

**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)
Work Team (WT)
TRANSCRIPTION
Thursday 28 October 2010 13:30 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT) meeting on Thursday 28 October 2010, at 13:30 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-ppsc-pdp-20101028-en.mp3>

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

(transcripts and recordings are found on the calendar page)

Participants on the Call:

Jeff Neuman - Registry Stakeholder Group - Work Team Chair
Alan Greenberg – ALAC
Wolf-Ulrich Knoben – ISCPC
Alex Gakuru - Non Commercial Stakeholder Group
Paul Diaz - Registrar Stakeholder Group
James Bladel – Registrar Stakeholder Group
Tatiana Khramtsova - Registrar Stakeholder Group

ICANN Staff:

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

Absent apologies:

Avri Doria - Non Commercial Stakeholder Group
David Maher - gTLD Registry Stakeholder Group

Gisella Gruber-White: Good morning, good afternoon to everyone. On today's PPSC PDP call on Thursday the 28th of October we have Jeff Neuman, Tatyana Khramtsova, Alex Gakuru, Paul Diaz, Alan Greenberg. From staff we have Glen de Saint Gery, Margie Milam, Marika Konings, Liz Gasster and myself, Gisella Gruber-White. We have apologies today from Avri Doria, David Maher and James Bladel.

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

Jeff Neuman: Thank you very much. This is Jeff Neuman, Chair of the Policy Development Process Work Team. It is Thursday, October - I got to look at the date again even though I know you just said it - October 28, 2010. And so we have a small attendance here today but I think we still need to push forward.

We have a face to face ICANN meeting coming up in early December in Cartagena and it would be great if we could show some progress. Just an update as to what is going on behind the scenes as you know we've been working through this public comment review tool which I think we just have a few items left to catch up on with some comments that were received but I think we should be finishing that up on today's call.

Behind the scenes ICANN staff has been working on a - what we're calling a draft final report. You remember we put out our draft or our initial report before the Brussels meeting. We got comments on it and now we're doing a draft final report because there were a number of areas that were left open with our initial report. It's a little premature at this point to put out a final, final report.

So the goal is to put out a draft final report as the next step. That will include our recommendations as well as a summary of the public comments that we've been going through and a bifurcation of items that we think should go into the policy development - I'm sorry the GNSO operating procedures as opposed to the bylaws and kind of bifurcating that out which is something we will talk about on today's call and in future calls.

So the report is being prepared. I've seen a draft of it. And the goal is to get that draft out to this group by next week. We would love to, you know, the ultimate goal would be we'd love to publish something by the 15th, by the

publication deadline before the Cartagena meeting recognizing that, again, this is a draft final report and not any kind of final recommendations.

But we recognize that that's aggressive so I kind of wanted to throw that out first to just see what people's thoughts are on it. We are running very tight up against deadlines in order to do that and as we can see from low attendance on this call it's - it may be tough to get internal - enough internal work team opinion on it before we actually publish it.

So does anyone have any thoughts on that? Marika, you want to add to that?

Marika Konings: Yeah, this is Marika. Just to add a little bit to explain the approach we've taken in the report. In relation to a number of recommendations where the work team has had further discussion based on the public comments and feedback received we've tried to write those recommendations as the thought there would be agreement within the work team because a number of items I think we cleared out through discussing the public comments.

There are also a number of items where either we had discussions but no clear conclusion or no real discussion at all. And for some of those areas we've had some internal thinking and have suggested a number of approaches for the work team to consider.

Again it might be that, you know, the work team feels that several of these approaches might be valid and might - would like to put those out as part of a draft final report for public comment or maybe some of those approaches get a, you know, contentious support or other suggestions.

So again the report has as well been condensed. Some of the parts that were in the initial reports were, for example, the notes, the proposal would be to take those all out and just include them as a reference.

So it becomes more clear what the new structure is going to be and how, you know, it builds up to the draft language for the bylaws and the procedure - the PDP procedure manual that will become part of the upgrading rules of the GNSO. So just to give a little bit more background as to how we've structured a report and the approach we've taken.

Jeff Neuman: Right. Alan.

Alan Greenberg: Yeah, I really think that the 15th is going to be too aggressive certainly for my own schedule; I'm not going to have a lot of time to work on it. And based on what looks like going to be an exceedingly busy meeting in Cartagena and the low attendance we got on our public meeting last time I just don't think there's a lot to be gained by trying to push it out other than it's a deadline we can work towards.

You know, I'm just not sure that the meeting itself is going to be that much of a focal point around what we're doing either for us to continue our work there or for comments. So I would not push hard for a deadline just two weeks away. I don't think we'll end up with a quality product and I'm not sure there's a lot to be gained by meeting that deadline other than it takes us a little bit forward in the overall process.

Jeff Neuman: Right, okay. Paul.

Paul Diaz: Thanks Jeff. I totally agree with Alan on this one. I, you know, I'm really frustrated and disappointed that this particular PDP considering the subject matter we've taken on has been such a rough slog getting consistent participation.

You know, and maybe we - I think Alan's got a good point; setting a date not so much to actually publish a report but to give ourselves a deadline to work towards is important. I think we need to, one more time, go back to council, you know, at least when we do our update in Cartagena say, you know,

reiterating that, hey look this is supposed to be one of the, you know, the critical things.

These are the rules that we're going to be operating under going forward yet we're having such a hard time getting consistent participation. You know, reiterate that we're not trying to rush this; we all - those who are participating recognize the importance of what it's doing. We don't want to put out a substandard product for comment.

But to try to jam it in in what is two weeks now, like I said, I agree with Alan, I don't think that it makes much sense to try and rush this. But I do want to definitely be on record in Cartagena, again, for what it's worth, you know, just voicing frustration with the lack of regular participation.

Alan Greenberg: Yeah.

Jeff Neuman: So...

Alan Greenberg: Jeff, this is a follow on. I agree with what Paul said. And I'll add for - I'm assuming Marika has enough other deadlines and some of us also have some other deadlines that we're working towards for Cartagena. And I think this will just add - will be a make-work effort which won't achieve anything in its own right and will divert efforts from other things that do have particular objectives for Cartagena.

Jeff Neuman: Right, okay Marika do you want to interject?

Marika Konings: Yes. This is Marika. You know, I really appreciate what everyone's saying. And I, you know, I know it's a very short deadline but I would just like to ask everyone to maybe first have a look at the draft that we'll circulate next week because actually working through it, you know, I think we've come already quite far. And looking at the bylaw language and trying to put everything together it really looks like already a quite a complete package.

There are a number of issues where, you know, we still need guidance from the work team in which direction to take it. But, you know, one of the current (unintelligible) I have and I think it's very important to me that we set ourselves a deadline that this just, you know, keeps on being pushed forward.

Because if we don't meet the Cartagena deadline I guess it's unlikely we'll do anything before the Cartagena meeting because there are a lot of other things that need to be done that pushes out in the New Year. This is one of the efforts that's the furthest behind, you know, if you look at all the GNSO improvements where many items are already in the implementation stage or at least at the steering committee level.

So, you know, I would love as well to have more participants on the group but I'm not really sure where another call will actually change that and this - at this stage of the game. And I wonder if it's just time to indeed move it to the next level.

There's still a PPSC that needs to look at this as well where it's very likely as well that some of the representatives of the groups that haven't participated might come back and ask questions which still then will be given back to the PDP work team so it still doesn't mean that the work of this group is done.

So there's still quite a number of steps ahead so what I would just like to ask people just to look at the draft and really see if they really think that no way that this is ready or we'll get this ready so published by the 15th of November. But if there's a chance that we could meet the deadline, you know, it's just to move things forward.

And although we didn't have great attendance in Brussels I think it was partly due to conflicting meetings and, you know, I'm not saying that it's possible to avoid that necessarily in Cartagena.

But I would hope that maybe we could take a more proactive approach at the constituency stakeholder group level and ask all the representatives of the work team for example to go there and, you know, either present a couple of slides on the proposal or, you know, at a minimum highlight the fact that the report is out and that input is, you know, really required now because this is moving up to a final proposal. And in that way, you know, get traction and hope to get input so that we can work to finalizing the report after Cartagena.

Alex Gakuru: Hey Jeff, could I jump in?

Jeff Neuman: Yeah let me actually - yeah, Alex, why don't you jump in and then I'll go back to Alan?

Alex Gakuru: Oh yeah thanks. Alex speaking. Whereas I agree and the need maybe to have the (draft) completed and maybe also understand what Paul - and I think the other speaker I don't know it was Alan - I would also want to say that if there are any comments that I expected next week I will actually not be in a position to do that because I travel on Sunday for the next eight days to another country.

Going on eight days it would be very tight schedule and I probably won't have a phone. So in case my comments don't come in next week or I don't participate on the call it's not absenteeism it's just simply I can't participate. I wanted to highlight that and (unintelligible) advance, thank you.

Jeff Neuman: Okay. Then, sorry, Alan.

Alan Greenberg: Yeah, I - although I appreciate what Marika is saying I think if we set ourselves of a deadline of like the end of the year or the Christmas holidays which is a bit more realistic I think we'll end up with a better product and perhaps be able to the get the attention of people.

We're getting the attention of people at the meeting or soon after the meeting. And because now we tend to have a - either things released just before the meeting or just after the meeting I just think we're going to do better.

And, you know, with respect to we're behind compared to the others we can't afford to do in this one some of the problems that have had with the operations rules, for instance. Now that they're actually trying to be implemented people are finding that the words just didn't make any sense so.

Jeff Neuman: Okay. Wolf and then Paul.

Wolf Ulrich-Knoben: Me? Thanks. Wolf speaking. So I came late but I understand you are talking about the timeline and how to proceed. Let me just say from a - as a councilor so from a councilor perspective I would say I would love to have it as soon as possible on the council table available, this document.

So that means because, you know, the councilor is still doing some - a lot of work with the (unintelligible) to improvement and the reorganization and things like we put procedures in these things which is - which are tools to support the council in doing some policy work.

So people should really be keen - and they are keen on while to do some policy work and to talk about and (unintelligible). So that's one reason so I would like to have it as soon as possible available.

Also so I understand Alan's arguments and say okay if we have some more time then it might be a little bit better or more perfect document. But this just doesn't make - let's do it as soon as possible so - and for example I could agree to what Marika was saying that this regards to the last meeting where - the PPSC meeting and the meeting where you offered public participation in - that was in Brussels - it was really for example for me was due to conflicting schedules that I couldn't do that.

So if - tonight we are going to talk about the council agenda in Cartagena. And I don't know about, you know, Stephane is going to present that, the draft one. But if we should see - could see a change while also to have (unintelligible) on that - on the PDP it would be helpful, I think so. And I would like to - very - also to participate. So that's my opinion.

Jeff Neuman: Okay. Paul and then Margie and then I kind of want to summarize this and wrap up this discussion so we can talk some substance. So Paul.

Paul Diaz: Okay thanks Jeff. And probably a follow-on to what Wolf was just saying and hopefully you can clarify for me, would you just please lay out - the 15th is the deadline to publish things so they can be considered in Cartagena. If we push ourselves to try and get this interim report done by the 15th is it going to the general public? Is it going to council? Is it going to the PPSC?

Just a little confused what our particular roadmap looks like for this work group.

Jeff Neuman: Yeah, no - Marika you want to jump in?

Marika Konings: Yeah, this is Marika. I can clarify that. Basically the 15th of November deadline is for documents that are to be discussed by the community in Cartagena. So the idea will be - I mean, if this indeed an interim report it would also be submitted to the council like any initial report is done in the same manner. But, you know, normally council just acknowledges it but doesn't discuss it in further detail.

The PPSC I don't think we've submitted the initial report yet but I think the idea would be to mark that date as well as the launch of another public comment period as we said we would do on the draft initial report as a number of the recommendations weren't final in the initial report.

And the idea would be to have a public session then in Cartagena to actually present the report and encourage, you know, public comment and participation in that process.

And I said I would hope as well that maybe we could get some participation from the members in this work team to do outreach as part of, you know, constituency day and the stakeholder group day I guess it should be called as well to really make sure that everyone is aware of it and, you know, like Alan mentioned, you know, there have been some issues where - the operating procedures where - or the OSC recommendations where people, you know, didn't know or were confused.

Although it was all in the report they've received but I guess partly because maybe people didn't really focus on it. I think, you know, we really should try to get people saying look this is the moment where you can comment.

You know, we're now in the final stages, if there's anything major you see now is the moment to point it out and, you know, because we really would like to move this to the next step and the next level and, you know, hope you get a new PDP sooner rather than later.

Jeff Neuman: So just to - oh I'm sorry, Margie.

Margie Milam: Yeah, I wanted to comment on - on the report. And as Marika mentioned we're going to be releasing the next version of the report. And for those of you that haven't seen it yet there's a lot of additional material in there, draft, bylaws, a draft PDP manual.

And I think it might help - I'd recommend you wait and take a look at it because it might actually help us focus our discussions and you might feel after you look at the next version of the report that it really does advance the discussion in a way that would make it useful to have it published before Cartagena.

I mean, that would certainly be our goal as staff to at least allow the documents to be released so that, you know, it can be received and discussed in Cartagena. And I do think we are getting closer and hopefully you guys will agree when you look at the report.

Alex Gakuru: Jeff, a brief comment please?

Jeff Neuman: Yeah sure.

Alex Gakuru: Yes, Alex again. Like what you have said, Alan, for both the importance of this - of this work team what we are doing and what the output we're producing. And again to echo what Marika just say that we need to outreach to our various stakeholder groups.

Perhaps it may serve as well if we had a brief synopsis of what our work is all about and how it impacts on everybody within the community. And maybe ask the staff or whoever might be the Webmaster to put something on the homepage that really underscores what we are doing and maybe we can use that to refer to the various people because some people don't understand exactly the implications of what we are doing.

There's only - (unintelligible) waiting until later when like the other reports or (unintelligible) procedures are out and then we are all screaming. Maybe we could have a brief synopsis of what we all are doing about the importance, have it put there and then we can send - we can in fact (unintelligible) to know what this report is all about and our work team. Just a quick - I guess (unintelligible) coming to my mind. Thank you.

Jeff Neuman: Thanks Alex. Marika, one last comment and then I kind of want to summarize and move on if we could. Marika.

Marika Konings: Yeah, this is Marika. Just in response to Alex, you know, we're happy to provide either some PowerPoint slides or a summary or, you know, whatever is determined to be useful for outreach to the different constituencies and stakeholder groups.

And, you know, of course when a public comment period is launched it always goes together as well with the announcement that's posted on the ICANN homepage and that's circulated broadly. So we'll definitely do our, you know, our best to get the message out as broadly as possible.

Jeff Neuman: Right. So in summary we're going to - so we'll release the draft to you all next week - early next week. And you guys take a look at it, provide some feedback. I'm - also kind of agree with the sentiment of the comments that it may be too early to get out a draft for public comment because I think it should be thoroughly vetted by this group and we should be happy with the product and all.

Even if we don't agree with everything in there we should agree with the fact that it should be released. But we do need to set deadlines for us that keep us moving forward. I would like to use some time in Cartagena at least internally for the work team to meet and to, if we haven't done it before then, but to put - to finalize this draft report so that it's ready for public comment.

So in light of kind of what Alan said about, you know, even if we can't publish it by the 15th to have a definitive date. I think saying the end of the year is a little off because people's attendance starts to drop and I'm afraid it'll drop off after Cartagena as it usually does a week after anyway.

And then you're all - then you're into the holiday season and people's vacations and so I would like to set a date - a drop-dead date of us finalizing this interim report at the Cartagena meeting if we can't do it by the 15th and then starting a public comment period if we, again, like I said if we can't do it by the 15th then starting it by no later than, you know, the first business day

back that most people have after the start of the year so that we could certainly make some progress on this.

I think the other idea that we have is even if we don't have a report I think the slides are an excellent idea. I think everyone in this group should commit to getting time on their constituency or stakeholder group schedule or advisory committee in the case of Alan and - so to get on the schedule to review these slides with the group to make sure that they understand the significance of the work that we're doing and the significance of the public comment period that's going to open up.

You know, maybe even a discussion of what's happened with the (GCOT) and other things as to how, you know, people - I won't say that people ignored it but it wasn't the highest commented on report. And now, you know, it's implemented and all of the sudden people realize oh yeah there's these problems.

And, you know, maybe some of them could have been foreseen if more people were paying attention at the time. So just no matter what happens this Cartagena meeting will not be a waste; it will, you know, we're going to get out there.

And I want everyone in this group to commit to getting time on their constituency, stakeholder group, advisory committee schedule to go over this stuff and really emphasize the importance. So does that sound like a plan at the very least for everyone? By a show of checks or...

((Crosstalk))

Jeff Neuman: Oh okay, great. All right - so let's - thank you everyone. Let's move on to some of the substance. And really what we're going to do now is close off the public comment tool review or the public review tool by going through some

of the last comments that Mary had submitted and the noncommercial have (indoors) I think is the correct term.

So why don't we go through some of those? And I think the first one is - and some of these topics we've already talked about ad nauseam so we can maybe just go through them very quickly.

But on the who can request an issues report the noncommercial - or Mary has said that it's appropriate that the current mechanisms for initiating a request be maintained and not expanded which was our recommendation.

So they think the language of our recommendation is confusing. For example is it the work team's intention to equate the necessary action as between GNSO Council and an AC? If so that would have been clearer had the recommendation language for B where the council raises an issue read, "Raise an issue for policy development as it currently reads in relation to AC," rather than simply raise an issue.

Another option might simply be to re-title Section 1 to read, "Raising an issue for consideration before initiation or a PDP." So I think these are good suggestions. I mean, this sounds logical. And it doesn't disagree with our substance it just is a rewording which I think makes sense.

But I'd want to hear from you a lot see whether that would clarify things. And just to clarify - just to go to the report at the bottom that is recommendation - is that Recommendation Number 1, Marika?

Marika Konings: You mean what this comment is relating to?

Jeff Neuman: Yeah.

Marika Konings: Yes, yes it's on comment one.

Jeff Neuman: So I think really it's just to clarify that it's raising an issue for policy development as opposed to just raising any kind of issue that may not fall into policy development. I think it's a good clarification. I mean, anyone disagree? Okay sounds - a lack of opposition is consensus on this point for me.

Alan Greenberg 2...

Alan Greenberg: Yeah, just a clarification without going back to the report for a - for an issue raised by the board doesn't that go through an issue's report? It bypasses the council vote but I thought it still does go through an issue's report.

Jeff Neuman: Let's - Margie. See where are the bylaws now in this report?

Margie Milam: I'm sorry the question is whether you go through an issue's report?

((Crosstalk))

Alan Greenberg: For an issue raised by the board.

Margie Milam: That's right, regardless of the request there is an issue's report.

Alan Greenberg: Okay so...

Margie Milam: Yeah.

Alan Greenberg: So as Mary has it wrong in her wording there because I think she says it - that bypasses the issue's report. She says bypass the issue report and the council vote.

((Crosstalk))

Alan Greenberg: The council cannot not initiate a PDP.

Jeff Neuman: Right.

Alan Greenberg: If it's passed by the board so there doesn't need to be a vote there. But I think the issue's report is still required.

Margie Milam: Yes.

Jeff Neuman: She was just saying it would be amend to read initiation of PDP. Marika?

Marika Konings: Yeah this is Marika. I mean, this point might be partially moot if people look at the, you know, when we re-circulate the draft because as the - and, you know, the change of approach where the bylaws are going to be more the skeleton of the really the basic elements. It's written in a very different way than it currently is so the details are more in the procedure manual and there it's written more out. And I think, you know, Mary's point will be addressed there where it's...

Alan Greenberg: No I wasn't really...

((Crosstalk))

Alan Greenberg: ...just arguing with her point I was arguing with the parenthetical where she notes that the issue's report is bypassed for board ones. And I just think that's factually incorrect. I'm just clarifying for myself.

Marika Konings: Okay yeah. And I think, you know, that is correct.

Alan Greenberg: Okay.

Jeff Neuman: Okay.

Alan Greenberg: It's correct that it's incorrect. Okay thank you. I was just proving I've actually read the words.

Jeff Neuman: Well good, thank you for that. Thank you Alan Greenberg 2 as opposed to the first Alan Greenberg which...

Alan Greenberg: Oh I was on a VPN which I killed and it gives you a new incarnation when you do that.

Jeff Neuman: Yes well I like the old - I like Number 1 so if you want to bring him back that'd be great.

Alan Greenberg: I'm not sure I'll get the same IP address and I may become 3.

Jeff Neuman: All right so Number 2 is - excuse me - (billed) as Recommendation Number 2. Recommendation Number 2 for those just to remind you is basically dividing the concept of policy development process into two; raising the issue for policy development process and then initiating the PDP was our recommendation.

Mary says, "Although this was presumably not part of the work team's charge tracking the member's present language should be reviewed against other parts of the bylaws and any other applicable rules to ICANN constituent bodies, offices, committees, terms and groups as the case may be to see if similar problems present themselves in those situations and respects. A template for requesting an issue's report would be useful but ought not to be mandatory."

So where's the members present in Recommendation 2 or is she referring a different recommendation? Do you recall Marika? Because that sounds more like a vote to initiate the - to initiate the issue's report as opposed to what's in Recommendation 2.

Marika Konings: This is Marika. I do believe we had a discussion at some point on the members present so I don't know if that actually appears maybe somewhere

in the notes. But again I think this is one of the issues where in, you know, the rewriting of the bylaws and the procedure manual it's no longer an issue.

Jeff Neuman: Well, yeah, I mean, we can't - we shouldn't take that as a given that - because we haven't really released the draft out but I think - so your point is that we will address this or it will be addressed?

Marika Konings: Right. Right.

Jeff Neuman: And then I think we all agreed with her as far as we should provide a template for an issue's report but it's not mandatory. Now we may have some mandatory elements of that in regards of how you submit it or what template you use to submit it, you know, these are the elements we do want to see.

Any comments on that one? Okay good at least I have an agreement; people are listening.

All right going - dropping now to Page 8 of the public comment review tool there's a comment by Mary on Recommendations 3, 4 and 5 talking about a manual of guidelines that aren't clear how these would be developed. It should be a community process.

Similarly suggestions for identifying potential outcomes and ways to define the issue should be accomplished with community input. So I'll stop there. I think that's our intent, correct? Anyone disagree with that that it's definitely our intent to make sure that the community has input into these. I think that's pretty evident or should - we should make evident if not.

Recommendation 5 seems repetitive. That could very well be the case. Let's find out what 5 is here. Okay Recommendation 5 is - what would be really funny is if Recommendation 5 said, "See Recommendation 4," because that would be repetitive.

Okay Recommendation 5 is actually that - okay this is, yeah, we recommend developing a policy or manual guidebooks - I think she's right, Recommendation 5 is repetitive but it addresses a different issue that we have. And we recognize we've said this recommendation a couple times but if you go into the body of the report there's actually a reason why in this initial report it says the exact same thing (unintelligible) before it.

Alan Greenberg: What page is that on?

Jeff Neuman: It's on Page 5 - sorry, it starts on the bottom of Page...

Marika Konings: Top of Page 6.

Alan Greenberg: Thank you.

Jeff Neuman: Top of 6 - bottom of Page 5, top of Page 6. Yeah I think this is just the construction. I think it's just - it just came in a different area of our report. So it's the same as Recommendation 3, very similar but came up in a different conversation. So she's right, we're repeating a couple of the recommendations but it was because of where the issues that we were talking about when we came up with the same recommendation.

The first time we talked about having a manual was with the procedures for requesting an issue's report. The next time we talked about a manual was an issue (scoping). So she's right, it's repetitive but we kind of did that for a reason. We won't be repetitive in the next report.

Alan Greenberg: So the answer is noted, thanks.

Jeff Neuman: Yeah. Okay creation of an issue's report. Recommendation 6, Mary's comment is that the bylaws should not be too - should not be complicated with too much detail which I think we're addressing in try to move some of the

stuff to the manual. So I think she's correct and I think we are in agreement with her.

The work team recommendation that this be taken up as part of preparation in the manual is a good way of ensuring guidance - so good, I think that's just agreement with us, that's great. I think - I'm trying to move really quick.

Recommendation 7, the end result of a PDP. The fact that potential outcomes of a PDP can be other than development of consistent policy ought to be further highlighted to the community along with our recommendation which I completely agree with and I think - I think that's right and I think we all agree. Does anyone disagree with that? I think we've raised that a number of times in discussions.

This next one I think we discussed a lot as well which is talking about the role of ICANN staff. General Counsel's role in opining at our proposed PDPs within scope to (unintelligible) recommendation in respect it should be followed. It would additionally be helpful if ICANN staff's function in respect with particular issue's report.

Example whether technical expertise is provided or sought should be included where possible. The proposed manual guidelines could further explore this question.

Alan Greenberg: I think we need to give Mary extra points for using the word opining.

Jeff Neuman: Yes. I think that's a bigger word than any of the words that we used in our report so. I think that's a good suggestion and I think, Marika, if we could keep note of that so that we put that into our recommendation - in the section that talks about the issue's - sorry, ICANN policy - the role of ICANN staff in the manual.

Marika Konings: Okay.

Jeff Neuman: All right timeline issues, this is about Page 11 in the comment tool, Recommendation 10 which is Page 7, am I right or is it - yeah, Page 7 of the - the executive summary.

It may be possible to combine Option C and D. So let me - okay why does Recommendation 10 in the report not have a C and D?

Marika Konings: This is Marika. Maybe she meant to say A and B because I only see as well an A and a B.

Jeff Neuman: Yeah okay so let's read it keeping in mind A and B. So let's - probably - you're probably right. It says, "For example prescribing the timeframe minimum to maximum in the bylaws would be (added) providing that if ICANN staff requests modifications of the timeframe then the estimate requirements in D be provided as soon as possible upon the request for an issue's report."

Okay so we provided two options; we said that we could either set a maximum timeframe which in the bylaws - this is again for public comment period - setting the maximum timeframe in the bylaws which can be modified on the requests of ICANN staff with the agreement of the GNSO Council or requests that ICANN staff provides the GNSO Council with an estimate of time it would take for the ICANN staff to complete an issue's report taking into account the complexity of the issue.

And so what Mary's saying is combine those two in the bylaws with the added proviso that if ICANN staff requests a modification then the estimate - then it should be provided as soon as possible.

So basically it's saying here's the maximum timeframe in the bylaws that we will allow. If ICANN staff needs it they can then provide an estimate at that point in time of how long it should be then come back to the council.

I think we could - I think that was sort of what we had discussed anyway. And I think providing it (at) two separate options clarifies that we probably can combine them as one. Marika, Margie, you think we can combine those?

Marika Konings: This is Marika. I think the - I'm not sure when we discussed (unintelligible) whether that kind of information should be in the bylaws or not. So I'm wondering as well on, you know, on the timing. And I think we've advocated there that, you know, it would be nice if it's consultation with ICANN staff that, you know, they can assess depending on workload and the issue of how much time is required.

And indeed I don't think there's an issue in setting a maximum as long as there's an opportunity to, you know, discuss with the council if more time is needed for, you know, a number of reasons. But I'm just wondering whether that kind of information should be in the manual instead of the bylaws.

Jeff Neuman: Yeah well I think wherever it appears I think - I think you're right, we still need to make that decision as to where these things appear. And just as a - kind of an overall statement I think some of the - sorry, I see what you're saying, Marika, about a lot of things being moved over to the manual and I think a lot of things will be. I think there may be certain things that contracted parties want to see hardcoded in the bylaws. You guys have a process for changing those.

So let's not prejudge at this point where it appears. I mean, I think keeping the way that we've drafted - the draft report is good so it'll clarify in people's minds and raise comments as to whether that's the appropriate place. But I'm not sure that it's a foregone conclusion as to where it'll appear.

So regardless of where it appears I think the basic premise is that we set the maximum timeframe and we could do it as an option. We could say maximum 30-45 days provided that if, you know, ICANN staff - if there should be a period - there should be an opportunity for ICANN staff to consult with the

GNSO Council and provide an estimate if they believe it will take longer and get approval from the GNSO Council to do that.

Okay, if we move onto Number 11, Recommendation 11 was - or is - there should be a public comment period that follows the publication of an issue's report and before the council is asked to consider the initiation of a PDP. Such a public comment period would, among other things, allow for additional information that's missing. And I - allow ICANN community opportunity to express views on whether the council should initiate the PDP.

Okay Mary just agrees with that recommendation. So good. Role of workshops and impact analysis, Number 12 and 13. For Recommendation 12 we basically said that we recognize the value of workshops on substantive issues prior to a PDP and therefore we recommend that information on a potential role of workshops and information gathering be provided in the policy development process manual.

And we recommend the council should consider requiring workshops during the planning initiation phase. And Mary says that should be discussed and possible processes recommended by both houses in preparing the manual. So that's almost like a wait and see. It sounds like a good idea but let's see how that - the manual looks and what we actually say.

Okay I am skipping ahead to - and please interrupt me if I'm going too fast. As you can see I really want to get through this so please interrupt if you have a question.

Prioritization and fast track, so fast track is something we're definitely going to have to talk about in more detail. So to the extent we do I don't want to necessarily bring it up right now, I just want to jot it down so when we do talk about that bigger subject.

But remember for prioritization we kind of said in our report we're punting it to the GNSO Council activity but obviously we can't do that because they - I guess they have a meeting today right Marika and Margie and they may decide to just terminate the whole prioritization effort completely?

((Crosstalk))

Margie Milam: It's on the agenda today but I think they're going to discuss next steps.

Jeff Neuman: Yeah, so but I think from the various messages we've been getting I don't think the - I don't think the council is going to really come up with something. It just reminds you what we said that if you look at the previous one on the public comment review tool in the last column we basically talked about that we noted that one of the (unintelligible) is to get more people involved.

But as the work team noted that the council hasn't considered yet how to deal with future issues and is focused for now on ongoing projects. It might therefore be appropriate for the work team to give more consideration to this.

Another issue that was identified as working groups progress, the interest in the issue seems to disappear resulting in fewer volunteers trying to finish the task. This becomes especially apparent when a new hot topic is launched to attract many new volunteers at the expense of other efforts.

And so I think our conclusion was on this that, you know, we do agree that the GNSO Council should prioritize PDPs and be in kind of a constant juggling exercise of, you know, there may be things that come up that have higher priority but this is really a council activity that they should be doing and not just at the outset of when to initiate it but, you know, to keep revisiting that at different times to make sure that there's enough attention focused on the issues.

So Mary basically says it's difficult for the council to accomplish a truly meaningful prioritization of the tasks. It would be unfortunate if a particular issue - for example as demonstrated our strong support for PDP amongst numerous constituencies or committees could not be pursued due to lack of resources, specific indicators, for example level of support existence of third party economic impact studies couldn't identify (as aides) to the council when determining prioritization of initiation of PDP.

And then she talks about fast track so I'm going to skip that part of it now.
James.

James Bladel: Hi Jeff. James speaking. And my question is, are we, you know, just going through these comments or are we responding to them because I have a lot of thoughts on this particular subject and I'll hold them if it's not appropriate.

Jeff Neuman: No, no, no, please, please give us your thoughts.

James Bladel: Okay well I just don't think we should let this one go regardless of what the, you know, council comes back with. I mean, we're really looking for some management and structure to this process. The needs of, you know, PDP resources are infinite but of course those resources, like everything, are limited.

And, you know, I don't want to give anything away but I'm involved in a couple of other groups that are also making this similar recommendation that the staff and volunteer resources are taxed to the limit.

You know, we can possibly include in our report that even if it's a simple method such as first in, first out, that's a form of prioritization and at least, establishes that no new PDPs can get underway until a couple drop off. I mean, anybody who's ever been to an over-packed nightclub understands that concept.

So, you know, I just think that it's something we shouldn't let go of and it's something that we should continue to emphasize possibly even in stronger terms in our interim report.

Jeff Neuman: Okay. Alan.

Alan Greenberg: Yeah, I don't disagree with the concept but I think the reality is we do prioritize. We prioritize by how often we meet and how fast things go forward. And the things that are deemed to be less important naturally do go slower and put less demands on people.

And I'm not - although I'd like to live in a world where everything is more orderly I'm not sure we're really going to get there. And I think this kind of limitation is going to be there. And that does imply that a few overeager people who are - have a sense of responsibility do get pushed harder than they should.

But I'm not convinced that we're going to see a lot different and I think we need to presume that there is going to need to be some sort of self limiting one and not an explicit action of council to do it. Maybe I'm just - I'm not sure I'm being negative or pragmatic but that's the way I see it.

James Bladel: Well so - if I have a quick response to that Jeff?

Jeff Neuman: Yeah, sure.

James Bladel: Okay, yeah, Alan, I understand and I do think, however that the council should be more explicit rather than, you know, taking a slow down/speed up type of approach depending upon the implicit priorities because what happens is is that those people who do feel like they were maybe - their schedule wasn't given the top priority, you know, will come back and say that's a transparency issue because that decision was made without them.

So I just - I feel like, you know, that does address the immediate problem but it creates a bigger problem perhaps...

((Crosstalk))

Alan Greenberg: I'm not disagreeing with you I just don't see a way out.

James Bladel: Right, well...

((Crosstalk))

Alan Greenberg: I mean, we've spent a huge amount of time on prioritization and we've gotten virtually nowhere.

James Bladel: Yeah. Well maybe it needs to come from staff, then, you know? Here's the number of PDPs we can support at any given time. You know, I mean, it sounds ridiculous but unless - but I mean, just because we don't trust staff to do it and council can't come up with an agreement doesn't mean that the problem still isn't out there begging for a solution.

Jeff Neuman: The majority - you know, so I agree with - or I think James has a good point. We shouldn't just punt the whole thing. And Alan is there any way that would provide some guidance or some things that should be considered?

Or is there anything that, you know, should, you know, for example on of the things, the ITF for example has a kind of their advisory body meets and discusses prioritization and discusses resources constantly.

As far as whether groups should be - continue to go or should not continue to go. I mean is there any guidance that we can give because I think we all sort of agreed that you can't really kill a group once it starts.

I mean the group didn't kill itself. But its not like, I don't think the council has ever basically taken a group, started a PDP and then said you know what? It doesn't seem like we're getting anywhere. Let's just stop it.

((Crosstalk))

Man: What's that?

James Bladel: I'm sorry, this is James. I wonder if what we're not saying here is that council needs a, you know, a more elaborate calendar? I think this is pretty common amongst legislative bodies where they will say, you know, this still is coming up on this date.

Or this bill deliberations will be, you know, rapping up by this date or whatever. It just seems like, you know, perhaps a calendar, of course that one might impose artificial deadlines on how long at TBP could last.

But, you know, I'm just thinking that that might lend itself to some additional organizations.

Man: Well I mean one of the things that we don't do right now is we do attach timelines to PDPs and to other activities also. But we don't have ticklers when we're not meeting them. And that alone may help push things up, I don't know.

Jeff Neuman: Yes, I mean (unintelligible).

Paul Diaz: Thanks Jeff, it's Paul. Jeff I think I liked where you were going when you were searching if IETF or other groups have examples that we might point to to help guide.

You know, one other question or something that I think we've probably discussed, but I don't think it made it into our draft report was what about the idea of rather than killing a PDP, which I don't think I would be in favor of.

But if new high priority issues come along, what about putting an existing PDP that everybody admits is going kind of slow in sort of like a hold mode. And creating a voting mechanism, maybe the very high thresholds that we've already established here.

But if the councilor has recognized okay, you know, I've got five PDPs underway. But this new thing has come along. And one of the PDPs everybody kind of admits is just really floundering.

You know, a vote can be taken to put that on hold. Thereby, you know, officially freeing up any resources that were devoted to it. And I don't know, you know, set some timeline and then we come back to it.

I mean would something like that be doable possible? And even if there's support for it, I think it has to be written down somewhere. It shouldn't be done on an ad hoc basis.

Jeff Neuman: So let Marika did you have a comment on this particular point?

Marika Konings: Yes this Marika. You know, I think the notion of putting things on hold, you know, I'd probably have a concern that then things will forever be on hold. And especially when something has been on hold for a while.

No one will want to start it up because it means redoing a lot of the work. And volunteers might have disappeared out of the picture.

Bu another point I wanted it make is that if you look at the current workload of the GNSO Council, they're actually I think three PDPs are currently ongoing.

And I don't think they are the problem of, you know, on the workload. It's not the PDP. It's all the other stuff that's happening. You know, the combined package that is creating a problem.

And that is really having an effect on the PDPs. So maybe the other question should be as well are PDPs a priority over other initiatives? Or should everything be treated in the same way?

And should be, you know, it should be just be working group prioritization? Because I think, you know, we might want to make a distinction there. Although, you know, we're talking about PDPs.

But PDP's on itself are not an issue because, you know, there are currently only three. And so those we kind of got done because, you know, we're missing deadlines or we don't, you know, we have cancel meetings because people have other things they're working on.

There were so many other things going on at the same time.

Jeff Neuman: Yes I think that would be a concern. But I, so let me go, let me get a Wolf analysis, Wolf.

Wolf Ulrich-Knoben: Yes thank you, Wolf speaking. So similar to the prioritization again, the only, you may to try it or say prioritization process is. And that's why I was also looking in that group is to make it more transparent, the workload.

And the conditions under which the council is working and the - and on the consequences because that's the only target. It's not, there was no target well to establish a law called prioritization on the list which means okay, that's Point 1, 2, 3. And let's work from 1 to 11.

And then look after that. So at any time the council is in a position now to say okay, there is something which is of higher priority. And let's go that way. And

this just comes, this could come, it could be initiated by any working team as well.

So maybe there is a fear which is not really realistic, you know, that something is going let me say not to be - not to get prioritization on a councilor which needs prioritization like PDPs or these things.

So if that is understood that way I think it's more easy. And this prioritization list is just for transparency. Thanks.

Jeff Neuman: Okay Alex.

Alex Gakuru: Yes Alex speaking. Thank you Jeff. I think we discussed this quite a bit some time back. And I remember even the joke you floated Jeff was from the (Comminsky) and then we all laughed and went on with it.

And I think after that we requested Marika to compile statistics of PDPs in a year. Maybe she could remind us about those statistics on average for I think if she has they regularly. Because it gives an idea about how many PDPs are there. Because I think we are probably talking about a (dozen) PDPs and there are always two or three or four, never more than five. Thanks.

Jeff Neuman: Marika do you have any of those off the top of your head? I think it was the average, if I remember, you know, drawing out kind of the ones that took years.

And, you know, the one occasional real fast one, it was somewhere around a little over a year, around a year?

Marika Konings: This is Marika. Yes that's correct. But I have a slight suspicion if we look at the current PDPs that are ongoing that averages going beyond that.

Jeff Neuman: Yes, they are some of them have been taking a long time. Okay Alan.

Alan Greenberg: I made this comment before. But I, my impression is PDP or prioritization is not the issue. I don't think I've ever been in part of two PDPs at the same time.

But I participate in eight or nine conference calls a week. They are not generally all PDPs. I mean this one is not a PDP and is one of the heavier ones.

Council reorganization has generated a lot of work. We're starting to do more joint work which are not PDPs. So I think it's an ICANN and a GNSO issue. But I don't think it's a PDP issue.

The number of PDPs that are ongoing with significant overlap membership, I don't think is very large.

Jeff Neuman: So I think Alan that is a really good point that, you know, even if we came up with something that says here's how you prioritize PDPs. The reality is most of the activity, I shouldn't say most because I don't know that for a fact.

But a lot of the activity of council and the community has little to do with PDPs. So for example now as you said, you know, new GTLDs, you have this, you have discussions of being a (cert).

You have other discussions that are go - accountability and transparency. None of that really relates to, or who is, none of that really relates to PDPs that are ongoing.

It really relates to the overall prioritization. But I do think, so I do think that's one point that, you know, if we talk about this in our report. We should make it clear that even though our main data is really talking about prioritization of PDPs, we'd like to see the council engage in, or make sure things are prioritized with respect to all of its activities.

And I do think that, you know, as James said I think, you know, we do need to emphasize strongly in the report that there is concern. Especially around the time of face to face meetings that there is a limit to what staff and resource, and volunteer resources can do.

And so that there should be an overall focus by the council to make sure that there's not too many things going on at once. You know, but recognize, it's certainly in recent years.

And maybe this is an anomaly and it will change, but I think it's going to get worse not better. An awful lot of the activities are not driven by council formal council decisions.

And I really think the issue is getting more people involved so there's less overlap. And not reducing the number of things. Then the only pressure is on staff. And that's the financial issue which could be addressed if it's truly important to ICANN.

Jeff Neuman: But James, I mean since you're kind of one of the more outspoken, what do you think we can recommend here?

James Bladel: Thanks Jeff. You know, I think, and apologize if I'm being a little too outspoken. But I think that, you know, with the restructuring I think there's a line in the report recommendations that the council needs to transition itself to a management, you know, of activities and less of voting.

Or I don't remember the exact language. But it was something along those lines. And I think that that management of the entire process, end to end for PDPs and other working groups.

And I think that what we need to acknowledge is that the resource burdening issue is a side effect or a symptom of a lot of other root causes that, you know, PDPs are easy to initiate.

They're hard to wind down. And they don't necessarily hold to any sort of a strict deadline. And I think that that's just, you know, I think that the former engineer in me says that that's a recipe for a bottleneck. A backlog of work that just will accumulate indefinitely until we kind of take more corrective action.

So I think that some of the recommendations would be to note the problems that we're having with, or that we've identified already with PDP sequencing and prioritization.

And note that they are contending for the same resources with non-PDP activities, such as this group, you know, other working groups and drafting teams.

And even, you know, some of the AOC activities as well. And, you know, and just kind of point out that, you know, we need a more proactive management of these issues to ensure that we don't get into a situation where we have failing staff and, you know, volunteer exhaustion, depletion of volunteer resources.

So, you know, other than that I don't have an answer except to just point out that it needs to be more actively addressed.

Jeff Neuman: So I think we can safely say in this report that several, or a number of, depending on how many. But some work team members expressed concern about the number of activities that are going on in the ICANN community.

And that they wanted to strongly emphasize that the GNSO council has a management body under the new regime. I'm not using exact words here, but essentially.

The new regime needs to place more of an emphasis on ensuring that there will be enough staff time, volunteer resources, et cetera to, as I said at the stage of initiating a PDP to make sure that that can be done.

Basically just capturing your points James. I think we could safely say that in the report. And even though we don't have any concrete recommendations like a vote let's say to do a hold. We could certainly make those points pretty clear, Liz.

Man:

So I think, sorry Jeff, I didn't mean to interrupt. But I think that we can make three concrete recommendations. We can talk about the, or actually four. We could make the recommendation relative to, you know, the possibility that a PDP could go into hiatus.

I think that was, you know, something to consider. I mean it has its down sides, but so does everything we consider.

We talked about a more elaborate calendar. And with that, you know, combined with a more structured timeframe where PDPs have to hit certain milestones by certain dates.

They can't just kind of whiz past a required deadline, you know, with no consequence. And finally, you know, we talked a little bit more about acknowledgment of, you know, what else is going on outside of PDPs.

And, you know, that's going to be using the same or contending for the same resources. And, you know, vice versa whenever we kick off a non-PDP group.

So I think, you know, there's a couple of just off the cuff recommendations that might, you know, at least point folks in the right direction. But I don't think there's a silver bullet answer here.

Jeff Neuman: Okay so just to summarize that, we could recommend as an option, you know, that there could be, and we're doing a draft final report. So we could still post it to explicit public comment on this.

The possibility of having some formal mechanism to enable a PDP to go into a hiatus period. Making sure for more transparency if there's an elaborate calendar that everyone could in the community could see.

And have timeframes that are on it. And that there should be some required deadlines set for different milestones for PDPs that, we're not saying that they, you know, be terminated if they don't meet those deadlines.

But that certainly the council should, if a deadline is missed, the council, it should go before the council. The council should decide what, if any, remedial actions need to be taken.

And the last one he said is the acknowledgment certainly at the time of initiating the PDP. And then further, like I said, further steps too. That there are things going on in other areas of the ICANN community that will contend for the same or similar resources. And so that needs to be recognized. Does that sum it up?

Man: Yes I think that's it.

Jeff Neuman: Okay Liz.

Liz Gasster: Thanks Jeff. I just wanted to mention that there is a report, in addition to the prioritization efforts that the council went through that sort of culminated in Brussels.

And I know there's a action item on today's council call to further discuss the results of that. There's also a report that staff prepared for the council and shared that did a snapshot of a week in time where we analyzed staff utilization.

Actually we did it a couple of times to make sure that the results were consistent. And Marika will post, or I think she just did, the staff report that we gave to council.

But it just was to help the council get a sense of how stretched the staff already is. You know, one component of the overall resource challenge aside from community resources.

And I just wanted to mention that to this group so you're aware of that report as well. Thank you.

Jeff Neuman: Thanks Liz. So yes, I didn't know that that was out. I definitely will, we should all take a look at that.

Okay, jumping to the next part which is a comment on fast track. I'll read the comment but I think we should just, I think we should just move on after the, you know, we will address it later on.

And I just skipped to the next one by accident here. The comment was fast track procedure will be useful. But due consideration needs to be given to questions related to gaming. And then sharing broad and diverse participation.

So we will obviously consider that when we talk more about a fast track at a later meeting. Okay where a PDP is initiated by a board action, this is Recommendation 16 and 17.

It is not clear what, if any role public comment would play in this regard. As such the eight calendar days proposed by the work team may be either unnecessary if the council has not choice but to act on the board's instructions.

Or insufficient if public comment is to be considered. The recommendation of the stakeholder group or constituency may defer a vote on a PDP for no more than one meeting. And needs to details its reasons for such a request.

It is necessary to ensure timely action in initiative importance and minimize gaming or other similarly strategic actions.

So the second one is just an agreement, the second part of that. But the first part, let me go to the Recommendation 16.

Marika Konings: This is Marika. I'm just wondering if that comes from her earlier comment where she assumed that a board requested or raised issue doesn't require an issues report.

So I'm wondering if it comes from that confusion that she says while if there is no issues report, will there be a comment - public comment period? And if there's not, why would you need to wait eight days?

Jeff Neuman: Right so you think that since we've clarified that it would still require an issues report with a comment period, that it doesn't, that that may not - that her assumption was incorrect. And therefore we're okay.

Marika Konings: That's what I'm wondering reading her comments. But don't know what others think.

Jeff Neuman: Yes I think, I'm re-reading it and I think you might be right. Okay so we'll move on then.

Appeals mechanism, this is I guess if there an appeal, if we do not initiate a PDP, is that, could we just double-check this? Right, this is a guest initiating a PDP.

Mary agrees that requiring the council to state its reasons in the absence of a full appeal mechanism would help ensure transparency. So I think she's fine with the recommendation.

Recommendation 19 and 20 she agrees with. Twenty-one (reads), I'll just go to the ones that she's not agreement. Timeframe for making particular decisions.

Okay, so Recommendation 22, skip to that, would be scrolling and that's on Page, let's see, Recommendation 22 is what option should the GNSO council have to ensure that it can - they can make an informed decision on whether to initiate a PDP?

Subject to the timeframe that we all agreed on. And it says the PDP work team request for the guidance. Great, so our recommendation is that we need further guidance.

And her request - her comment is this applies presumably to situations where the council believes a vote should be deferred in order to obtain expert advice to ensure timely action one way or the other.

However, it does not seem advisable for leave the question of how long such deferrals can last unanswered. It's really the question of whether a certain threshold of council members is required before deferral is confirmed.

Is also important to leave this - these questions to guidelines may not be the optimal solution, although it's certainly better than the current lack of guidelines and clarity.

The work team may wish to explore the possibility of at least requiring a deferral be made for no longer than the next council meeting. Unless the reason for the deferral reveals the need for a longer deferral period, in which case there should be a maximum time limit set to be amended only upon further vote of the council.

I think her comments make a lot of sense. What does the group think? That - so we've said that if there is an issues report. And then the council still wants to get some expert opinion or expert advice before voting up or down the PDP as to whether to initiate it.

If the council wants to get some expert advice, is there a maximum timeframe? And we just said well we need to consider it. And Mary's comment, which I think makes some sense, is well we should just say the general rule is if the council votes to defer it, it should only be deferred one meeting.

Unless in the request for deferral there are good reasons provided for why it may take longer than the one meeting, which is usually what, every three weeks Margie, Marika, council?

Margie Milam: Yes.

Jeff Neuman: All right so it's basically 21 days deferral should be the default. Unless there's a good reason provided for a longer period.

Marika Konings: This is Marika. Maybe we - it would be better to say the next council meeting because I think there are instances for example when there's an upcoming ICANN meeting that it might be four weeks. Or when there are Christmas, Holidays or things like that.

So maybe it's safer to just say next council meeting or something like that to, you know, that there's no need to convene a special council meeting just to meet that deadline.

Jeff Neuman: Yes I think that's, I was just pointing out the 21 days so people on the call understood how long it usually is between meetings. But yes, so I think that's right.

The recommendation would be to - until our next council meeting. So assuming that recommendation makes sense, what should the voting threshold be to defer the initiation of a PDP, or sorry, defer the vote?

Now remember, we've already said that if one council member believes it should be deferred because they need more time to consult, that's pretty much given almost as of right.

So now we're talking about a situation where they could have just deferred for a council meeting anyway. Now we're talking about deferring for an extra council meeting, Alex.

Alex Gakuru: Yes Alex speaking. Could we have a graduated way of, I think we have stated a maximum of three council meetings. So we make the first one easier. Then progressively to the last one where you can more - it becomes more how do you obtain this?

Or some sort of graduated voting so that it is on the (first) (unintelligible) may be the easy because the second time is a bit harder. The third time if you (unintelligible) to number three, it become the hardest (unintelligible) the fine one. Thanks.

Jeff Neuman: So I think there's only two mechanisms now to defer that. One would be the, I guess the easy way which is a council member or one stakeholder group requests it.

And then it's usually granted as of right. But the second graduated way for this would be to require an expert opinion or expert advice. And what should the threshold be for that?

And actually we need to really probably think about this a little bit offline because I can already think of a gaming situation where it would require a much less vote to initiate the PDP then it would be to defer it.

But let's say you said it's always 50% or a majority to defer it. Then in theory you could have two votes, both successful, one to defer and one to initiate.

So we really kind of need to think about how that's played out in practice. Do we want to just, Marika do we want to just kind of jot that down as a note and play off the different scenarios so we can kind of make sure that there would be no gaming of it?

Marika Konings: Okay.

Jeff Neuman: I shouldn't say make sure there's no gaming. They'll always be gaming as Alan would always say. I'm standing in for you Alan. Minimize it.

All right I think Mary's next comment is on the public comment period after initiation of a PDP. There's a functioning nature of public comments in relation to working group request after its initiation could be different from public comments solicited and received in respond to the (initial) report.

And as such a public comment period should be mandatory unless the working group specifically deems and documents its reasons unnecessary. Even so this should not preclude the working group from initiating a public comment period at some later point.

So I think our recommendations here was that if there's a public comment period after the issues report, we didn't want to say that it's mandatory to have a public comment period immediately upon opening it up.

The only mandatory ones we recommended were after the initial report and after, I think it was only after the initial report right? Marika keep me honest here.

Marika Konings: This is Marika. Yes we said I think mandatory on the issues report and on the initial report. And other comment periods are optional.

Jeff Neuman: Okay so does anyone, so Mary's offering a different opinion here. What do people think? So I think we should, it doesn't sound like there's an overwhelming, it doesn't sound like there's an overwhelming desire to change our recommendations.

So I would suggest that we note the comment. Note that it disagrees I guess. And then I guess unless I hear otherwise from the group, I don't think we change our recommendation on that.

Okay Comment 20 - sorry, there's agreement there. Comment 24, clarify end scope. So what key recommendations distinguish is necessary and should be adopted. So there's agreement, that's good.

And I can't believe there's all these comments that we haven't addressed. Communication with ICANN departments, clarification over appropriate and available meaning a channel of communication with various ICANN departments will be necessary.

All right, I think we have that in there right Marika? That we believe that there should be clarification of the role, that we should develop that? All right, how many more comments do we have Marika before we actually address (to her comment)?

So I thought it was tough when we started working hers in.

Man: She said she just go disconnected.

Jeff Neuman: Oh.

Woman: The line shortly.

Jeff Neuman: So all of Mary's comments are indicated on this chart as not addressed. But we did at some point work them in. So I'm just wondering where we actually, we'll see when Marika gets back on.

Man: I don't think we've discussed them. We may have discussed the issues. But I don't think we discussed her comments as such.

Jeff Newman: Well at some point we did. At some point we brought hers back in.

Man: I thought they just came in late.

Jeff Neuman: They did. But they were in by the time of like a couple meetings ago.

Man: Well maybe I missed it. That report Liz talked about, the staff utilization report is really interesting. It says all of, virtually all of staff time is taken up on non-policy issues, or at least non-GNSO policy issues, if staff only worked 40-hour weeks.

Jeff Neuman: Yes.

Woman: Marika's back.

Jeff Neuman: Hey Marika.

Marika Konings: Sorry about that.

Jeff Neuman: That's all right. Hey Marika, what - so I know at some point we did start talking about Mary's comments. But I can't find it in the chart as to where we've looked and what point we actually...

Marika Konings: I'm just scrolling down. It should be where we have as well responses to her comments. I think (unintelligible) far down.

Man: (Unintelligible).

Marika Konings: So Comment 39 is where we've taken her comments into account. And that's I think where we were at that junction.

Jeff Neuman: How can you tell?

Marika Konings: Because we have it in 39, we actually have a response in there that we actually reviewed it. And the ones before we didn't. So I'm assuming that we didn't discuss those. Otherwise I would have put (unintelligible).

Jeff Neuman: Okay so we are at, all right let's keep going. Well shoot, we're out of time. All right, so what I'm going to do because I want to move on is if people can, I'm giving a little bit of homework please.

If people can review all the comments that Mary has, starting with Comment 26 on Page 22 up through 39. And just make any comments. That would be helpful.

What I want to do next time is talk about what we revealed - we're going to send out this draft report. I want to start focusing on the open issues that are in there.

Marika you have a comment?

Marika Konings: Yes this is Marika. Especially there are some comments I think from Mary in relation to the implementation review team that might be useful. I think she made some good suggestion there.

I've highlighted as well some of those comments in the draft report to indicate that, you know, there are some suggestions there that the group might want to take into account when discussing those items.

Jeff Neuman: Right. And what I also want to say is we are not going to meet next week. But what I want to do is try to do two meetings the week after, one on our regularly scheduled time.

And I want to send a doodle out really as kind of a working session to go through that draft and any comments. Because I want people to take, if you could, take next week's allotted time.

Keep it on your calendar, but make sure that you review the report at that time. Try this exercise. So if you could take that time, review the report during that time period, and then fill out a doodle to see if you can make it.

We're going to have a second meeting the week after. And hopefully those that can attend will. But I really want to just use it as a working session to go through that draft report. Marika do you have a comment?

Marika Konings: Yes this is Marika. And another thing we didn't discuss, we have an internal deadline to submit our meeting request for Cartagena. So as we are not clear yet whether we're going to, you know, make the deadline or, you know, whether we need a public meeting or maybe just a group meeting.

My suggestion would be that I do request a time slot for during the week. And we leave in the middle now whether that's a presentation of and, you know, a draft final report. Or whether we otherwise use that time then as a PDP work

team session, you know, to work through some of the remaining issues or items we might have.

And, you know, the worst case we can cancel it if it conflicts with other meetings or people can't make it. Because I need to get that form in by the 4th of November to, you know, get that on the schedule.

And that would normally be I think, if I look at the schedule as it currently stands, it would be either a Wednesday morning or Thursday morning where there's time for, you know, working group meetings or workshops.

Jeff Neuman: So because a lot of people serve on multiple, are there times during GNSO council days, Saturday and Sunday, that could be allotted to this? Because I'm thinking...

((Crosstalk))

Marika Konings: On Sunday we've set aside a one-hour slot for the PPSG. But at this stage I don't know if the PPSG needs or wants to meet. So that could be as well a time slot that the PDP work team could take.

Jeff Neuman: All right. Okay why don't you request the time and then we'll talk about it on the next call.

Marika Konings: Okay.

Jeff Neuman: All right, thank you everyone. Thanks, I know we're moving quick. We're, well moving on some of these issues quickly. But I think when you see the report next week, you'll see it's - we are making a lot of progress.

Thank you everyone.

Man: Thanks Jeff.

Man: Thank you.

Marika Konings: Jeff can you just stay on for a second?

Jeff Neuman: Yes sure.

Marika Konings: Okay, all right, yes. Gisella if you can just stop the recording.

END