team final report and the GNSO ALAC report among other things. So I thought that might be helpful to working group members in figuring out where the questions came from and knowing that they really are not new questions that were created for the purpose of this working group but that they were derived from remaining issues.

That's it. Thank you.

(Don): Okay, appreciate it. Tim?

Tim Ruiz: Thanks, (Don). This is Tim Ruiz.

Yeah. I guess I just wanted to say that I agree that we should be able to ask additional questions or identify additional issues. I mean in the charter even it says that, you know, that at a minimum these are the issues that we're to consider. But it doesn't preclude the possibility that we identify additional issues or that we have additional questions. So I think that that makes sense that we should be able to do that as well.

In fact one of the issues that I thought of over the last few days is just that one of the things that bothered me, that has bothered registrars, I guess, in

general about the registrar accreditation process is that, you know, there's been a lot of questions about how certain parties ever got accredited and blah, blah, blah. So clearly, you know, there's many who've thought that the registrar accreditation process has shortcomings. So as one of the background documents my questions is should the accredit - the registrar accreditation process be something that we would want to review to see, you know, to help us potentially identify other issues that we may want to comment on or make recommendations on that aren't necessarily listed in these issues.

So I think, you know, a process of possibly identifying other issues makes sense. And part of that would be reviewing the registrar accreditation process to perhaps help with that process.

(Don): Definitely. I think it's appropriate for - no, I appreciate the suggestion. It's appropriate for - just for basic research when we get to the point of coming up with an accreditation system but also for - up front for identifying the issues we need to look at. Yeah, definitely.

Okay. Looks like the queue is clear. My control - Amr?

Amr Elasd: Great. Thanks, (Don), this is Amr.

(Don): Welcome.

Amr Elasd: I'm sorry for jumping in late. I just wanted to say that to me the amendments Kathy introduced really ask for more context to the responses that we're seeking in asking these questions. And I'm not sure why there's a problem with that because, well, okay granted that there were certain questions that were listed in the issue report leading up to the charter. And that's fine. And we should these questions.

But if the working group members at this point before reaching out to the rest of the community are looking for more answers and more context and just really input on what do you think should happen in this situation I really don't see what the problem is in doing that. And is it - is there a problem with the questions themselves or are there members in the working group that think, no, we don't want to know what the community has to say about these questions?

And that's - to me that's what it sounds like. And I'm just having a problem understanding why. Thanks.

(Don): Well to be honest I think we kind of addressed that through our discussion. I'm not sure there's - but let me just try to summarize.

I'm not sure there's a question - there are issues about the questions themselves. I think there might be some concerns about how they're phrased and where they sit. And that's what this process is all about is trying to come up with a good working document and mind map, trying to come up with a good working process so that we can go forward.

Marika?

Marika Konings: Yeah. This is Marika. Maybe just to repeat what I've suggested in the chat and I think it's something that Kathy welcomes cause, you know, to Amr's point I don't think we're trying to say that, you know, Kathy's questions or edits are, you know, shouldn't be considered, are not helpful. I think what we're trying to say is that instead of discussing those as edits to the charter questions let's just add them as questions or issues that need to be considered in working through the charter questions.

And as (Sasha) suggested that, you know, we can look at Kathy's document and see if we can do it in the same way as we've done for some of the previous edits or issues that we received that, you know, you'll see in blue

and try to translate that in a similar way to, you know, more open-ended questions saying like well one of the things to consider would be this or that. And then the working group and Kathy can have a look, you know, to see whether we actually captured that accurately.

And again, you know, following this call we send it out as well as our broader invitation to, I think, all working group members to look at all of these charter questions and really try to think through, you know, what are some of the things we need to think about as we try to answer this question or what is some of the information we need to consider or what is actually missing, you know, what needs to be also considered if, you know, we want to provide a comprehensive answer to these charter questions.

And maybe just one question to Kathy cause I do believe, I think, the document you sent didn't have any red lines so it would be really helpful if you have a red lines version if you could share that with us. That would be a lot easier to derive from there which are some of the comments or changes you have made so we can at that try to translate those into the specific issues to be considered in relation to each of the charter questions.

Kathy Kleinman: (Don), can I respond? I'm sorry to cut the queue.

(Don): Okay. No. No. You were first in the queue.

Kathy Kleinman: Oh I'm next. Marika...

(Don): I think.

Kathy Kleinman: There's no red line. I did mine in italics because red line doesn't come through when you include it in text. So - and mine went out before yours went out.

So is it possible to incorporate my - I mean do you want me to go back to the original document or can you do it and just bring in the italics because every - italics is really track changes right now?

Marika Konings: This is Marika. In response, yes we can look at the italics. But I said what we'll try to do is actually translate those two issues underneath the charter questions as I believe there is agreement that actually shouldn't focus on editing the charter questions themselves but actually try to focus on the issues or questions that need to be discussed as part of those charter questions.

Kathy Kleinman: Marika, if I might, what I think you're saying is that you're going to add it to the blue to the right of the mind map. And I think that's not really what we're asking for.

We were - (Jim) rearranged the groupings of the charter questions. And so we've added some new titles. But the idea was to add some additional questions, not just considerations but actual questions that expand the considerations and balance them so again under basic registration issues adding a question about whether you're happy with the current situation because all the other questions are kind of how would you like to change it. But that's starting that foundation question. Are you happy with the basic registration questions?

To create a new category about publication which is different than reveal -- reveal is about giving the contact data to a data user; a publication is about putting that contact data, which made - from our perspective in the human rights community may involve people's lives -- publishing that in the globally available Whois is a different issue and was kind of buried in the charter questions. Pull it out.

It's not really to the right of the mind map, I don't think. It's a quest - it's a - it's not just a question. It's a set. It's a category to be discussed.

So again I haven't changed a single charter question except to expand or to add additional questions. Nothing's been taken out, only added.

But again we were invited to edit the documents. So I took that invitation.
Thanks.

Marika Konings: (Don), can I respond?

(Don): I think - sure.

Marika Konings: Yeah. This is Marika. I don't see any problem with actually adding questions as well as part of the blue cause we have done it in several occasions.

So what we can look at is indeed where those fit and use them as well cause I think it's makes it easier as well to track, you know, what is - additions that have been made cause I think many of these are, you know, we are able to track back to some of the broader questions. Should we talk about, you know, what if any are the types of standard service practices should be adopted and published, you can say well let's first look at, you know, what is currently in place and, you know, what works or doesn't work. I think that's logical.

But I said, you know, we're happy to have a look at that. And then of course anyone can come back and see if they're unhappy with how we've tried to incorporate that.

Additional - presumably on the broader categories and, you know, what is missing there, presumably that's something we haven't really gotten to yet. So that may be something for the full working group to review indeed where there is agreement on, you know, I think there was one suggestion to rename the category and one additional one to create a whole additional category. But, you know, it leaves it up for the working group to discuss whether people feel that's needed, yes or no, whether additional categories are needed.

And I think that's, you know, part of the full-up conversation presumably as we go through all, you know, the issues that people may identify in relation to each of these charter questions and also identify the other additional things that need to be added. So I think that's probably for the broader working group to debate and consider.

(Don): Yeah. Okay. I'm going to follow up. But hold up a minute. James?

James Bladel: Thanks, (Don). James Bladel speaking for the transcript. And I apologize in advance. I missed last week so I'm trying to catch up with some of these issues.

But listening to some of the exchange and the points made by Kathy, by Amr and others, I just wanted to weigh in with the thought that I'm less concerned about the context of these questions and perhaps maybe a little more uneasy - uneasy about the audience because I believe that there's this missing piece of folks that, if we're going to distribute this, let's say, within the traditional ICANN channels for SO and AC feedback and then public feedback it feels like the - there's a side to these questions that possibly could be directed at the actual consumers and users of these services to see if they're happy with these services, if they would like to see changes or reforms. And I don't know that we're going to capture that necessarily in our current approach if we're, you know, limiting these to just kind of the, you know, the folks that we already predictably know all of their positions on many of these issues.

So I don't know if we have a plan to expand this beyond just the, you know, traditional inside ICANN circles into a lighter audience of feedback or if this is something we're just going to leave internally for the time being.

(Don): If I can - well since nobody else is in the queue I will step in. That's an intriguing idea (unintelligible). We'll defer to folks on staff as to the process of doing something like that.

I think we at least need to do a first - at least complete our first level of looking at these questions so that we make sure we capture everything that the broader community might comment on.

You know, I'm concerned here that some lines are being drawn very early in the process. And that may not be fair. But I think I'm hearing that. You know? And I - we'd just like to avoid that.

You know, (unintelligible) coming in in Kathy's document were excellent. And I hope some other people get, you know, take the same (unintelligible) take the same amount of time to send us documents.

But let me suggest that if we don't - if we, meaning the committee, the working group, doesn't accept the format or it doesn't accept the specific wording it doesn't mean that we're against. And I'm using this broad. We could be any specific individual.

And I'm going to - like (unintelligible) said I was at a commission. I'm going to go back and look at Kathy's document a lot more closely and come up with more and more detailed thoughts. But I just - like I said, I mean, I'm - I want to encourage folks to keep open minds and more - (unintelligible) suggested the idea here is to just work this through together and question any time somebody else raises a question. Tim?

Tim Ruiz: Thanks, (Don). This is Tim Ruiz.

I guess I'm a little confused cause I think it seems like some are - it sounds like some are still thinking we're talking about the letters that we're sending out to - the two letters. And I guess I'm under the impression we were just - we had moved on past that, that those were set and are going out as is and now we're talking about the mind map and the charter questions.

Am I wrong about that? Are we still debating what's going to be in those letters?

(Don): Oh no, no, not at all. I think the issue was how do we - should we find a way to reach - somehow reach a broader audience than those letters are going to as a way of soliciting feedback while we're doing our work.

Tim Ruiz: Okay. But the - as far as the discussion we've been having about the questions and sub-questions or whether they're new questions, that kind of thing that we were talking about, so that's not letter discussion?

(Don): No. That's the charter questions document. I mean the broader one that we're going to take some time on.

Tim Ruiz: Okay.

(Don): No. It's too late to edit the other - well I guess that's the core question. No. We're talking about the internal-use document, not the letters to use my distinction.

Steve?

Steve Metalitz: Yes, Steve Metalitz. Just two points. First in response to the discussion that just occurred I agree. I think these are basically questions to ourselves. So let's not get too hung-up on where they appear in the mind map.

I mean let's make sure they're put in the right place under the right topic. But, you know, these are all questions that should be discussed as we try to reach consensus in answering these questions.

My second point goes to what - to James's point. Well in one sense it's kind - it was kind of difficult for us to try to solicit the views of consumers or proxy

services cause by definition we are unable to contact them. So I'm not quite sure how we would square that circle.

But the other fact is that there are users of these services in all of the I, you know, across ICANN. Certainly in all of the non-contracted party-house constituencies and stakeholder groups there are users of these services. These services account for somewhere around a fifth to a quarter of all gTLD registrations.

So I think if we do a good job of - and of course we're also reaching out to the ALAC, representing some individual users. So if we do a good job of reaching out to these structures I think we will hopefully get the views of consumers of these services as well because they are everywhere throughout ICANN.
Thank you.

(Don): Appreciate that. Let me throw a question out. And this might not even be appropriate. But I'm just going to ask. Is there a process or a working group to ask for things being posted for public comments early in the process, Marika (unintelligible)? Marika? Marika?

Marika Konings: Yeah. This is Marika. Sorry, trying to get off mute.

That's really up to the working group. You know, there are only a few required public comment moments that a working group has. But in addition to that it's really up to the working group how it would like to handle that.

In the all - duration of the PDP working group the PDP was - the working was actually required at the initial or the start of its work to have a public comment period and just very broadly invite input. But in the review of the PDP it was always determined that working groups typically didn't get a lot of valuable information at that stage cause indeed, you know, often questions were very broad and it wasn't very clear yet in which direction things were going. So from the broader public there wasn't always a whole lot of value.

But nothing is preventing a working group to actually go out and either, you know, ask specific, targeted questions. We've also done it with certain working groups like in survey formats to make it easier for people to respond and really be very specific in what you're asking for. So I think it's, you know, it's really up to the working group as how you would like to use the different tools you have available including a public comment forum.

(Don): Okay. Appreciate that. I think the first question we have to just think about in that context is how much the groups were reaching out represent these additional constituencies that we might think we could reach by some kind of public comment. Represent may be a bad word; be able to provide the right input through whatever means. Magaly.

Magaly Pazello: Hello. Can you hear me?

(Don): Yes. Now I got you.

Magaly Pazello: Okay. Sorry. No. My - our offices are being redecorated and when I came back from Las Vegas I discovered that my entire office had been dismantled so my phone is barely working.

Just with respect to getting feedback from the community, you know, I - if it's a question of getting feedback from typical users then it needs to be open to a fully public comment period because if it's just something that's being circulated within the ICANN community that would - is not going to be a reflection of typical, in larger (unintelligible), users. ICANN insiders are hardly typical in any way, shape or form. Thanks.

(Don) Hey. I appreciate that. (Unintelligible). I keep - well sorry for the delay there. Having trouble seeing the screen a bit.

This wasn't exactly how I intended the call to go but I think it's been really valuable. I'm hoping the others had the same feeling just getting us a handle on the dynamic and on some underlying process questions that we need to consider as we're moving forward.

Rather than get into a discussion here what I would like to do is just ask folks to participate in the list. And I kept trying to suggest that we're getting ahead of ourselves. And I think so in terms of our process but certainly not in terms of the issues and I'd say pretty much every message for when we get to certain stages.

I'm not suggesting that that stop. But maybe spend some more time on the list kicking these ideas back and forth and how - the charter questions, how we can expand on them, comments on Kathy's document or anything that somebody else circulates. And then next week really we dive into the substance, get rid of - well we can't get rid of Item 1 on the agenda but get rid of Item 2 and maybe combine 3 and 4 and dive in.

Again that's what we had kind of thought about today. It didn't work. But it didn't work at least from my perspective in a good way. And then we'll get - really get moving.

Any other thoughts or questions? Magaly, is that an old hand? Magaly?

Thank you. I guess it was. Okay. Just making sure.

Anything else anyone wants to contribute here? And again we'll move ahead a lot more focused next week. But I kind of decided early on to let it drift because I presumed some useful - okay.

I appreciate it, your time and effort. And I don't want to cut the call right now cause I see Maria and Kathy is typing messages there. Please participate on the phone or on the line rather than type.

No. In the next minute let me just flat-out ask or suggest, well, on the...

(Graham Bunton): (Don), sorry. This is (Graham Bunton). Maria Farrell...

(Don): I'm trying to avoid a certain...

(Graham Bunton): Chat.

(Don): Term cause it has bad connote - pardon?

(Graham Bunton): Maria Farrell's asking in the chat cause she can't...

(Don): What was that?

(Graham Bunton): Participate by phone. She's asking about which items on the agenda you were talking about. And I think it was just the proposed agenda for this week that we're going to readdress next week but if you could check the chat and clarify.

(Don): Yeah. I did. But for some reason I (unintelligible) where - okay. I just clicked the chat and a whole lot of items just kind of flowed in. I guess the Adobe Connect problems weren't limited to audio.

No. I was talk - yeah. Item 1 on the agenda is always going to be Item 1 on the agenda. Roll call and SOI was saying we - the letters are done. So they're gone. We'll kind of do, I think, three and four as a combined item and move forward, you know, and work that way next week and maybe call Adobe for some tech support cause this has been a little bit of a rough go today for me in a couple of ways. Okay?

(Graham Bunton): Okay. Thanks, (Don).

(Don): All right. Talk to you all next week.

Woman: Thank you, (Don). Thank you, everyone.

Man: Bye.

END