

**Policy & Implementation Working Group Meeting  
TRANSCRIPTION  
Wednesday 14 January 2015 at 19:30 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 14 January 2015 at 19:30 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-policy-implementation-14jan15-en.mp3>

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

Attendees:

Cheryl Langdon-Orr – At-Large  
Chuck Gomes – RySG  
Greg Shatan – IPC  
Alan Greenberg-ALAC  
Tom Barrett – RrSG  
J.Scott Evans – BC  
Michael Graham – IPC  
Anne Aikman-Scalese – IPC

Apologies:

Amr Elsadr – NCUC  
Wolf-Ulrich Knoben – ISPCP

ICANN staff:

Marika Konings  
Mary Wong  
Karen Lentz  
Steve Chan  
Terri Agnew

Coordinator: Recordings are now in.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Policy and Implementation Working Group call on the 14th of January 2015. On the call today we have Cheryl Langdon-Orr, Anne Aikman-Scalese, Greg Shatan, Alan Greenberg and Michael Graham.

I show apologies from Wolf-Ulrich Knoblen and Amr Edsadr.

From staff, we have Marika Konings, Mary Wong, and myself, Terri Agnew.

I would like to remind all participants to please state your name before speaking for transcription purposes.

Thank you very much and back over to you, Chuck.

Chuck Gomes: Thank you. This is Chuck Gomes and this is the Policy and Implementation Working Group call on Wednesday, January 14. Our call today is an hour and a half instead of the typical hour so that we can make any final changes to the initial report that will be publicly posted for comment early next week.

Now did I hear - was Cheryl not mentioned in attendance because Cheryl is also...

Cheryl Langdon-Orr: I was the first name mentioned in attendance.

Chuck Gomes: Oh. I guess - come in again. I guess I wasn't in tune. So okay thanks, Cheryl. I didn't want you to be missed. See, I was looking out for you.

Cheryl Langdon-Orr: I know. You just like to try and ignore me, Chuck. It's all right.

Chuck Gomes: Does anybody have an update to their statement of interest? Okay. I'm not hearing anyone or seeing anyone. Is there anyone on the call who is on the dial in or dial out -- whatever the case may be -- but not in Adobe connect? Okay. Then you can see the agenda on the right side. Are there any

suggested changes to the agenda or questions about it? Okay. So we'll just go ahead and proceed and we will start off by going through the document.

Notice our plan is not to go through every edit but only those where there may be discussion needed. If you do still have any edits -- and by the way, I appreciate the many people who provided edits -- the document we're looking at today does not include the edits from Michael, but your answer is certainly appreciated, Michael.

And what I'd like you to do - are there any edits that may have some controversy, let us know as we're going through the document where those are. And we'll talk about those. If they are just minor edits, I don't think we need to talk about them.

Michael Graham: This is Michael. Yes I'll do that. There's really only one place where it might create controversy but that was only because I was viewing this as a draft with that understanding. And so I was removing some explanatory statements like leave this for further comments and such, figuring those would come regardless of whether we invited them.

Chuck Gomes: Okay. That would be great if you would do that. All of us can look at what you submitted with edits. And if there are any comments on those they can do it, but let's not spend time on minor edits. And just as a preface to everything we're doing today, we want to make this document as clean and accurate as possible, but we also have a limited time.

So let's keep in mind that we have - we will after we get comments back from the initial report be able to fix other things that we find later. So unless it's particularly crucial, it won't hurt if we miss a minor thing or two. At the same time, we don't want to miss any of the significant issues and that is what we want to focus on today.

Anne Aikman-Scalese: May I ask a question?

Chuck Gomes: Go ahead, Anne.

Anne Aikman-Scalese: I should have raised my hand, sorry. And with IPC for the record, and this is going to be a really short question and I don't want to take up time for it during the meeting. But I did want to understand the timing of the process that are in terms of identification of potential bylaw changes that would be required. I mean, I understand that we're not seeking in this initial - this preliminary report to identify which of these items would require bylaw changes. But I'm just trying to understand where that comes in the process. Thank you.

Chuck Gomes: Thank you Anne. This is Chuck. And really that's a very good question. Let me turn it to Marika.

Marika Konings: Thanks Chuck. So this is Marika. For those items that we suspect bylaw changes are needed -- and those are specifically the three processes -- although I think from at least from past perspectives, we believe that only for two of those probably bylaw changes are needed. Those are actually included in part of the annexes. And that's what the working group reviewed - - both that would go into the GNSO operating procedures as well as the parts that would probably be inserted into the PDP manual.

As for the other items, it is my personal opinion -- but it's probably something that we may need to further review from a staff perspective -- I would not expect that any of those would require bylaw changes as such. However, as we are I think recommending that an implementation review team should be formed as part of PDP efforts, maybe that is something also that the working group may want to consider as part of your final report -- that in relation to the implementation of these specific recommendations that some members of the group form an implementation review team that can work and consult with staff as necessary as we would move forward on the recommendations

provided, of course, that these are adopted by the Council and the board in the cases where bylaw changes would be needed.

Anne Aikman-Scalese:       Okay. It is just my failure to read the annexes. There are actually - it's early. It actually - the language in the annexes that it is proposed language to change bylaws are it just says this would require a change in the bylaws?

Marika Konings:   This is Marika. If I may answer. Specific language that will be inserted in the bylaws. I think what we currently foresee is that for the...

Anne Aikman-Scalese:       I mean what do the annexes say? Do they say we foresee change in the...

Marika Konings:   No. Is the actual language that we would propose be inserted that follows basically the model annex A of the PDP. So basically it set up in a way that the key steps of the processes are incorporated- or would be included in the bylaws. And the details of that process are actually outlined in the manual in a similar way that the PDP is currently captured.

Anne Aikman-Scalese:       So I just need to take a closer look at the annexes because the proposed bylaw changes are already in those annexes. That's what you're telling me, right?

Marika Konings:   Correct.

Anne Aikman-Scalese:       Okay. Sorry. I apologize for not having done that before.

Chuck Gomes:       So before I turn it to Alan, please remember to identify yourself for the transcript and the recording. And that exchange that just happened was between Marika and Anne. So please do that again. We don't need it. We all know each other's voices by now. But for transcript and recording and other people listening, it's really helpful.

Alan, it's your turn.

Alan Greenberg: Thank you very much. I guess I want to say something close to what Marika said but in a slightly different way. When we last revised the Annex A on the bylaws -- which talks about policy development process -- we either by blind luck or cunning put some words in which essentially say that unless we are doing Consensus Policy or the other way around, you know - that's correct, all the Council has to do is set up other processes. And they don't have to be in the bylaws. They could be integrated into the bylaws at some point should we choose. But they don't need to be unless it's a formal consensus policy, in which case it does need to be put in there.

So much of what we're talking about as a result of the PDP does not need to be in the bylaws that could be.

Chuck Gomes: Thank you Alan. I appreciate that. And I see that Anne is in agreement with you. Okay. So let's start with making our way through the items. The first thing I want us to talk about today is just to get a confirmation. We talked about this a little bit last week when Jay Scott was chairing. But let's make sure that at least those of us that are on the call today are in agreement and if not, what we need to do to get in agreement.

But I suggested that we use a little different approach -- although it has been used like this in at least one other public commentary in the past -- for the public comment. Containing two things: Some sort of a short answer survey that could also have the opportunity for comments if we want. We can worry about that detail later. So that we get responses to the things that we're definitely asking for feedback on.

And then in addition to that, we can also have a text comment option as well, but we would have that organized in a template fashion so peoples' comments are readily identified as to what they apply to and then that would

facilitate our summary and analysis of the comments. So let me just ask. First of all, are there any questions of what I'm proposing? And secondly, are there any objections to doing that approach to the public comment?

Marika?

Marika Konings: This is Marika. I just wanted to know that I haven't created yet a draft of the survey because I'm kind of waiting, hoping for the session that we actually locked down the (unintelligible), of course. It's important that we use the same language as in that report. My plan and principle is provided we can come to agreement on most of these items to prepare kind of a draft survey as well as template and hopefully be able to share that with you by Friday at the latest so people can have a look at that.

And if have comments or edits, you can send them in so I can still change or update that prior to Monday when we're planning on publishing the document and opening the public comments form, if that is helpful.

Chuck Gomes: Thank you, Marika. This is Chuck. So would that be sent to us early enough in the day on Friday so that people can address it during their workday on Friday?

Marika Konings: This is Marika. I cannot guarantee that. I'm at the moment in DC and I have a full set up meetings the rest of the day as well as tomorrow. But I'll do my best.

Chuck Gomes: Thanks. And I fully understand that. So I obviously put you on the spot. But let me then ask everyone that's on the call -- and then we should send out an alert to everybody on our list -- that we will need a short turnaround time on any responses to what Marika sends us sometime on Friday.

Marika, what would be the deadline for responses, comments, edits to what you send out on Friday?

Marika Konings: This is Marika. I'm happy to set, for example, Monday by 1500 UTC if that's acceptable to people. And I will need to get it over to web admin in Los Angeles for them to publish. I could even do it a bit later. But, of course, it depends a little bit on how many changes or edits there are because, of course, it will take me time to do say. So my suggestion would be 1500 UTC to allow me enough time to make those changes and then get it published later that evening.

Chuck Gomes: Thanks. I'm okay with that. But let's see what Jay Scott thinks.

Jay Scott: I just want to first apologize to everyone on the call for being late. I'm having challenging issues and I'm on the road. And my phone and my calendar aren't necessarily synching, so I didn't get your get your butt on the phone reminder. So I apologize.

Second, I just want to say I think the survey idea is innovative and new and I think it hopefully will elicit some comments from people in a structured way and encourage them because they won't have to spend a lot of time doing it and give us feedback that we wouldn't normally get. And so I fully support it. And I want to thank Chuck for being so creative and suggesting that. Thank you very much. So we just want to give my wholehearted support to that.

Chuck Gomes: Thank you very much, Jay Scott. Michael.

Michael Graham: I just wanted to agree with Jay Scott. I think that's a really innovative way and having dealt with responding to public comments with an eye to wanting to ensure that we respond to all of them adequately. I think it's a great way to focus those comments so that they can be responded to and actually apply to the document. So I really appreciate you coming up with that.

Chuck Gomes: Thank you very much, Michael. This is Chuck again. And just to give you a minute background. First of all, I've been thinking we should structure public



comments periods in a more effective manner for a long time. But I've spent along with some others a large part of the holiday season reviewing public comments on the IMS CWG work. And it just reinforced it to me. So thanks, though, for the support for that.

All right. So I'm not seeing any objections to that approach. So we won't spend any more time on that. Marika, thank you for giving us the latest version minus Michael's edits. That is very helpful.

So let's go to the executive summary. Now if you are like me, you have not made it through the whole executive summary yet. So if there is something that you find in the executive summary that we don't talk about today -- because we're not going to read through it on the call in detail -- then please put that on the list by Friday so that we can catch those things if there are any. I was able to get a little ways through.

First of all, I want to complement. I think it's a very good executive summary and I think it included some of the things from Anne in there as well. And so before we start going through it, I see we've got a couple of hands up.

Anne, you are first. Anne, are you on mute?

Anne Aikman-Scalese:       Sorry. This is Anne. I was on mute. Thank you. I just wanted to thank Marika for clarifying that binding/nonbinding language because I think Chuck you had mentioned you thought maybe it related to consensus policy versus other types of policy. But I think it's now clarified both of these processes that talk about binding advice and binding guidance - or nonbinding advice and binding guidance are actually, I think, processes outside of the consensus policy process because consensus policy would require a different process from one of these two.

And so actually I just wanted to thank Marika for clarifying this because I think it is currently clear what is meant by that binding and nonbinding in those two processes. Thank you.

Chuck Gomes: Thank you, Anne. Chuck again. As you can tell, I needed the clarification, too, because I didn't have the document access to it at the time I was responding. Thank you for asking the question because these are very good clarifications here.

Marika.

Marika Konings: Again, this is Marika. Just on the executive summary I just want to reaffirm that most of what is in there is derived from what is in the report, so hopefully it shouldn't raise too many red flags. And you know as well, Anne made some suggested language I think one or two weeks ago in the meeting list and also included that in the introduction section for the new process we're proposing. So just to reassure anyone that there shouldn't be anything new or surprising hopefully in there.

Chuck Gomes: So just very quickly, on the things that I went through in section 1.1 on the background, very minor edits on the very last line. I don't think we need the "the" on policy and implementation in the GNSO context. We know we don't need to discuss that, I don't think.

In section 1.4, the proposed additional GNSO processes, I think it would be -- and I want people to disagree if they certainly don't agree with this -- but I think it would be good in that first paragraph to reference Annex C which gives kind of an overview of the new processes. We later referenced the following three annexes that explain in detail the three new processes. But I think it would be good in 1.4 to reference Annex C which is that kind of overview chart of all the processes and how they fit in.

Any discussion on that or disagreement? Okay.

Marika Konings: Chuck, this is Marika. I'm just trying to get my hand up.

Chuck Gomes: Okay. Go ahead.

Marika Konings: I think actually you're referring to Annex B -- or maybe I got the numbering wrong -- because we do refer in the last paragraph to Annex C, D, and E. So would you like me to include a reference there to Annex B or do you prefer it to be an introduction?

Chuck Gomes: You are correct. I should've said Annex B.

Marika Konings: Do you prefer that to include that in that last paragraph or I insert it somewhere in the introduction to this action?

Chuck Gomes: My personal view is in the introduction because it kind of gives a nice overview before we talk about the three specific processes. But if others think differently, I am very open to that. Any comments or discussion on that? By the way, it's Chuck speaking again.

Woman: Just note we agree from a couple of us.

Chuck Gomes: Oh yes. There we go. I even got agreement from Cheryl. Thanks. And Jay Scott, thanks. Let's not belabor that -- and that wasn't obviously an essential thing -- but I think it would be a helpful thing. Now forgive me if I -Marika did you have what you say there?

Marika Konings: No, sorry. Lowering my hand.

Chuck Gomes: That's all right. We all do it. So we're used to it so I'm skipping between a live document where I put my notes. So if I don't see a hand real quickly, somebody just yell at me on that. So that was one thing.

In section number 1.4 and onto Page 5 where that paragraph continues, that last sentence says the working group proposes three news standardized processes for GNSO consideration. I deleted "of such issues" because I thought it was kind of confusing, just a minor edit, I think. But if somebody thinks that not needed, that's okay, too.

If you look then at the bullets of the three new processes on Page 5, you'll see that in the first two highlighted in yellow are Marika's clarifications that are definitions of binding and nonbinding. And that's what Anne, of course, was referring to which I think is very helpful. Unless somebody thinks we need to talk about that further, we will just move on from there.

Go ahead. Who is that?

Anne Aikman-Scalese: I've been doing so many calls without Adobe that I forgot to raise my hand. Thank you. It's Anne again.

Chuck Gomes: That's okay.

Anne Aikman-Scalese: At the end of 1.4, if you strike out "of such issues", you are actually changing, I think, what was the intended meaning of this sentence. I'm not saying I'm opposed to that. But it really was about processes that would allow for, you know, GNSO deliberation on the issues. It wasn't - the sentence I think was not about "Here, please consider these three alternatives." It was about these are ways for the GNSO to deliberate and provide advice on such issues. Now that may be really picky and you don't see a real difference there, but it was two different meanings.

You might say GNSO deliberations on such issues or something.

Chuck Gomes: Yes. I think it's the placement that bothered me more than anything else. So maybe we don't need to delete it but place it in a better place because it says "For GNSO consideration of such issues..."

Anne Aikman-Scalese: Meaning the issues that arise that need to be dealt with efficiently in a standardized manner.

Chuck Gomes: If you're more comfortable with that in there, I'm not going to object to that.

Anne Aikman-Scalese: What you think about deliberation for GNSO deliberations regarding such issues, which was actually the intended meaning?

Chuck Gomes: That sounds pretty good to me.

Anne Aikman-Scalese: Okay.

Chuck Gomes: Does anybody else? Okay. So did you get that, Marika?

Marika Konings: No. Can you maybe repeat?

Anne Aikman-Scalese: For GNSO -- this is the end of 1.4 -- instead of at the very end where it says consideration, it would be GNSO deliberations regarding such issues.

Chuck Gomes: And Cheryl like that?

Anne Aikman-Scalese: Thanks, Cheryl. This is Anne. Thanks, Cheryl.

Chuck Gomes: Okay. Very good. Moving on. And I am going to keep pressing because I know we have an hour and a half. But we want to make sure we always get the things covered that we need to discuss. So I'm going to try and move fairly quickly without leaving people behind. Just looking at my notes here and as far as I got - and that's as far as I got. So I don't have any more notes. The rest of you can join me and anything else you find please put it on the list after this call as soon as you can but definitely by early Friday in the executive summary so far.

Let's again go on to - let me get over back here on Adobe, so I can watch the queue. Anne, is that your previous hand?

Anne Aikman-Scalese: Oh, sorry.

Chuck Gomes: That's all right. I'll try and remind you. Again, we all do it. So none of us are going to be critical.

Anne Aikman-Scalese: Just too many meetings.

Chuck Gomes: Tell me about it. Okay. So in the working definitions at the very last one, bottom up in a GNSO PDP, okay?

Anne Aikman-Scalese: Which page are you on, Chuck? I'm sorry.

Chuck Gomes: I'm on Page 12.

Anne Aikman-Scalese: Okay. Thanks.

Chuck Gomes: I'll try and give the page numbers because I know it's hard to stay with everything here.

Anne Aikman-Scalese: Okay.

Chuck Gomes: We grappled with this and did a lot of wordsmithing last week on the call. To me, this definition was still kind of awkward. So I made some changes. Take a look at those real quick. Because we spend so much time on it, I wanted to at least see if what I did is acceptable. If not, we can actually tweak it more off-line. Take a look there. In fact, I'll read it to you in case somebody doesn't have it in front of them -- and were talking about the bottom up in the GNSO PDP.

"A fundamental principle of ICANN's participation and policy development, decision-making process whereby policy and organizational decisions and analysis originating from stakeholders who participated in the process to the board." And to me, that part right there is stuff I never was comfortable with last week.

So here's what I suggested starting from the very beginning and it's in my comment. "A fundamental principle of ICANN's participation and policy development decision-making process whereby policy and organizational decisions and analysis." And here's where I started making the changes -- "Originate with stakeholders who participate in the process and then develop recommendation for consideration by the broader community and ultimately by the board as applicable.

The processes used are designed to provide equal opportunities by participation for all stakeholders as practically possible."

So that's in my comment there, if you look at the comment and want to see it written out. I didn't put it in because I was changing work that was done last week and I thought I'd let the group decide whether that's a clearer version or whether somebody wants to propose a different one.

And I see Alan. Go ahead, Alan.

Alan Greenberg: Thank you very much. I generally like that a lot better than what was there before. I have a question, though, on the intent. The term bottom-up has been construed before as not allowing the board, for instance, to initiate a discussion. You've seen cases where if the board says, please do this, it's not bottom-up. Even though they're not really contributing to the solution, they are just asking for the answer.

Therefore, PDP initiated by the board, is that bottom-up? I think it is. But the wording there could be read by others as not including that and I just want to

make sure that we all have the same understanding of it and a comfort level that is not going to be misunderstood.

Chuck Gomes: Thanks, Alan. You make a very good point and I have the same understanding as you. Obviously the bylaws allow the board to initiate a PDP. So let me ask if you would -- and you can do it during this meeting or right after -- would you see if you can suggest an edit there that would fix that because I think you're right?

Alan Greenberg: I'm not even sure an edit is necessary. And I may be overreacting to what I've heard in past lives. So I guess I was asking for an opinion of the group. First of all, can it be misread the way I was suggesting? And if so, we do need to change it. But I'm not 100% sure we have a problem.

Chuck Gomes: Okay. Thank you very much. This is Chuck again. Michael?

Michael Graham: I suppose the only - in addressing that - initially I read this and I said well we don't have anything with addressing or limiting who can initiate; however, we do have the originate with stakeholders. So I think the organizational decisions and analysis - the analysis part in reaching it do originate with stakeholders, but the issue. So I think Alan I'll leave it to you to come up with something.

Alan Greenberg: As the other people speak. Let me read it again and see if I can come up with something.

Chuck Gomes: Okay. Thank you, Alan. Go ahead Michael.

Michael Graham: In that originate, though, I think this pretty clearly does indicate that it really doesn't matter where the initiation comes from but that this process really originates at a stakeholder level.



Alan Greenberg: Yes. I'm rereading it, if I may interject. It says whereby policy and organizational decisions and analysis -- that should be flipped around by the way -- analysis and decisions -- originate with stakeholders. I think that's fine. I think we're okay. The originates is modifying the analysis and decisions. And I think we're on good ground there but I would recommend flipping the order because hopefully the analysis comes before the decisions.

Chuck Gomes: This is Chuck. Did you get that little flip on analysis and decisions, Marika?

Marika Konings: Yes I did. This is Marika.

Chuck Gomes: Thank you. Cheryl?

Cheryl Langdon-Orr: I hate it when he gets (unintelligible) before me. The analysis and decisions have to be flipped. But anyway, this is a process issue. I still am wondering whether people can misread it now as Alan pointed it out. Sorry. My animal world is (unintelligible). So I guess if everyone is quite sure that there isn't the ability to misread, misinterpret, the meaning, then I'm very comfortable with this language with the flip.

But let's all have a little time to have a little think and see if there's any - I think we should leave that open for some polish if someone can come up with a better way, though I certainly am supportive of this language. Thanks  
Chuck.

Chuck Gomes: Thank you Cheryl. And again anybody can - if you have some enlightenment of how this can be made absolutely clear, suggest it either in this meeting or afterwards and we will do it.

Anne?

Anne Aikman-Scalèse: Yes. Thanks. I just wanted to say that I do have a problem with the word originates. And I do understand what Marika said about it. But I think

it is misleading. And I would say that that word has to be changed -- policy and organizational decisions and analysis.

The other issue I have with it in terms of decisions is that stakeholders develop policy recommendations. The fact is they don't become policy until the board actually approves the recommendation. And so as far as decisions, I mean - I guess I do think that the language needs work and I don't have it right at hand. But I do think we need to put a pin in it and revise it. Thank you.

Chuck Gomes: Thanks. This is Chuck. Let me throw something out. What if we said -- and still leaving the word originate -- if somebody wants to change that we can. But originating - originate with the community or the board -- or excuse me -- originate with stakeholders who participate in the process or the board and then develop recommendations, etc. I don't know if that would really solve anyway. Think about that and if somebody has got a - I'm not terribly satisfied with my solution either as I spoke it out.

Alan, go ahead.

Alan Greenberg: I'm reading it again. We're talking about analysis and decisions which lead to recommendations. So the recommendations do come later and it's explicit there. Would we fix this by putting a footnote in saying the initiation to look at something may come from any level of the organization?

Chuck Gomes: That's a nice workaround. I like that. Let's give Jay Scott and Greg a chance and then we will try to either defer it to off-line or agree on something.

Jay Scott.

Jay Scott: This is Jay Scott. Here's what I would suggest to do. I always get nervous drafting on-the-fly. If we can do something off-line and come up with some language to put in, that's fine. But why don't we pick a couple of these hard areas that we think are maybe interpretation problems and just say, you

know, ask the question. The following language is presented as a recommendation. Please paraphrase or give your understanding of what this language means. See what people say. Is a nice touchdown to see. That's my suggestion.

Chuck Gomes: Thank you, Jay Scott. Let me ask you this. This is Chuck again. Would you be okay with Alan's footnote approach?

Jay Scott: Yes. I'd want to see it. I don't want to say anything in a vacuum. I get a little concerned about footnotes because the problem is what weight the people give those. Do people give them great weight? Some people and academics tend to believe that they are providing further - just explanation. So I'm happy to look at it. And I think that it could be a solution but I don't want to commit right now.

Chuck Gomes: Thank you, Jay Scott. Though if you would communicate that on our list, that would be great. And just one reaction to submitting a question in our survey on this. I think it's better that our questions really focus on significant issues rather than one like this, although I'm not opposed to that. This is really just a clarification that we don't mean that it can't originate with the board. So having one of our questions focus on this, to me, is not the greatest use of the question, but that's my own personal opinion.

Let me go to Greg.

Greg Shatan: I think we may have moved on a little bit from this, but I was going to say that I think we were kind of parsing - maybe there was a little bit of misparsing of the sentence. The board -- and I'm not exactly sure where we are on the current version -- but the decisions don't originate from the board. They are being recommended or considered - for consideration by the broader community and ultimately for adoption by the board. That seems to me to be the pathway. I think (unintelligible) the board in kind of earlier in the sentence, it just wasn't right.

Chuck Gomes: Thank you, Greg. So let's not spend any more time on this unless Alan has a solution right now. I'd like to move on and solve this awful thought off-line.

((Crosstalk)).

Man: Just one comment I meant to make earlier. Someone -- or maybe it had been Cheryl or somebody -- said if there's a chance that something's going to be misread. There is always the chance that something is going to be misread no matter how clear it is. So we have to live with that. That's part of the world we're living in. I really do suggest either a footnote or if you don't like a footnote, a parenthetical which has the same value, but it is in line and we can address this. And I'd be glad to try to suggest something if that's what the group wants.

Chuck Gomes: That would be great. And if somebody else wants to say suggest something, feel free to do so. But let's move on from this.

Going to section 4 which starts on Page 13 -- and that's policy and implementation principles. Jay Scott, did you have another comment?

Jay Scott: Old hand.

Chuck Gomes: Okay. Thanks. Chuck speaking. Now the issue was raised last week that the principles maybe were intended for our own internal use and not part of our recommendation. As you can see in the executive summary or by going back to our charter, we were actually asked to produce principles. So it is one of our deliverables. And if you look at the wording of the principles, they really aren't worded for our working group only, although I think they been valuable for us in our work. They really word it to be applied by the community when dealing with policy and implementation.

So with that said, do we really need to talk about this any further, about whether they intended for the community or for our working group? And then the key question then comes up. What I suggested is that we add a recommendation that the principles be adopted by the GNSO Council and the ICANN board to guide further option. Now the reason I say this is related to what we talked about earlier with regard to bylaw changes. Something like our principles are not going to go into the bylaws, I don't believe.

At the same time, if we really want them to be followed it would be nice to refer back to an approval by at least the GNSO Council and even better by the board some motion where they were approved -- not to change the bylaws but rather to emphasize their importance and increase the probability that they will be followed.

So with that said, let me be quiet and open it up for discussion. Okay. Chuck again. Not seeing any hands. If anybody objects to having the preliminary recommendation number one that says "The working (group) recommends that the following principles are adopted by the GNSO Council and ICANN board to guide any future policy and implementation related work, please indicate so and by putting a red X in Adobe connect."

And Cheryl if you would let me look at what that means.

Cheryl Langdon-Orr: Chuck. It's Cheryl here. I actually transitioned to mobile. I am in the other mobile with the Adobe open. But because I'm driving if you could treat me as not being in the IC room for most of the next half hour -- and I've read of the sentences that were provided. If you just can just do a little bit of reference to refresh my aging memory, Chuck, that would be good.

Chuck Gomes: Absolutely Cheryl. And then let me do that right now. Are you okay with adding the preliminary recommendation on the principles? Do you need me to reread it?

Cheryl Langdon-Orr: No, you don't need to repeat it. Just keep up the good work. And I'll let you know if I disagree, okay?

Chuck Gomes: Okay. Thanks. I appreciate that. Okay. Not seeing any disagreement, we'll move on from that. And I think the green highlighted item is on section B of section 4 which is on nearly to the top of Page 14. And I can't read my comments there. Let me go back to the - let's see. Because the green highlighting is blocking out my text in blue. Note that this does not - anybody read comment 7 that I put in?

Marika Konings: Chuck, this is Marika. I can help there. I think you changed -- and what is highlighted in green -- I think you changed efforts to processes. And your comment is know that this does not apply to PNI working group efforts but rather to PNI processes. If you could just flag that. You made that change.

Chuck Gomes: Okay. Thank you. My green background blocked out my blue font so I can't read my own print. Okay. Thank you. Any discussion on that? I wanted you to be aware that I made that change just in case anybody had a concern with that. Okay.

Let's go on. And I think the next green item is on Page 17 which is section D of the principles and the subsection 2 which is titled "Limitation of Implementation." And part B says there should be a mechanism to flag and address situations where there may be a deviation between implementation and the policy as it was originally intended. And can you help me out there, too, Marika?

Marika Konings: Yes. This is Marika. So basically I think everybody read your comment. Your comment is having included such mechanism, should we leave it to the GNSO Council to develop them?

And I actually put up my hand to respond to that because I believe that is exactly what we have developed or are proposing, especially in relation to the

implementation principles where the IRT would have that role of flagging issues to the Council. And then, of course, there is the different mechanisms that the Council would have available to deal with those. So at least from my perspective, I think we have provided for those mechanisms in the report.

Chuck Gomes: Thank you. Appreciate that. This is Chuck again. Any comments on that? I'm fine with that. I obviously didn't correlate those things when I did my review here, but that makes sense to me.

Anne?

Anne Aikman-Scalese: Yes. Thank you Chuck. It's Anne. I just think it is a practical matter that at the time of signing an IRT -- whether it's staff or whoever -- should be briefing the IRT on these available mechanisms, then I'm not sure that it's something that's already in the proposed amendments to the PDP manual or just the availability of these procedures needs to be - if they are recommended. There needs to be educational on it. Thank you.

Chuck Gomes: This is Chuck. You're not suggesting any changes but just for future reference. This should be - there should be some education on this. Do I understand that correctly?

Anne Aikman-Scalese: Yes. It's Anne again. I'm just trying to understand how the IRT becomes aware that it has these options if it goes forward. Maybe Marika can address that or Mary.

Chuck Gomes: Marika, do you have a comment on that?

Marika Konings: Yes. This is Marika. I think what we would do once these procedures are adopted and the PDP manual is updated with the relevant information. Similar to what we do when the PDP working group kicks off, we usually take them as well through the requirements, obligations or information that is in the PDP manual that is of relevance to them to complete their process. I

would foresee that a similar thing would happen when an IRT starts -- that they are basically given all the relevant material that they are expected to review and read and hopefully as well in combination with a short overview of what the main procedures and processes are for the IRT to use.

And maybe as a general note as well, I think similar to when we had the last revision of the PDP. I mean staff would plan, of course, on having more general overviews and introductions of these new processes and the changes that are being proposed as part of some of the things -- some of the materials -- we currently also have available on the GNSO website.

Chuck Gomes: Thank you, Marika. Anne, does that address the issue you raised?

Anne Aikman-Scalese: Yes. I think in terms of your comment, Chuck, it does answer it.

Chuck Gomes: Okay. Thank you. All right. Moving on. Then I think the next comment in green is on Page 18, Section 5, the first paragraph of section 5 proposed additional new GNSO all processes. And the comment there was "I think it would be useful to develop a question or statement regarding this in the Google form." So that's not really something we need to discuss. That is something that will Marika will use.

And by the way, if anybody else has areas in here where you think we should ask a specific question on our survey, please get to those - get those to Marika between now and Friday so that she can include them in the survey questions. Okay?

Moving on to the next comment, comment 10. And let me scroll down on my document on the screen to comment 10 which I need to scroll up. I see because I have fixed some of those so I can read them. Comment 10, I think, says - oh, I have that already covered. I'm sorry.



Comment 11 which is in item 2 -- this is on Page 18 as well at the bottom -- the GNSO guidance process. And my comment was, "If a text comment template is used, then it might not be necessary to allow comments in the survey form." Now let me talk about that a little bit. Most of you are probably on board with what we're talking about here, but just in case not. Actually, I'm okay with allowing a comment box right after the survey question or statement. And I think that works okay. But it probably depends on the tool we use. So we can kind of make that decision when we decide on a tool. Does that make sense?

And let me get over to be on Adobe connect so I can see if there are any hands up. Marika?

Marika Konings: Yes. This is Marika. I was planning to use a zoomerang tool that we've used for other surveys as well. I think it's now been taken over by survey monkey or the other way around. But that does allow for having an agree or disagree comments that you can aggregate or have percentages on as well as allowing for a kind of open comment that people can provide if they want to. And I think that might be helpful because I think that at the same time allows people to indicate their views on certain things but at the same time also allows them to provide some additional.

For example, especially thinking -- as we were just looking at the working definitions -- those questions may include, you know, are the working definitions helpful? And then the comment box would allow them to say well the first two were very helpful but I thought the one on the bottom up was really awful and I didn't understand it. So I think I can play with that.

But I think from personal experience at least I think it is - it would be helpful to provide that option because I think sometimes as well questions may be clear for those that have developed the questions, but I think the comments may allow people to either provide further clarity on why they chose a certain response or provides suggested changes or edit that otherwise may get lost if

people don't want to take the effort to separately submit comments as part of the public comment form.

Chuck Gomes: Thank you very much, Marika. This is Chuck again. What we found in the CWG IANA surveys that we did just within the working group. What we did is we did comment boxes. We were using Google forms. But we did comment boxes at the end of the session rather than after the individual items. And what happened was - and then we ask them to please identify the questions. So by actually including the comment box under each one, it avoids having to ask them to do that and possibly them forgetting. So that's very helpful.

Now, Marika I have a question for you. With regard to that tool, does it allow the graphical representation of the result as well as just the text representation?

Marika Konings: Yes. This is Marika. Yes. I think there are various ways in which you can slice and dice it with graphics and things like that.

Chuck Gomes: Excellent. And again having just been through this in the IANA CWG and the CWG internal survey that we did -- two of them actually -- it was nice in some cases to be able to graphically represent and it makes it really clear and easy to talk about and for people to understand. Okay. So I'm not seeing any other comments on that. So that sounds fine.

Notice on Page 18 again, the clarifications again that Marika added on nonbinding advice for the GIP and binding guidance in the case of the GGP. And then I will see what my comment was - the next comment was. Oh, okay. So I guess I was - we've already covered that one.

Let me go on to Page 19. There are some - in item 3 there and then the bottom of the page, there are some comments there that all relate to section 1 at the bottom which is particularly the following questions. And this is really just getting back to our survey and the comments. So I don't think we need to

talk about those. We've already covered those and Marika has talked about the survey tools that we will use. So I think we can go on to Page 20.

Marika Konings: Chuck, this is Marika.. Some people have their hands raised.

Chuck Gomes: Oh. Let me thank you Marika. I had gone over to my Word document. Go ahead, Anne.

Anne Aikman-Scalese: Yes. Thanks Chuck. This is Anne. It goes back actually to the binding guidance language.

Chuck Gomes: Okay, on Page 18. Okay?

Anne Aikman-Scalese: Page 18. I just had a flashback to Jeff Newman saying look if the ICANN board does not follow the advice, you know, provided by the GNSO they need to come back to us and tell us why. And it was part of what was behind some of the formation of this working group. And I'm just kind of racking my brain as to whether we ever considered in our working group processes that I believe a letter was written, in fact, from GNSO Council about this topic.

And is somebody going to say well you didn't actually address this in your recommendations? And I'm sorry if I'm not tracking everything. But I just recall that there was much emphasis on that letter that I think that Jeff drafted.

Chuck Gomes: Thank you, Anne. Marika, go ahead.

Marika Konings: This is Marika. So this relates specifically to do the GNSO guidance process and in that we've specifically foreseen that process. I think that's one of the reasons why we probably come up with this process is to indeed exactly that. That if the board rejects our recommendations they need to come back to the GNSO.

And there's a specific process that is outlined in relation to the guidance process that would be triggered. Should the board determine that it is not in the best interest of ICANN or the community to go ahead with those recommendations. And that would basically trigger a dialogue whereby the board outlines its issues the GNSO considers that.

The GNSO has an opportunity to modify its recommendation and bring them back to the board after which they would then consider it again. So I think that is specifically foreseen in this process and probably one of the reasons as well why I think there is broad support for this process so that there is this dialogue that would occur should the board reject recommendations that are not PDP recommendations.

Anne Aikman-Scalese: Thanks, Marika. This is Anne again. Are you saying that as drafted and about to be put out for public comment that we are recommending as a group that if the board does not follow GNSO policy advice that that triggers the GNSO guidance process?

Marika Konings: This is Marika. No, the idea is that the way in which the GNSO would provide advice is the guidance process. So if the GNSO follows the guidance process, it puts obligations on the board to consider that guidance.

Anne Aikman-Scalese: Okay. So not a positive -- and this is Anne again for the record -- not a positive obligation on the part of the board to come back and say we're not following this and so you may wish to consider your guidance process but just that GNSO knows that it has this tool available when the board does not act in accordance with GNSO recommendations?

Chuck Gomes: This is Chuck. Go ahead, Marika.

Marika Konings: Yes. This is Marika. I think at least from my perspective, I think the whole idea around it is that the GNSO would not anymore provide advice that is not

going through this process because basically that doesn't put any kind of obligations or requirements on the board. I think the whole idea behind this is by having formal processes, the GNSO Council would use those whenever they believe it is something worse, the label guidance or advice.

So at least in my perfect world, we wouldn't have any instances when the GNSO Council without any kind of formal process with submit something to the board and then wait and sit there to see if the board would respond to it or not. It would all go through these new processes that would have specific, you know, triggering mechanisms and requirements on the board to respond or adopt.

Chuck Gomes: I have a very specific question for you. Does the guidance process as we proposed it require the board -- as much as we can require the board -- to respond to the GNSO Council or the GNSO?

Marika Konings: Correct.

Chuck Gomes: So I think that addresses what I think you're wanting make sure of Anne, but let me let you answer that.

Anne Aikman-Scalese: Well, I think what I'm wanting to make sure of -- and this is Anne again, Chuck, thank you -- is that in our description of the GNSO guidance process that we expressly state -- and I realize this is a late breaking comment -- that this is a process that can be used when the board declines to follow GNSO policy recommendation?

Chuck Gomes: This is Chuck. Before I comment, let me let Alan go ahead and then I'll come back to Marika.

Alan Greenberg: My hands went out before Anne made her comments. So why don't we follow that through and then come back to me.

Chuck Gomes: Okay. Thanks, Alan. Marika?

Marika Konings: Yes. This is Marika. In relation to the board rejecting GNSO policy recommendations that is already incorporated in the PDP how that is dealt with and that follows a similar model as rejection of GNSO guidance process. So I do not think that is an issue here and that is already foreseen and in place.

Anne Aikman-Scalese: Wow. I'm sorry. I'm really confused here. I need to ask a clarifying question. It's an again. So what was Jeff talking about then because you and Jeff were the ones who really moved the PDP manual development. And Jeff felt that there wasn't anything in the PDP manual that covered the situation that he was unhappy about.

Marika Konings: So this is Marika. I can respond to that. I think what Jeff was basically -- and I don't want to put words in his mouth -- but I think basically what he was commenting on is indeed the absence of a guidance process that would put any formal requirements on the board.

Currently the only process that the GNSO has available to itself that would require the board response or consideration is the PDP. So I think his concern or maybe frustration was around the fact that any other ad hoc process that was used by the GNSO did not put any requirements on the board, not even one of a response. So hopefully...

Anne Aikman-Scalese: Does our GGP require the board to respond?

Marika Konings: Yes.

Anne Aikman-Scalese: Okay.

Chuck Gomes: Anne, that's the question I was asking earlier because I think that was the key element. And she said yes, it does.

Anne Aikman-Scalese: Okay. We don't say that in our description of it, do we?

Marika Konings: Anne, this is Marika. That's in the detail - I mean we can't put everything description but it does say that it has a binding force on the board to consider the guidance. And I think that is specifically considering the guidance is a requirement, that it forces the board to respond. Whether it's to adopt the recommendations are to reject them, it forces them to deal with them. So I think that is clear in the description.

But, of course, exact details of the process are provided in the annexes that align both the content for the policy development or for the manual as well as the bylaws.

Chuck Gomes: Okay. This is Chuck. So before I go Alan I'm going to close this one off and suggest the following. Certainly, and take a look at the detailed description of the guidance process and make sure that you are comfortable. And then my suggestion -- because of the late date that we're at and we need to get the comments -- our deadline for getting the comments out is Monday.

Then if there is still concern on this that you are others or your constituency submit comments in this regard during the public comment period because we do need to get through all the green items today. And so I hope that's okay. But let's handle it that way. So that we can move on from this issue.

And it's not because the issue is not important, it is because we are going to have to manage time and we do have the opportunity -- all of us, even members of the working group and their groups to comment during the public comment period. And at that point it'll be really good that we document those concerns in the public comment period because the working group will be responsible for addressing the public comments.

So, going to Alan.

Alan Greenberg: Thank you very much. If I can remember I was going to say. By the way with regard to you last comment -- there are many of us and I'm one of them -- who hasn't done his homework while the last few weeks. There's been too many other things and I suspect other workgroup members who are in the same position.

And once this is formally published -- and we have a few weeks -- it is probably going to be the first time some of us have done a really careful read through and identify perhaps all sorts of things that we've missed when we're looking at it every week. So that's part of this process and part of the good parts of this process.

However, what Marika said when we started this discussion a few minutes ago that brought us back to the first question that Anne raised of what bylaw changes are needed. I would strongly suggest that ultimately anyplace that we are requiring board action or requiring a significant board threshold to reject that we may not need bylaw changes, that those are places that we probably want bylaw changes. Just to highlight them in Annex A wherever it is appropriate.

Because very often when we start having -- I won't say fights - but disputes way later on we make references to the bylaws. And those kind of things are useful to make sure they are in the bylaws even if we don't document the full other details associated with the process. Just a thought. And again not to be incorporated in this go around.

Chuck Gomes: Thank you, Alan. Okay. So the next green item is on Page 20, item 5 and it's with regard to the termination of a GGP. And it says that it is proposed that it would be sufficient to require a simple majority Council vote as defined in GNSO procedures to terminate a GGP prior to delivery of the final report.



And the question was asked there -- what does sufficient mean? Well sufficient means a simple majority vote. Now maybe it's not worded - the whole sentence is not worded very well. But right now what we have on our initial report is to terminate a GGP unlike a PDP working group. Okay. A simple majority Council vote as defined in the GNSO procedures. Okay. So that brings in the house issues or any future procedure that is defined, would be all that is needed to terminate a GGP.

Any concerns about that? Do you want to reword this? Because of the edit that was added there -- I think I may have been the one who edited that -- we probably don't need to say it is proposed. We probably could just say a simple majority Council vote is defined in GNSO procedures is sufficient to end the GGP. And there are different ways to word that. But is that okay? Any more concerns about that?

Marika?

Marika Konings: Yes. This Marika. I was initially going to comment. I think that the editing you made probably addressed the comment which I believe was from Mike and the sufficient wasn't sufficiently explained. Could you just repeat the edit that you were proposing?

Chuck Gomes: Sure. Let me do a little better job. This is Chuck. By the way, Michael, do you agree? Does that address it? Your concern? That was you?

Michael Graham: Yes, I think that does.

Chuck Gomes: Thank you, Michael. In fact, let me just say Marika just you know what we're trying to say there. Would you just fix it? Rather than me taking time to word it, okay? I'm perfectly comfortable and I'm sure everybody else is, too, rather than taking time on the call. It should be a more direct statement and then kind of an indirect statement that it would be sufficient. What we're really

saying is that it is sufficient and you're right. The edit I think addressed Michael's concerns. Okay.

Now going over to quite a ways over I think to Page 25 and comment 16. Let me quickly look at that. I'm just to go over a couple of more pages. Okay. So I don't know if that comment number is still correct. But anyway. It's now the first bullet - no, it is the second bullet on Page 25, okay, noting that IRT serves an advisory role is the bullet in the paragraph we're talking about.

It says the working noted that it would be unlikely that any form of leadership role would be needed. Are we all comfortable with that statement is my question to everyone? In my experience is always helpful - and I guess my own bias, personal bias here, is that is always better to have a leader even they don't have to do too much leading so that they have the responsibility. But I'm just throwing that out and see what you think. And if everybody is comfortable with that, I can be comfortable with that.

So I'll start with Alan.

Alan Greenberg: Chuck, my hand is up. It's Alan. And Marika's hand is up, also.

Chuck Gomes: I see that. And I just called on you, Alan.

Alan Greenberg: Sorry. I didn't hear. Must have been talking. I think we decided that we did not need a volunteer leadership but a staff member played a leadership role in that group. I thought that is what the conclusion was.

Chuck Gomes: Okay. Thank you. This is Chuck again. Marika, go ahead.

Marika Konings: Yes. This is Marika. I think I responded as well in the notes below is also (unintelligible) in the IRT. It is actually the staff's responsibility to keep things moving forward and coordinate as necessary with the members of the IRT. Of course, it does not mean that in certain situations additional coordination is

needed and I think for that we foresee the Council liaison, possibly taking the role. But I think this is just to reflect that.

Contrary to PDP working group where you have a chair who is responsible for moving things forward and IRT, it is actually the staff's role to chair the IRT and keep things moving forward. So I think that's what that sentence is trying to say.

Chuck Gomes: Thank you, Marika. Anne, are you on mute? Anne?

Anne Aikman-Scalese: Can you hear me now?

Chuck Gomes: Yes.

Anne Aikman-Scalese: Okay. Thanks. It's Anne. I tend to agree with your comment that leadership within the IRT itself is probably helpful. I think really the Council liaison idea is the best idea for a leader for that group to perhaps if needed suggest one of these three processes by taking that recommendation back to the Council. I think Council liaison can be designated and given like a Council liaison handbook or something. So I agree with you, Chuck, that there needs to be leadership within the IRT; that is, it cooperates with staff but is not staff.

Chuck Gomes: This is Chuck. I don't want to go down the Council liaison route again because there was quite a bit of difference of opinion whether the Council liaison should do that. And so if we go down that path again, we're going to be I think retreading ground we already tread.

How about if we were just to say that the working group noted that leadership roles can be fulfilled by staff or community members? Which is I think what we're getting at here. In other places, we want the leadership role fulfilled by community members. In this particular case with an IRT, we're not necessarily saying it can't be staffed wherein as in a PDP or a GDP or

something like that we would want it to be a community member. Would that work? Anybody opposed to that?

Alan, go ahead.

Alan Greenberg: I would put in an as needed or something like that in it or normally give these groups some wiggle room. They're going to be vastly different depending on what it is they are doing.

Chuck Gomes: So you would say the working group noted that as needed a staff person could provide leadership for an IRT? Is that correct? Did I translate that right, Alan?

Alan Greenberg: Normally a staff person takes a leadership role. But other options might be adopted as needed.

Chuck Gomes: Okay. All right. So Marika and unless somebody objects, I'm going to ask Marika to use her great writing skills to reflect that. Is that okay, Marika?

Marika Konings: Yes.

Chuck Gomes: Okay. Going down two more bullets, the bullet that says the working group noted that the principles should be used to guide issues such as how to deal with disagreements in IRT without providing too many specifics to allow for flexibility. And then there is an example given and so on.

And the comment there is it might be more specific that disagreements relating to policy intent rather this person being expected to deal with all disagreements within the group. I don't know whoever made the comment there can speak to that. If that person is on, it would be helpful if you could do that.

Marika?

Marika Konings: Yes. This is Marika. I think if I recall, I think it's actually a comment from (Karen). So I don't know if she has any suggestions or wants to respond. I do believe that you have suggested it as well. And I don't know if that was specifically in relation to that comment to actually move that paragraph up and so it would flow better. So I don't know if that would address it -- that comment or concern or whether that was just a separate issue.

Chuck Gomes: Yes. That comment there actually does suggest moving it up. And the reason I said moving it up is because it really relates to the bullet up above -- the third bullet. But (Karen), do you want to comment on that? Let me get back over to Adobe so I can see.

(Karen): Yes, this is (Karen). Can you clarify which comment?

Chuck Gomes: Okay. First of all, the comment I think is comment 17 on Page 25. And then comment 18 following that was the one where I suggested possibly moving that bullet up to below the third bullet. Okay. Does that help?

(Karen): Yes. I don't have any problem with that.

Chuck Gomes: Just moving it up. Okay. Is that okay? So unless anybody else has any concerns or comments about that, let's keep going. And I think the next one - the next green comment is on Page 26 under section 1.4, the second bullet there. And bear with me for a second while I look over here. The comment is on that second bullet under 1.4.

Newly proposed edits from -- these were just edits that I proposed. Should this be the IRT? That is what I changed it to. Or should it be staff or something else or IRT or staff? I just wanted to confirm whether the way I changed it is what we intend there.

So the bullet right now -- the way I changed it -- and I put IRT in there, should the disagreement prove irreconcilable despite such efforts and the consensus view of the IRT, is that the proposed implementation does not conform to the intent of the policy recommendation? The IRT is expected to formally raise the issue with the GNSO Council. Is that okay or should it be something else besides IRT? I assumed it was probably IRT. Let me get back over to Adobe. Bear with me here.

Okay. So I see an agreement with Anne. Marika, go ahead and comment, please.

Marika Konings: Yes. This is Marika. Just to note that I think originally they had read the GNSO Council and it was probably a mistake. It was just...

Chuck Gomes: Exactly. It said the GNSO Council should raise the issue with the GNSO Council, just to know that I think problems originally they read the GNSO Council obviously didn't make sense. Any problems with the way it is changed? I see a couple of agreements there. No disagreements. No hands up. So let's keep moving. And I think -- somebody correct me if I'm wrong -- but I think the other green item is that the very end of the document. Somebody correct me if I'm wrong. But I believe it is way down to the end somewhere.

Marika Konings: Chuck. This is Marika. I also have some highlighted language on Page 29 that I just want to confirm that that if you have reviewed. I don't have any issues with - obviously we would remove the brackets sentences because those were just to draw the working groups attention to it and optional -- not discussed by the working group yet. So I just want to make sure that people have seen that. I also had an edit on Page 85...

Chuck Gomes: Marika, let's pause right there. So on Page 29 just about the whole page is in yellow. Everybody should have had time to take a look at that. Any concerns on that? And I see - and let's go to Alan.

Alan Greenberg: I do not have a concern because I haven't looked at it. I am leaving the meeting now because I have another one that I need to be at. And I just wanted to point out that towards the end of the chart a couple (screeners). So I do have a revised bottom up, which you may want to...

Chuck Gomes: Thank you. Thanks. Because I haven't been able to follow the chat very closely as you probably can tell. Thanks, Alan.

Cheryl Langdon-Orr: On that same thing so I can jump (unintelligible). I'm also going to be leaving. I'm already in the other meeting, but it hasn't started yet. I'll do my usual flip brain thing and stay here as long as I can. Do note that I am supportive of the revised language Alan put in. Thanks.

Chuck Gomes: Thank you very much, Cheryl. And thanks for joining us and for joining us while doing another meeting. That is much appreciated. Michael?

Michael Graham: Yes. I just wanted to note these were - this is the one section where I had done some revisions. Basically what I had done was just to take out that introductory bracketed language and the optional not discussed by the WG yet. Basically because I agreed with the language and I thought that as it stood it would be something that could be commented upon, not only by the work group but in the public comments. And I felt comfort enough with it to think that it could stand on its own in both of those.

So the bracketed language out and the optional out and then beginning with - well, let's see in the first one it's the WG is. And the second one as the ICANN board. And let that language stand and be commented upon.

Chuck Gomes: Thank you, Michael. That seems clear to me. Marika, did you follow that okay; correct?

Marika Konings: Yes.

Chuck Gomes: Thank you, Marika. So that bracketed text will be removed. And the optional language will be - and then we'll certainly respect people's comments that they commented on what we're saying there. And again those in the working group can also submit comments on this. So please do so.

Marika, go ahead. And then I think there is something on Page 30 as well, right? Well that just was preliminary recommendation number 1 that we already agreed to include in there. And then the recommendations are renumbered which you already did.

So what is the next item you had, Marika?

Marika Konings: This is Marika. The next item I have is on Page 84. And that is just as well highlighted language. It is just a flag. But there we have a kind of open item that we expect to finalize after we review public comments. So there is basically just a specific procedure to be followed the Council liaison to raise issue with the Council on what happens then.

And I think we said in the document itself that the working group would first review the input received on the proposed additional processes and then see if those would be applicable as well for the situation. So I just wanted to flag that is an semi-open item. Just that we are aware of that it is something to come back to when we get to the final report.

Chuck Gomes: Okay. Thank you. And then I had a comment -- and I know we are out of time -- but this should not take too long. But I would like your feedback on it. I had a comment on Page 86 the working group -- I guess it is Page 86 -- whatever. Anyway, it is close to that. The working membership and participation.

Now right now we just show the total number of working group members that volunteered at the beginning, some of which never participated. And different working groups have handled this in various ways over the years. Oftentimes



we just send something out to all these people and ask them whether they really want to be included. My quick suggestion that I put in my comment was (unintelligible) on the two lists. One of them of active participants and then other people who volunteered.

I'm not out to expose people who didn't participate, so maybe somebody has a better idea. But I honestly don't think it is fair to those who committed even some time to this working group and especially unfair to those who have spent considerable time to lump them all together. That said, I will respect whatever you guys think is best on this. So let's open that up for discussion.

I see (Tom's) hand.

(Tom): Hi Chuck. This is (Tom). One suggestion is to simply publish the attendance lists without making a statement about because otherwise you have to decide what threshold you would consider to be active participation. Is it 10% attendance, 30% or what have you?

Chuck Gomes: And I see Cheryl agreeing with that. Thanks (Tom).

Marika?

Marika Konings: Yes. This is Marika. My suggestion was actually to maybe organize a list in the meetings attended. So you basically see at the top those that have attended the most meetings all the way going down to those that have not attended a single meeting. I think that probably serves the same purpose -- to show who have been the active contributors to the report. So maybe that's a way of I think addressing your concern without having to split it into two lists where, you know, as (Tom) says may get into difficulty by deciding what is active versus non-active. Where is that threshold?

Chuck Gomes: Thanks, Marika. I like that. And I see Anne does, too. Anybody opposed to that approach? Thanks (Tom) for your suggestion which contributed to that.

And let me scroll down to see if anybody put a red X in. I see. Okay. (Tom) likes that. Okay.

Now I believe that we've made it through the document with all the green items. So thanks for your cooperation and contributions on this. We all have to be ready on Friday when Marika sends out the questions for the survey. Now Marika, are you also going to send out possibly a template or is that something you can just do on your own for the text comments? That is a separate issue, probably just a Word document. What is your intent there?

Marika Konings: Yes. This is Marika. My intent was actually to try and send both because I think the Word document is probably quite straightforward. And I am hoping to send out a revised version of the report later today. And is everyone agrees, I would hopefully set a cut-off date for Friday as for any minor edits. So no substantive issue -- just minor things that may need to be fixed before publication -- if you would all agree with that.

Chuck Gomes: It sounds fine to me. Anybody have a problem with that? Please speak up or put a red X in the Adobe. So finally then we need to talk about next week. Do we have our regular meeting next week? Unlikely probably that there will be any comments left in yet. But what do people think on that?

Anne?

Anne Aikman-Scalese: Yes. Thanks, Chuck. I would like to vote to cancel next week's meeting. Secondly, when Marika was talking about the final edits, I do think the new formulation of bottom up is perhaps substantive in nature but should be included. So I would not necessarily consider that a minor edit, but I think it definitely needs to go in the document. Thank you.

Chuck Gomes: So when you're saying new formulation of that, what are you referring to?

Anne Aikman-Scalese: It's Anne again, Chuck. I'm referring to Alan's draft that was posted in the chart which is a very draft I think in terms of - this is the principle of language defining bottom up that we were struggling with earlier. And Alan before he left the call suggested that we all look at that language that he posted in chart. And I think that principle has to be rewritten before we publish.

Chuck Gomes: And so we need everybody to respond to that including what Alan submits by the deadline on Friday, correct?

Anne Aikman-Scalese: Yes.

Chuck Gomes: Okay. All right. Very good. So anybody opposed to cancelling next week's working group call, please speak up.

Marika?

Marika Konings: It is Marika. I'm not objecting to canceling next week's meeting but maybe suggesting a call the week after so we can actually think and talk about how we want to organize the session in Singapore.

Chuck Gomes: And also how we want to approach the public comments as they come in because it might be helpful for us to start doing that before the end of the public comment period. If nothing else, to kind of refine our methodology. And I totally concur with the meeting the following week because we need to carefully design -- and maybe devote the whole meeting to that in two weeks from now -- to make sure that we design our time in Singapore to maximize the fact that it is an in-person meeting. If it's carefully designed, we'll maximize the value of that, in my opinion.

So we will plan on a meeting two weeks from today. Please try to be in that because this will be really important to have as much input as possible and

we'll make it better -- the more of you we have contributing to that in the design of our sessions in Singapore.

Now Marika, a question. I assume we're having the meeting with the GNSO over the weekend like we usually do for a status update. I'm guessing that we would need a little more time than the 15 minutes we usually get for that because we should at least, I think, go over the recommendations. Now we can talk about that two weeks from now in more detail in addition to our actual working group session in Singapore. But I think that it would probably be useful to have a little more than 15 minutes with the GNSO on the weekend sessions.

Marika Konings: Yes. And this is Marika. In the current draft, there are 30 minutes allocated to the discussion. Indeed, taking into account the publication of the initial repo.

Chuck Gomes: So we have 30 minutes, so I see that in the chat now. And I think that is okay, depending on questions. We're likely to get more questions now that we have specific recommendations. But we'll deal with that.

Now Marika, did we cover the outstanding issues that you noticed that are in the discussion notes?

Marika Konings: This is Marika. Yes. I believe that is everything I had on my list. Thank you.

Chuck Gomes: Okay. I apologize for going over a little bit. We covered a lot of ground but I think we're actually going into the public comment period in really good shape. Please, please look at the questions that Marika puts out on Friday. And we have until 1500 on Monday to respond. If all of us respond in a timely manner there, we'll contribute to a good public comment period and an easier time for us to summarize and analyze the comments.

Anything else before I adjourn? Thanks everybody. Have a good rest of the week.

Group: Thanks, Chuck.

END