

**Policy & Implementation Working Group Meeting
TRANSCRIPTION
Wednesday 15 April 2015 at 19:00 UTC**

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On page: <http://gnso.icann.org/en/group-activities/calendar#apr>

Attendees:

Cheryl Langdon-Orr – At-Large
Amr Elsadr – NCUC
Alan Greenberg-ALAC
Chuck Gomes – RySG
Avri Doria - NCSG
Michael Graham – IPC
Tom Barrett - RrSG
J Scott Evans – BC
Greg Shatan – IPC

Apologies:

Marika Konings

ICANN staff:

Mary Wong
Amy Bivins
Karen Lentz
Steve Chan
Berry Cobb
Terri Agnew

Coordinator: Your recording has started. Speakers you may begin.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Policy and Implementation Working Group call on the 15th of April 2015.

On the call today we have Cheryl Langdon-Orr, Chuck Gomes, Avri Doria, J. Scott Evans and Amr Elsadr.

Joining us a little later in this call will be Alan Greenberg.

I show apologies from Marika Konings. From staff we have Mary Wong, Berry Cobb, Amy Bivens, Karen Lentz, Steve Chan 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, much appreciated and welcome everyone to the Policy and Implementation Working Group call on Wednesday the 15th of April 2015.

And we have a fairly simple agenda today so let's go ahead and jump right in.

We are going to start off with something following from - on from our meeting last week. And I think it was related to a comment by Amr.

Mary can you help us get back on track on that issue?

Mary Wong: Sure, thanks Chuck. Hi everybody. It's Mary from staff. And as noted, this was an issue that I think was in the NCSG comment that Amr had carried forward in our conversations.

And the specific point is how to avoid the parallel efforts or competing motions for example if there is a group of the GNSO or the council that feels that a particular topic should be one for a regular PDP but others feel that perhaps the GGP or the expediter process may be more suitable.

So as you'll recall this was the last topic discussed last week. And where we left off on that you'll see on the screen across from 5.4 that there was an item that Marika had summarized as to how this working group might want to proceed on that.

And that is that we might want in our final report to put in some recommendation or general language making that clarification.

One of the suggestions and that we had had, Chuck and everyone else because I think you had asks us to check with our legal colleagues was that this may be something that the working group can put in as a general recommendation to A, spotting the issue, B, saying that we need to have a rule or something to clarify what we do.

And then what we can have eventually is something in the operating procedures because if all these three new processes are adopted they will go into the operating procedures. So it may be helpful to have some language in there. But we may not need to draft that at this precise point in time.

Chuck Gomes: Thank you very much Mary. This is Chuck. Any comments in response to Mary's comments? And Amr certainly feel - especially feel free to jump in if you have anything else on that.

In a moment I'm going to ask each of you to see if you are supportive of this or not supportive of it of the approach recommended by Marika and Mary.

And then in a little bit Amr too I'm going to call on you to pick up on 5.4 if there's anything else we need to talk about the NCSG comments there or any of your colleagues from the NCSG as well. That's just a little bit of - it's a little bit of advanced notice on that.

So let's go to Amr.

Amr Elsadr: Thanks Chuck and thanks Mary. This is Amr. Just for - just to be clear are - is the suggestion now to defer answering this question or addressing this with any sort of finality until after assuming that the recommendations of the working group will be adopted.

So the suggestion now is to defer this until after the language in the GNSO operating procedure is changed to reflect this so we'll have addressed this at a later stage? Is this - that's what's being suggested? Thanks.

Chuck Gomes: Mary go ahead.

Mary Wong: Thanks Chuck and thanks Amr for the question.

I guess to make it clearer it seems to us that after last week the group was fairly comfortable that the role would fall to the council as manager of the entire, you know, PDP and associated processes.

So our suggestion was that - was two-fold. One is that for this working group's final report that we must have language in there that shows we have addressed the issue.

And Chuck I think you pointed this out last week as well that secondly we might want to propose that there be specific language in the GNSO operating procedures as to how to deal with this issue.

This second suggestion may be something that we not discuss on the call today because it might turn into drafting by committee.

But what Marika and I can do is offer some language to the list for example after the call to see how the hierarchy of processes or whatever the appropriate term should be can be worked out to the satisfaction of the group. Does that help Amr?

Amr Elsadr: Thanks Mary. This is Amr. Yeah, that is very helpful Appreciate it.

Chuck Gomes: Thank you. And J. Scott did you want to say something or I see the checkmark now. So if you want to jump in feel free.

J. Scott Evans: Well I just agree that that seems to be a reasonable process for this so it doesn't get too kludgy and too out of hand. I think that that seems reasonable and we'll look at the language that Mary and Marika proposed. Because that sounds to me to be like a good way forward.

Chuck Gomes: Thank you very much J. Scott and it's again. And Mary I assume in that language that you and Marika draft that you will include the suggestion on modifying the GNSO procedures to address that is that correct?

And just noting Avri's comment in chat and just using the word hierarchy because I think that was the description that Marika and others had about one suggestion to deal with it.

So there may need to be some further, you know, discussions to how that works but I didn't really mean anything else by it. But yes, that's what we will do Chuck.

Chuck Gomes: Okay and Avri I - this is Chuck. I assume the issue with hierarchy will be covered adequately once we get into the actual language and deal with it then.

J. Scott go ahead.

J. Scott Evans: I don't think my hand is up. If it it's my mistake.

Chuck Gomes: Okay thanks. Okay it is.

J. Scott Evans: I'm working with a injured hand so I apologize.

Chuck Gomes: Oh, okay. It's down now so thanks. This is Chuck again. So Amr are you okay with this approach. I mean this is an issue raised by the NCSG.

And I guess Avri you're also from the NCSG. Who else do we have on? I should look through this real quick and give any of you on the NCSG that have a special stake in this please speak up on this regard. Avri go ahead.

Avri Doria: Yes I just wanted to point out that I'm being a bad NCSG member. I acquiesced to this particular issue because I didn't understand it. I'm admitting that I still don't understand it. Thanks.

Chuck Gomes: Okay thanks Avri. That's okay, lots of things I don't understand so appreciate that. This is Chuck speaking again.

So Amr because you raised the issue are you okay with this direction?

Amr Elsadr: This is Amr. Yes, I think I am okay with it. I don't see why we need to drag it on further on the call. I think we've spent quite a significant amount of time on last week's call discussing this.

I would look forward to what Mary and Marika come up with in terms of language. And I'm confident that it will reflect or address the concerns that were raised by the NCSG.

I would like to just on closing this topic and then the comments submitted by NCSG I really hope that none of this as a concern being raised reflects or misrepresents the NCSG's position on these processes as they are - we do believe that they are very good processes and very well thought out.

And we do feel that they will provide the GNSO with great additional new tools to address issues. It's just a matter of sort of safeguards to make sure

that's - that appropriate processes are used for appropriate - to address appropriately appropriate questions.

So I don't think we need to discuss them any further on this call. Thanks.

Chuck Gomes: Thanks Amr, Chuck again. And thanks for saying that. I don't - I suspect that none of us really looked at it that way because you're very clear at the beginning of your comments that you support the GGP in this particular case in Slide 4 so thanks for that.

If anyone disagrees with this approach please speak up now or put a red X in the Adobe. Otherwise we will assume that. You even got a green check mark. Thanks Cheryl.

Okay let's move on then. Oh, let me ask now, Amr is there anything else in 5.4 that you want to discuss with the working group?

Amr Elsadr: Yes Chuck, this is Amr again. Just to remind folks the 5.4 question was whether the respondents to the survey supported the adoption of these processes. And in the multiple choices provided it was yes support or no do not support. And there was one option which was yes we do support taking the following comments into consideration.

So the NTSG supported the GIT, the GNSO input process and also supported the two other processes about taking certain comments into consideration.

So we addressed the comments for the - that was shared concern with the GGP and the EPDP which we talked about last week.

Another one that is also in the answer of 2.54 and specific to the GDGP what - when we came up with the GGP we made sure that the GNSO guidance

process is not a process that is intended to provide any new contractual obligations to contracted parties to registries and registrars.

When discussing this issue with the NCSG some other members also raised the issue that it may also - the GGP may not also - may also not be a suitable process to come up with new obligations on registrants and that we were hoping that this would be added to the sort of the prerequisites of using this process.

And examples provided were for example like changes in the UDRP or the URS that may provide some obligations on registrants and then and we thought that this might be something that should be added as well.

Chuck Gomes: Thank you Amr, any questions or comments? This is Chuck.

Okay, then I think we can go to comment 5.5 if...

((Crosstalk))

Chuck Gomes: ...next. And that is a comment...

Amr Elsadr: Chuck I'm sorry. This is Amr.

Chuck Gomes: Yes?

Amr Elsadr: Yes I'm...

Chuck Gomes: Go ahead.

Amr Elsadr: The NCSG had one more comment on 5.4 but I just thought...

Chuck Gomes: That's fine.

Amr Elsadr: ...not to get into that until...

Chuck Gomes: Go ahead.

Amr Elsadr: Yes the last thing in 5.4 was concerning supposed to be EPDP. And one of the concerns raised - and I think I mentioned before that we held a Webinar on this working groups initial report and this is when all this came up.

So on going through these processes one of the concerns raised regarding an EPDP was if there was a policy that had already been - already had gone through a PDP and been rejected by a PDP working group and as SO also the recommendations to reject a certain policy adopted by the GNSO council it may not be appropriate to reopen a policy like that with an EPDP because there would be no issue scoping phase where new issues that may need to be considered in an issues report would come up.

So I'm having a - holding a EPDP on a previously discussed policy that went through an exhaustive process without having a new issue scoping phase might be problematic. Does that make sense to anyone?

Chuck Gomes: It does. This is Chuck. I think it does Amr and it's a very good issue to raise.

So my first question and it's really to all of us I think, do the restrictions that we put on a EDP - EPDP adequately cover the concern that the NCSG is raising?

And if not do we need to be - make that clearer? And while you're thinking about that and Mary if you can kind of look at the restrictions for the EPDP at while we're - while I'm talking here that'd be helpful.

The - there - it seems to me and I'm thinking live. So I mean, probably haven't thought it through very carefully. Is it possible that in a previous TDP effort on a particular recommendation that was rejected as possible policy or even

best practices or whatever it may be is it possible that there's an element of that that maybe wasn't adequately considered that could maybe be handled with an EPDP or should we always if it's a previous if it's been part of a previous PDP have a blanket rule to not use a EPD for something like that?

And my - I hate to be too rigid on these things because the world we live in it just has so many variables that I don't know. So what do people think?

Do you think that we need to add a specific restriction on the use of EPDPs and not allow it to be used on a recommendation that was previously rejected in a PDP?

J. Scott Evans: Chuck this is J. Scott. Again I guess I - it's just being too rigid about anything always seems to lead us down a rabbit hole.

Chuck Gomes: Yes that's - thanks J. Scott. This is Chuck. Yes that does kind of as you can probably tell that's kind of what I'm concerned about as well.

At the same time we don't want to allow an EPDP to be a gaming mechanism...

J. Scott Evans: Absolutely.

Chuck Gomes: ...like that. And I think we all appreciate that too. Let me go to Mary. And then if others have thoughts or suggestions about how to deal with this please raise your hand. Go ahead Mary.

Mary Wong: Thanks Chuck. And, you know, I was just looking at the actual language that we have in the report which I think is Annex E. And here we say that the EPDP can be initiated only in one of two specific circumstances.

I don't know if you want me to read it.

Chuck Gomes: Yes.

Mary Wong: So the first circumstance is and here I quote, to address a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the board or the implementation of such a recommendation.

So in this first possibility the EPDP has to be used to address a specific issue that's been identified, it's been scoped and it's narrowly defined.

Alternatively the second possible circumstance is here I go again, to provide new or additional policy recommendations on a specific policy issue that had been substantially scoped previously such that extensive pertinent background information already exists.

For example, an issue report for a PDP that was not initiated or as part of a previous PDP that was not completed or through other projects such as a GGP.

So while we don't have the sort of blanket statement that you were talking about them and I remember drafting this as Marika I think our assumption is that it probably ought not and would not be used for the sort of situations or the edge cases that the NCSG has raised.

I don't know if it needs to be clearer than that but that's my thinking.

Chuck Gomes: So this is Chuck. Thanks Mary very much. Amr is - do you think that this protects against that sufficiently at this point in time understating that probably all our recommendations won't be perfect? You know, we might miss on one or two and will have to be fixed later.

But is that - and we need to acknowledge the point made by the NCSG in our response. But so Amr do you think that restrictions on the EPDP are sufficient for now? And of course experience, we'll learn a lot from experience?

Amr Elsadr: Chuck this is Amr. Yes I personally thing the restrictions we have now are sufficient and but like you I do appreciate the point that was raised.

I would assume that the GNSO council in general would not want to - would - I doubt anyone within the GNSO would want to do through a second process to address an issue that had already - that there has already been a lot of work done on unless there was something new to add or new circumstances that need to be discussed. And this would probably require an issues scooping phase because then it wouldn't have- the issue wouldn't have been scoped the first time around.

But it was a concern that was raised and then so we added it in our comments. But I'm - personally I'm not entirely sure that we do need to change the prerequisites on the new PDP at this time.

Chuck Gomes: Thank you very much Amr. So again we definitely are referencing as you can already see in the notes I think, the point raised by the NCSG.

So it's clear that they will know that we considered it and that we think that existing restrictions should be adequate to protect against them.

Okay, any other comments or questions on this?

All right, Chuck still speaking going - before we - before I again jump ahead to the next comment anything else Amr or anyone else from the NCSG on 5.4?

Yes Amr, go ahead.

Amr Elsadr: Thanks Chuck. This is Amr again.

Just to be clear when I made my last comments I don't believe the prerequisites that now exist necessarily protect against this concern.

However I do - I don't suspect it would be necessarily common practice to use an EPDP for a purpose that would cause this concern in the first place if that makes any sense at all.

Chuck Gomes: It does.

Amr Elsadr: The prerequisites - yes the prerequisites currently as they are may actually allow for an EPDP to revisit a rejected policy without changes in the scope of the policy.

But I don't think it is likely that the GNSO would actually do this unless there was a pretty good reason. And if there is a good reason then sure be all means the EPDP should probably go forward. Thanks.

Chuck Gomes: Thanks Amr, well said. Chuck again. Avri, you're turn.

Avri Doria: Yes I pretty much agree with what Amr has said except for one thing. I am positive that somebody will attempt to do it. But, I'm pretty trusting that the council won't let it happen.

But at a certain point we have to acknowledge that almost any tool will be misused to achieve some purpose.

But, you know, we have to count on the capital to be able to say no that's ridiculous and not approve it. Thanks.

Chuck Gomes: Thanks Avri, Chuck again. Let's go ahead and go to 5.5 which is a comment from the ALAC. And it probably overlaps somewhat with comment 5.6 from Alan Greenberg.

Because as you know the - Alan submitted some comments before the ALAC had approved it I think. I don't - I can't - I better be careful not to try and cite the exact circumstances but I suspect there's some overlap there.

Now Alan is not able to join us yet. I don't know if that means Design Team F is still going on that he's leading. But regardless he's not here to speak to this.

Cheryl are you able to speak to the ALAC comments here or would it be better if we come back to those?

Cheryl Langdon-Orr: It took me a moment to un-mute, sorry Chuck. Because as far as I can tell Alan should be joining us momentarily I would suggest we come back to those.

And yes you're right just to make sure it's clear, the ALAC comments should overlap very, very much with Alan's personal ones. Then Alan's puts his in and in advance at the ALAC call ins. But the ALAC ones of course are the group ratified ones but there's a huge amount of overlap.

Chuck Gomes: Thank you Cheryl. That's helpful. This is Chuck.

And so let's skip ahead then to 5.7 which is a comment. And we'll come back when Alan can join us to 5.5 and 5.6.

5.7's a comment from John Poole and he submitted a lot of comments. I guess I won't editorialize on his comments. I'll just not say anything on that except let's look at the comments.

Do not support adoption of the principles. Keep in mind Question 5 is supporting the principles, the approval of the principles by the board and the GNSO Council.

Now are you referring to Section 5 beginning on Page 18 there's no section for? This I think we've previously addressed. That correction was made.

I think all we need to say is that a correction was made with the problem that John is citing. Is that correct?

Cheryl Langdon-Orr: Repeat that?

Chuck Gomes: Yes we talked about that before. So unless somebody thinks we need to spend any more time on 5.7 let's go to 5.8 and thanks for putting that in in the notes there.

So 5.8 is from the Brand Registry Group. And I don't think we have anyone from the - just looking is any - let me ask the question.

Is anybody in our group associated with one of the new brand gTLDs in anyway?

J. Scott Evans: I'm a member, a non - I'm a possible future applicant member. So I'm sort of an associate member.

Chuck Gomes: Okay now is this - do you think that J. Scott do you think you can talk to this comment?

J. Scott Evans: What's the concept (unintelligible)?

Chuck Gomes: 5A, yeah.

J. Scott Evans: I mean I think that they're just basically saying that they don't have a problem understanding and formalizing those that would be binding on the board and those that would not be binding on the board.

And they think that also some sort of a categorization should happen with those policies that would affect registry contracts.

Chuck Gomes: Thank you J. Scott, Chuck again. And so this one may not even need a response because it's basically it sounds supportive.

J. Scott Evans: Yes.

Chuck Gomes: Yes.

J. Scott Evans: I think they are. I think that's what they're saying is that they support this and they certainly support it when it lets registries know what effects them.

Chuck Gomes: Yes okay. Any other comments on 5.8? Five nine is just support so we don't need to comment on that. 5.10 a no opinion so I don't think we need to comment on that.

Five eleven (Carlos). And (Carlos) once again is not with us right? Okay. so would support adoption if changes outlined and other comments are made. See Comment 5.2.

And so, you know, (Carlos) apparently isn't able to make very many of our meetings so I don't know how much we should hold up going over this.

He was on one meeting. If you go - if you look at 5.2 what the - you can see that the Working Group can consider adding clarifying language regarding the application of scope of each process in the final report to make the distinctions and outcomes clearer.

So is there any reason - I mean is it a - should we just say the - just refer to the response to 5.2?

J. Scott Evans: I think that that's probably the best is rather than doing - making this just say see - I mean because that just makes it easier and less voluminous to get through.

Chuck Gomes: Okay, any disagreement with that? Agreement from Cheryl, thanks.

J. Scott Evans: I think Mary's hand is up.

Chuck Gomes: Okay. I - sorry I had to scroll up so I can see it. Mary go ahead.

Mary Wong: Thanks. This wasn't so much about the comment but I actually coincidentally just got a note from (Carlos) saying that he is stuck in a meeting in Columbia that's going on for half an hour longer than it should.

So unfortunately he can't join us today but I thought the group would want to know that he was intending to join.

Chuck Gomes: Thank you Mary. That's good information. So now with regard to the comment on 5.2 that's worded almost our response is almost like there's a possible action item for us.

It says we can consider adding clarifying language. Do we want to do that to make this clearer? Are...

Cheryl Langdon-Orr: Chuck I thought we dealt with it.

Chuck Gomes: What excuse me?

Cheryl Langdon-Orr: I thought we had dealt with that back in 5.2.

((Crosstalk))

Cheryl Langdon-Orr: That we were going to consider clarifying language.

Chuck Gomes: Are you saying Cheryl that way already did add some clarifying language?

Cheryl Langdon-Orr: No. I think what we decided was that we would add some clarifying language not that...

Chuck Gomes: Oh...

Cheryl Langdon-Orr: ...we have added clarifying languages. Now that was a couple of calls back obviously.

Chuck Gomes: Yes well...

Cheryl Langdon-Orr: So...

Chuck Gomes: ...so that is an action item that we need to follow-up on.

Cheryl Langdon-Orr: I think so.

Mary Wong: Chuck this is Mary.

Chuck Gomes: Mary yes?

Mary Wong: And I think Cheryl's recollection is correct. My further recollection is that this may be a staff action item to make sure that we get the final report to all of you that we actually make it clear in the body of the report early on, you know, which process is what and the different scope and applicability.

And I think that's what this language is speaking to. So we have it on our action item list.

Chuck Gomes: Excellent. And let's change though the comment on 5.2 not that Working Troup can consider, that the Working Group will okay?

So instead of can put will and you can change other words too but I think that scan doesn't work very well there. All right?

J. Scott Evans: I see Alan typing. I think he's with us.

Chuck Gomes: Alan welcome. I'm not asking you why you were late.

Cheryl Langdon-Orr: I'm not sure he's on the audio bridge yet. I think he's still out somewhere...

Chuck Gomes: (Unintelligible) two minutes. He's about two minutes away okay. All right so we'll hold off on going - in fact we may want...

Cheryl Langdon-Orr: No, no, no he's not - he's been waiting to get on the bridge for two minutes.

Chuck Gomes: Okay.

(Michael): Yes. I had a bit of a...

Cheryl Langdon-Orr: He's just two minutes away.

(Michael): ...trouble getting on to the bridge, listened to a lot of music. This is (Michael).

Cheryl Langdon-Orr: Yes.

Chuck Gomes: Terri you might want to check with the operator to see what they hang up is on that if you can. That would be much appreciated.

Now the line went silent.

Cheryl Langdon-Orr: Dear.

Chuck Gomes: Well he's going to redial so we'll come back to that. Let's keep moving in the meantime. On 5.12, 5.13 5.14 those are all supports so we really don't have any action, anything to review there.

Now related to the proposed additional new GNSO processes in particular the - looks - the first one is the GNSO guidance process or the GGP again a comment by John Poole in 516. And it's a ditto right on that one? It's the same issue that we talked about from John previously so let's just skip right on to 517 another DRG comment. And it looks like the same comment that we already addressed so that's - I don't think we need to do on 517.

I'm going to keep moving quickly so just stop me interrupt me if I'm moving too quickly okay?

Five eighteen is a comment from the Registry Stakeholder Group. And that's one that, you know, the registry supported the adoption and the comments for survey items 7, 8 and 9.

So I guess we should differ that until we get to 7, 8 and 9?

J. Scott Evans: So can we highlight it some way so we know that it's...

Chuck Gomes: Yes. We need to - well we'll automatically get to it when we get to seven, eight and nine.

J. Scott Evans: Yes.

Chuck Gomes: So...

Alan Greenberg: Chuck you're fading in and out badly.

Chuck Gomes: I am? Okay, not sure what's going on. My mic...

J. Scott Evans: It's not on my line. I hear you perfectly.

Cheryl Langdon-Orr: Yes. Your volume...

((Crosstalk))

Man: Yes I can hear you pretty well Chuck.

Cheryl Langdon-Orr: ...slightly (unintelligible). I can hear you fine. So it must just be you Alan.
Sorry, you're fading in and out.

Chuck Gomes: I'm not surprised Alan considering how much you've been involved in. We understand. All right I'll try and speak up a little bit although it sounds like I may get too loud if I did that.

So 518, I mean we - if we don't cover it adequately in seven, eight and nine we'll come back to that. But I think it automatically will be covered when we deal with the registry suggestions in seven, eight and nine.

Five nineteen no opinion. We can go to 520, would support adoption of changes as outlined and other comments are made. That's (Carlos) again.

So I think we're work - that's being worked right by staff. That's the staff action item. And then 521 the ITC supported the new processes in particular in this case the GGP.

And Amr on - Amr or Avri on 522 I think that's the same - those are the same issues we just went through is that correct?

Amr Elsadr: Yes Chuck. That is correct.

Chuck Gomes: Okay.

Amr Elsadr: This is Amr.

Chuck Gomes: Okay good. And so we can make a reference to our response in 5.what was at 5.4 I think it was. So...

Amr Elsadr: That is correct.

Chuck Gomes: Yes thanks. Moving right along the ISPCP supports adoption and then 524 this is Alan so this is a perfect time to go back to what were those numbers, five...

((Crosstalk)).

Chuck Gomes: ...5.6. Okay so Alan we skipped over 5.5 and 5.6 because you weren't on the call and we were anxiously hoping you would join us and you did. Thank you.

So if you could skipping back to 5.5 and 5.6 if you could talk us through - and again I think they overlap but I'll let you be the one who decides that 5.5 and 5.6. If you could talk to those on behalf of the ALAC we would appreciate it.

Alan Greenberg: Thank you very much. Yes they are the same one. One was submitted through the survey tool and one prior to the - to us looking at the survey tool to be blunt.

The real - the issue here really is to use a folk expression is the - seeing the forest through the trees.

The processes that we've built and the overall concept saying that if it smells it looks like policy and it smells like policy it should go back to the GNSO for discussion and decision using one of the now multiple forms of multiple vehicles with which to do that is something that we support.

But we have a concern on anything that is of substantive import this may take a very long time.

We're already in a situation where some things take inordinate amounts of time. I was called upon yesterday to look at whether ALAC should comment on IRTPC implementation and I had a level of déjà vu saying did that happen already?

And it turns out that the board approved that one in I believe October 2012. And the implementation process is still going on. This is a relatively simple PDP. And it's two plus years later.

On more complex ones if indeed we had to refer things back to the GNSO multiple times for multiple issues that came up during the implementation one can see implementation taking a decade on something which is moderately complex.

And we have a few moderately complex ones coming up. You know, we're looking at a PDP for the second round of new gTLDs. We're looking at a PDP and directory services.

And I start to really worry that although each of the decisions we've made in this group make complete sense when put together as a whole we may have something which is completely unmanageable.

Not for simple cases but for the hard cases. So what we're suggesting is and, you know, in light of the CWG and CCWG the expression stress testing has been part of our vocabulary.

And I think it's appropriate here is to go through some scenarios where indeed during the implementation phase we several times find we must refer things back to the GNSO.

And some of them will be relatively simple and some will be moderately complex. What are we looking at an implementation which will exceed even the applicant guidebook in its duration? And that's really the substance of the issue, you know?

You know, what we're looking at makes complete sense when it's dissected. But when we put it together as a whole are we building an unmanageable beast?

Chuck Gomes: Thank you Alan. This is Chuck. So let me make sure that I understand the recommendation. And by the way maybe I should say first you raise some really I think very important comments with regard to implementation and the time it takes. And whether that's in our charter or not I will come back to that I think. But because I think that this is very important.

What I'm trying to get a handle on though are you suggesting that stress tests should be involved in implementation or in the GNSO council's work or it's not clear to me...

Alan Greenberg: No, no I - I'll clarify it. That's an easy one answer. I'm suggesting that we do stress testing by running through a number of scenarios.

And are we - if our recommendations are implemented verbatim what have we just decided to do? You know, are we dooming any significant GNSO policy issue to a fate worse than death?

That is, you know, it'll never get out the other side in any of our lifetimes or any of our practical lifetimes in ICANN.

Chuck Gomes: Okay.

Alan Greenberg: I'm exaggerating but...

Chuck Gomes: No, that's all right.

Alan Greenberg: ...that's the concern.

Chuck Gomes: Yes, okay. Good. No that helped me. Now I know that was one of the things I had in my head but I wasn't sure. Now I know exactly what you're suggesting that we do some stress testing. Let me turn it over to Amr.

Amr Elsadr: Thanks Chuck and thanks Alan. This is Amr. But Alan I understand and very much appreciate the concern that you raised.

A question I have though is assuming we do go through a stress testing of the recommendations specifically this - concerning the concern that you've just raised do you have an alternative to sending these back to the GNSO that we could recommend? Thanks.

Chuck Gomes: Thanks Amr and I'll come back to you Alan. I just...

Alan Greenberg: Okay.

Chuck Gomes: ...if you want to respond to that but let me first go to Karen?

Karen Lentz: Thank you Chuck. This is Karen Lentz. I wanted to support the comments made by Alan. I share the, you know, support for the individual processes that allow for, you know, resolution on issues that, you know, come about through the implementation process and make sure that there's adequate mechanisms for things that need to be discussed.

You know, each of those do potentially add quite a bit of time to an implementation process.

And I think one of the things, you know, implementation is actually also one of the things that ICANN gets measured on that the multi-stakeholder model

gets measured on is, you know, can we build things and implement things still, you know, in a collaborative way, still in an effective way?

So in terms of stress testing I was just going to comment that, you know, I don't know what Alan was envisioning exactly but in terms of perhaps doing a case study or, you know, running through some issues, some actual issues or test issues through these processes might be helpful. And if it's helpful for staff to compile something like that I was going to offer that support. Thanks.

Chuck Gomes: Thank you very much Karen. Much appreciated. This is Chuck again. So the - I wonder if it's possible to identify particular elements of the recommendations we have in our report that would be especially for which it would be especially useful to do some stress testing.

Is that something if we try to stress test every element we, you know, it might take us a long time to get through it at the same time.

Like this particular one that Alan has used in the - here were - one of the things we're recommending is going back to the GNSO if there's doubt that it's a - whether it's a policy or not how would we stress tests that? How would we go about that? And let me come back to Alan now.

Alan Greenberg: Okay thank you. I admit stress test as I said is a catchphrase en vogue and maybe it was not the optimal one to use.

But yes I am talking about running through scenarios. I don't recall whether we have put times on the various processes we did now.

We put down like, you know, is there what we consider an absolute minimum time for the various processes and then what do we estimate might be a more typical one?

I know when we redid the PDP rules it was very illuminating to when Marika went and calculated if we follow our rules and all of the complex work gets done almost instantaneously how long will the PDP take, you know, which gave the absolute minimum time it could take in the best possible scenario.

And that was useful because that told us that people were saying oh, we can do one in six months. You know, we're wrong.

It simply was a number longer than that and that was in a best case. So part of it is, you know, coming up with some best case and typical case guesses.

And all they are is guesses right now for the typical case because they're either - these are procedures that we've never exercised.

Adding in the normal delays that we get of how long does it take to constitute a team to do this kind of thing and then start hypothesizing if in a complex process we have, you know, during the implementation we have two of these, and one of these, and one of those how long is the overall thing going to take and, you know, just working through a number of scenarios like that so we get some idea of what it is we're recommending before we actually cast them in concrete.

And to answer Amr's question if I had a really right answer I'd give it. You know, nobody is going to say well if it takes too long just let Joe decided and we'll - the multi-stakeholder community will accept that.

That's clearly not something we're really likely to accept. But on the other hand you don't want to build a process which is completely unwieldy either.

Chuck Gomes: Thank you very much Alan. This is Chuck. So and I will come right to come to you in a second Amr.

But taking Karen up on the offer that she made for all staff right Karen? You said staff. Sorry about that.

The - I wonder if staff could take on a task to kind of go through our recommendations and do what Alan was just describing like was done in the previous effort he referred to on the procedures.

And I just kind of sketch out what's is a real rough numbers. You know, okay if we've got to go back to the GNSO council and they're only meeting once a month and then they may two or three meetings to do this and so forth is that realistic task for the staff to do and just going through and picking out our recommendations where it looks like there could be serious time implications and do that exercise and actually the exercise probably the same across several of our recommendations.

I mean the time implications would probably be the same. So it's not as if I think the exercise has to be done over and over again for each one. It'll probably be similar.

So if - is that something? And let me let Karen or any other staff members and Mary just respond.

And if it is is that something we could get done before the meeting in Buenos Aires even if we put forward our, you know, our final report.

Then before the council acts on it we could provide that data and that would be helpful for the council in terms of looking at this.

And when I say the council obviously the constituencies and stakeholder groups that the councils represent as well as the at-large and so forth.

So okay so I've got several hands. Let - since I asked that question let me let Mary respond and then I will go to Amr.

Mary Wong: Thanks Chuck and thanks Alan. It's not so much a response because I think I know what Karen is suggesting.

I guess my question was in the form of a clarification because it seems to me that we may be talking about a couple of different things.

When Alan explained his comment I thought he meant a sort of test scenario not necessarily of each process but of specific types of hypothetical occurrences such as there's a very complex set of recommendations and implementation of this would take a really long time.

Whereas then we seem to be moving towards something where we estimate roughly how long each process might take which is more along the lines of what Marika did for the PDP improvements effort that Alan is talking about.

So I guess my question is just to ask which is it that we're being asked to do or are we actually being asked to do something that I'm actually not understanding?

Chuck Gomes: Okay. And Amr I guess you must of - I'm guessing that you are going along the same lines so that's you took your hand down but if you want to jump back in that's fine. Thanks Amr. Appreciate that checkmark.

Alan go ahead.

Alan Greenberg: Thank you. I think there is multiple steps. I think the first one is let's come up with a, for each of the processes, an absolute minimum time given the number of public comments that are involved, given the realistic times that form groups and to Doodle meeting times and things like that.

What kind of absolute minimum times are we talking about for each of these processes? When I say absolute I mean in a practical sense.

And what do we realistically think there will be? We're not likely to convene these groups unless there is an issue where the answer is not clear.

So it is going to take a number of meetings to, you know, to present the issue and perhaps come to closure if indeed we can come to closure.

You know, some of these I suspect we're going to end up, you know, deadlocking because we can't come to closure. And that's a scenario we have to consider but it - but I don't think that's the one I'm focusing on right now.

So if we can simply for each of the processes put together the kind of metrics that I'm talking about of what's the realistic minimum and what is a more practical guesstimate of what this kind of process will take and then assuming we have to string several of these together add that on to whatever average implementation times are I haven't seen any statistics for what kind of time do we typically have from board approval of a PDP to the time that the policy is actually deployed in and practiced. Those would be very interesting numbers.

Clearly things like the IRTPC that I mentioned I'm sure is an edge case because two years for a pretty simple PDP is a little bit scary.

But maybe there's, you know, I haven't been following it. I know Avri was one of the co-chairs but I don't know if she's been involved in Implementation Team or not.

And so it might be interesting to understand that. But if we know put together scenarios of what do implementation take pre-our recommendations and then we add in guesstimates of what it might take on a more complex one factoring in our recommendations what kind of times are we looking at?

And, you know, it may end up being something that is completely acceptable given the complexity of what we're doing or we may look at that and say that's insane. You know, ICANN will never be able to do anything effective if that's what we're stuck with.

And that might mean we need to do a much better job on the PDP the first time and not resort to these mechanisms. But I think we need to understand that. Thank you.

Chuck Gomes: Thank you Alan. So I'm going to go to Mary. Before I do Avri I'm going to put you on the spot in a little bit just to make sure that we're all together with regard to your chat comments on stress tests and noting that Alan said, you know, he is happy to use a different word.

But so I am going to contact you after I go to Mary. Okay. Mary go ahead.

Mary Wong: Thanks Chuck. Thanks again Alan. I have not been on staff a long time so someone like Karen may have better insight than I do on this point.

My impression is that it will be very difficult to get a sense of the existing patterns if you like or timelines of implementation now simply because there are so many factors that come into play after the board's adoption.

So for one thing there are no fixed timelines and maybe there should be. For another thing some of our group's recommendations with regard to the use of the IRT teams and principles may help in some regard.

But my impression right now is that even if we use an implementation team if for example the policy that's to be implemented is fairly technical in nature there's quite a lot of preliminary background tech work that needs to be done as opposed to a policy that can be more quickly implemented, it is a, you know one single contract change for example.

Then in some other implementations there is the need to give notice to the affected parties such as the contracted parties.

So I guess what I'm saying is I am not sure we have or that we can have meaningful data on what it takes. Now although Alan I understand your point and I do think it is an important one in terms of basically cramming on and making things longer.

I'm just not sure how we can meaningfully describe or measure it at the moment. Thanks.

Chuck Gomes: Thank you Mary. Go ahead Greg.

Greg Shatan: Thanks. You know that idiot who comes in 2/3 of the way through a call and starts talking about something that he was either has already covered or was off topic because they think that's what people are talking about?

((Crosstalk))

Chuck Gomes: (Unintelligible)...

Greg Shatan: That's me.

Chuck Gomes: ...the initials GS?

Greg Shatan: I'm going to take the chance of being that guy. Normally I'm not.

Chuck Gomes: Go ahead.

Greg Shatan: I'm do one every once in a while.

I guess, you know, harkening back to one of the reasons why we came up with all the things we came up with we were hoping to make things run more

smoothly to expedite things to - but at the same time to try to create processes that were more regular and more predictable.

And importantly hue it closer to multi-stakeholder goals and concerns about ad hoc processes at the GNSO counsel and elsewhere to try and answer the various types of kind of policy related inquiries that were coming up. You know, I think those are still our goals.

It seems to me at least what's in the comment here is kind of refers to things that - references of issues back to the GNSO may have the overall effect of creating a very long implementation period.

I guess the issue is not whether or not things are going to get referred back to the GNSO but what happens when they do?

And the issue before the answer was we don't know. We'll make it up when it happens. This is supposed to make things more predictable and hopefully faster because you don't have to first invent the mechanism in order for there to be an answer.

So I'm not sure -- and I as I say I missed a lot so I should be that guy -- about why creating processes for things that are happening would lengthen those process - lengthen the underlying implementation process, intend it to be shorter.

Now if we've missed our mark somehow or if our ideas are bad and aren't going to work and are going to just introduce delay rather than speed and uncertainty rather than certainty we should kind of figure that out.

But I don't think there's been specific concerns raised about that.

Now when you talk about stress test it's kind of like okay well let's see what specific concerns we can now conjure up or, you know, conjure up may

sound a little bit pejorative. They may be realistic and we certainly should make sure and I think we've tried as we've gone through this to think about how things will work.

So again I am not entirely sure that there is a I think the concern needs to be concrete about what bad things could happen because we have created new methodologies for dealing with inquiries that already take place.

We're not asking for new inquiries to take place but just to - how to deal with the types of things that already are occurring and will occur as the IRT concept becomes more regular.

So I guess I'm just I'm convinced that there's this bad thing lurking around the corner. But at the same time that doesn't mean we shouldn't look around the corner, stress test may be too robust a word or concept.

But we certainly should, you know, think one more time about whether we've created things that are going to end up having unintended consequences or opposite consequences to the ones we had.

So now that I have finished being that guy I'll finish talking. Thanks. Bye.

Chuck Gomes: Thanks Greg. I think you raised a really critical point. It doesn't totally eliminate the ALAC concern because I think we still need to address it.

But I think it would be good if we put in our notes in response to this that the Working Group did note that we're optimistic that much of what we're recommending is should actually make things flow more readily than they would have without what we're recommending.

So I think that's an important point to make. Without totally eliminated the suggestion that the ALAC is making or that Alan is making on our working group today. So thanks for that. Alan you're up.

Alan Greenberg: Thank you very much. I think a large part of the presumption that Greg is making is false. We're not I - we're not just looking at these processes in place of the ad hoc procedures that GNSO has used occasionally over the last several years to address questions.

We are using this to address the reason that we got here to begin with. And that is there are large parts in the community who have believed that decisions were made without referring them to the GNSO ad hoc or using ad hoc or established procedures.

The four years or five years whatever it was of applicant guidebook development which was all technically implementation because the policy itself was quite generic has involved many, many things which individual parts of the community believed fervently were policy.

Now, you know, yes the registries believe some part were policy where other people said no they're just fine and the IPC believed other parts were policy where other people thought they were just fine.

And, you know, it's not everyone agreed at the same time as to what is policy.

But the whole premise of this group and if you look at the principles we've come up with we've said things should be referred to the GNSO which in the past have not been referred to the GNSO. And staff or board decisions were made.

PICs which is an issue of great interest to the ALAC at this point clearly was not just an implementation because we're being told right now by various parties that if we want to change that we should have a PDP.

But they were developed out of whole cloth by staff and board in response to some GAC concerns that were raised.

And, you know, I certainly agreed that they were a good construct but it's hard to argue they weren't policy and they weren't something that should've been referred to the GNSO.

And if they had been it probably would've been a moderately lengthy process to come up with something that address the concerns.

And it may have been a much better construct then fix ultimately but one looks - has to look at the time.

So it's not just replacing the half a dozen ad hoc procedures the GNSO went through. It's all of the times when the GNSO was not invoked at all that we're now potentially going to be invoking it. And that's where the time concern comes from. Thank you.

Chuck Gomes: Thanks Alan. I'm not sure there's one thing right at the beginning of your statement or fairly close to the beginning that I didn't understand.

You said something about underlying assumption that Greg maybe you disagreed with. I'm not sure what that is but maybe Greg will be able to...

Alan Greenberg: Well I can do that again very quickly. Greg was assuming that these new processes that he thought I was saying these new processes are going to take a lot more than the ad hoc invented processes that we've used over the last few years and that wasn't the point.

The point is they're going to take a lot more time than the zero process we've gone through in the past by having staff and board make arbitrary - not arbitrary decisions but make decisions which parts of the community strongly

believe were really policy and under our rules must be referred to the GNSO as opposed to simply decided in a dark room somewhere.

Chuck Gomes: Okay. Thanks Alan. Greg?

Greg Shatan: Thanks. I guess I am confused a little bit which in a sense we can't have our cake and eat it too. We want to get things that are a large portion of the community believes our policy back into the hands of those who are supposed to deal with policy.

But now that we've accomplish that the mechanisms that we have are going to be a problem.

So are we supposed to leave things in the back room or do we somehow not create something that is streamlined and quick enough for ALAC or is it just inevitable that when you try to, you know, take something, you know, one of the nice things about implementation in the dark room is that it's relatively quick.

It may not be right and, you know, staff gets things right, you know, a whole lot of the time anyway but the point is what about the ones that are pricklier?

You know, we try to solve for that problem. And if it is creating an extra pathway that needs to be taken it's, you know, that was a pathway that this, you know, group identified.

So if we - if our processes could be made, you know, more streamlined and more quick and still, you know, be robustly multi-stakeholder, you know, I'd be happy as anybody to see that happen. I'm just not sure that, you know, I think we aimed for the most lightweight processes possible.

So I'm not sure what we can do other than say well maybe it will take more time than not being asked. But isn't that the point that we need to be asked?

Chuck Gomes: Thank you Greg. Avri your turn.

Avri Doria: Thank you. This is Avri speaking. And you said you were going to call on me so I started thinking about what I would say because I didn't have anything to say but then I came up with something to say so I had to put my hand up.

Chuck Gomes: Good.

Avri Doria: A couple of things. First I think we're beyond where you've actually invited me to get into my diatribe about stress test so I won't bore you with that.

But basically what I (unintelligible) there was stress test is something that you really should create at the time that you create the requirements or close to it.

Otherwise like Greg indicated you end up being situational and your stress tests are almost based on the implementation you have and almost your attitude about this and bits of that implementation are inescapable. So no diatribe but that's the basic point there.

I agree very much with what Alan has been saying in terms of these are mechanisms to try and catch those things.

These days what happens is maybe we do an ad hoc process to deal with them but first we dither about them for about a year. What are we going to do? What should we do? What can we do? How can we take this process, how can we twist it, how can we whatever?

Now and in some cases Alan is right, we never do anything. You know, the PIC process. Had we had one of these things a year and a half ago when that issue, you know, or probably even longer than that now when that issue came up and we were able to say oh, that is, you know, a one of these processes, you know, let's do it.

We would have been long done. We would have solved the problem, et cetera. So I agree with Alan's argument.

The issue is going to be for the council to be judicious about how they use them. Again that's trusting the council to be judicious.

In terms of the testing the people have been talking about now obviously I'm in favor of stress tests.

In terms of the second one which is the guesstimate I tend to agree with Mary on that is on processes that we have and that we theorize is possible useful.

What I think would be more useful is to actually collect the time lapses, the time gaps that we have over the last ten years between policy, board approval, implementation deployment what have you and to collect these and to see kind of trend also to look at some of those other issues that Greg was talking about where we got something. It wasn't quite a PDP, we dithered for a bit and did something ad hoc, how many of those were there, how much time did they take, so that as we start to implement these things we start to have because, you know, once we implement them then we will have implement reviews and then we'll have, you know, since they're processes they involve the council they'll be FTI input on them, the standing committee improvement type input on them later, et cetera.

So having not only a history of timings to compare against but also making it a point somewhere to say you know that ALAC point may indeed be right. We should measure what we're doing and see what we have to do to make sure that the use of these new mechanisms don't turn a three year process into a nine year process.

So I think it's good to put in, you know, admonitions, warnings and a certain amount of ongoing data collection to try and prevent it. Thanks.

Chuck Gomes: Thank you very much Avri. So we're at a point I think where we need to decide whether we want to ask staff to do some work for us on this or not and if we do what that is.

Now I really like what several of you have said and in particular Avri what you're talking about in terms of doing some analysis of several, you know, issues from the past, not issues but a processes in the past several years just to just get some data in terms of how long particular things take like ad hoc processes or whatever.

But I'm starting to get the feeling that that's a pretty significant effort and probably wouldn't be doable before we submit our report certainly but maybe not even before the council acts on it.

So are we talking more about a, may be a long term issue that will help the council and its management activity if it had some of that data going forward?

So help me out here in terms of first of all do we want to ask - give staff in action item in the near term or the long term and if so what specifically would that be?

Now Greg is that an old hand?

Greg Shatan: Yes. I'm that guy too.

Chuck Gomes: Okay. Alan go ahead.

Alan Greenberg: Thank you. At the very least I think we need to put together some numbers for what the processes we're looking at have as a realistic base number and then add on a reasonable number of meetings to actually deliberate and come to conclusions.

You know, we can all make guesses as to how long that's going to be.

There aren't many deliberative processes which complete in two weeks. Some of them take a year to two years. So we have a large body of history in which we can make some guesses.

You know, it doesn't just have to be two guesses. It can be, you know, it can be three or whatever. So I think we need to at the very least build those numbers in.

We need to develop what those numbers are. We do need to look at the history of what's happened with implementations over the last couple of years.

We don't do that many PDPs. There's not dozens of them to look at. So it's pretty easy to pull out the numbers of when did the board approve it, when did the policy actually get deployed?

And yes there's all sorts of reasons and there's warning periods and there's all sorts of things that come between it. But, you know, typically the warning periods, you know, not the warning, the flexibility of implementation is after the policy is deployed.

And, you know, that doesn't say when it comes live but when we're finished working on it.

So I think we need to go into this with the very least that body of knowledge and then we can go forward.

Now, you know, both Greg and Amr have said, you know, well what else is there? And we certainly don't want people making ad hoc decisions. Well I agree. You know, otherwise I wouldn't be putting so much time into this particular working group.

But we have to make sure that we're going forward with something that we think is pragmatic and realistic. And if it isn't we need to rethink how we're doing things.

And part of the answer may well be we have to take more time on a PDP to make sure that they are in a lot of got yours and surprises after the fact.

You know, in retrospect I believe we should have done that on the new gTLD PDP but that's history.

So I think at the very minimum we've got to get some metrics and some numbers to know what we're talking about otherwise we're just burying our heads in the sand and pretending that there isn't any issue at all. Thank you.

Chuck Gomes: Thanks Alan. Check again. But I need a clarification from you please.

Are you talking about getting some metrics before we submit our report, our final report to the council, before the council acts or at some other time?

Alan Greenberg: Well I see no reason, personally I see no reason not to do it before we submit the report. I mean to submit recommended procedures without being able to say clearly that this procedure is going to have a minimum time of six months or three months or two weeks or whatever it is I think is just irresponsible.

Chuck Gomes: Okay. And okay so one more follow question for you. Chuck again. Do - would you - you did this I think in your comment just now but again could you list what you would like staff to do before we submit our report and then I'll go to Berry...

Alan Greenberg: Sure but someone's going to have to remind me and it's going to have to take its place on the priority list.

Chuck Gomes: Well we can do that.

Alan Greenberg: I mean I...

Chuck Gomes: We can get it from the transcript...

Alan Greenberg: Right.

Chuck Gomes: ...if you can't do that now.

Alan Greenberg: I would think that having someone do that and passing it by me to say did we interpret it properly is likely to result in something more quicker than just waiting for me right now.

Chuck Gomes: Okay. That sounds fine. Mary go ahead - I mean Berry, excuse me. I'm not used to Berry. I saw your hand down below and I'm used to calling on Mary up there in the top in Adobe. You're throwing me off moving around like this. Go ahead Berry. Berry are you on mute?

We are not hearing anything.

Cheryl Langdon-Orr: You've upset him Chuck?

Chuck Gomes: Well okay.

Mary Wong: Chuck this is Mary.

Chuck Gomes: Yes?

Mary Wong: Just to confuse things a little more I think Berry was actually going to share his screen. I don't know if he's able to do that.

But we've been having some sort of back chat here amongst the staff. And as I said in the Adobe chat that there are some numbers and things that we may have already that we may be able to get.

And I think Berry was pointing out some information that we had early on in the life of this group to - in terms of the review that we did from the earlier efforts.

So I think he should be able to share his screen now and you should be able to see what he means.

Chuck Gomes: That's happening. Thanks. So...

Cheryl Langdon-Orr: (Unintelligible) Chuck if I could...

Chuck Gomes: Go ahead. While...

Cheryl Langdon-Orr: ...just jump in...

((Crosstalk))

Chuck Gomes: ...they're bringing that up that would be good Cheryl.

Cheryl Langdon-Orr: Thanks. Perfect. And it's the perfect segue because I was going to answer your question. I know it was radical of me. But I think the answer to your question is should we ask staff, the answer is yes. Should it be short or long term, I think it is both.

And it looks to me like we've got immediate results at least for short term within the time constraints of before we get back from the publishing point of view here.

So I'll put my hand down now but I think the larger piece of work will be a medium to long term piece of work. And we should probably pump some of this across to the Metrics Working Group.

And Berry will have a handle on that as well because it may be that the Metrics Working Group needs to be cognizant of this type of scenario as an ongoing scenario checking and metric analysis is an ongoing matter to almost have a feeling of the health of the process as we go on in time. Thanks.

Chuck Gomes: Yes thank you Cheryl. That's appreciated. And I think you're probably right, it's both. So Amr go ahead.

Amr Elsadr: Thanks Chuck. This is Amr. Yes. I just wanted to weigh in with a thought and I'm not sure if I'm way off on this.

But the way I see it in terms of complexities and implementation there are two sort - two types of complexities.

The first one which would be the nature of implementation itself is complex. And I'm not sure that any of the processes we're suggesting may make that more complex or not in terms of sending things, questions back to the GNSO.

I'm not exactly sure how or why they're - how the concern may come up in that context. But in the other context where policy questions, during implementation and that's the nature of the complexity involved, it was never my assumption that when this - if this happens and a process needs to take place like one of the processes that we're recommending it never was - never my assumption that this would slow down or halt implementation.

I was always under the assumption that implementation would move forward whilst another process would begin.

If a PDP Working Group did not identify a policy question or was not chartered to answer one then this should take place in a different process that either comes later or possibly starts halfway through unless the PDP Working Group notices this early enough to ask the charting organization to review what is in and out of scope of its work.

But if this policy issue is presented as a complexity during implementation it would be my assumption that implementation would move forward regardless so I just wanted to offer these thoughts. Thanks.

Chuck Gomes: Thanks Amr. This is Chuck. So question for you, don't you think though that there may be some policy implementation work discovered during implementation phase that has to be done before the implementation can actually be completed?

It may not always be the case...

((Crosstalk))

Amr Elsadr: I...

Chuck Gomes: ...but it could happen.

Amr Elsadr: ...would assume that this would be the case. If it's identified early enough during the PDP phase for example like what happened with the Thick Whois then there could be sort of precautions in how the recommendations are presented so that you could have recommendation saying where we would like the IRT to work with staff on identifying the policy issues here. And then there would be certain scenarios where implementation could take place.

And that's just an example in an event that this or that happens as a result of looking into the policy aspect of it.

If this is not identified at all and identified at a later stage I'm not sure to what extent this would require that implementation would actually stop or be delayed?

I would assume that a process could be initiated and moved parallel with it even if it takes longer than the actual implementation of the original policy. That's - thanks.

Chuck Gomes: Thank you Amr. This is Chuck. Let me - Berry are you still wanting to talk and are you able to now? Go ahead. No? Okay. Mary why don't you jump in?

Mary Wong: This might sound a bit like a ventriloquist I suppose. I'm trying to interpret Berry's chart here but conscious of the time I think we can just point out that this is something that Berry put together for David Olive and our team.

And it doesn't distinguish between a PDP in a non-PDP effort although you see them in the colors. But it does go to show the duration of the full effort.

I'm sorry it doesn't distinguish between when policy stops and implementation begins. Of course it does distinguish between a PDP and a non-PDP.

So to go back to Alan's point it gives you a bit of a sense of not just the number or when we have these efforts but how long each takes from beginning to end.

And we can pull out more of some of this data. I think we have some like we said - I said earlier particularly for the non-ad hoc processes.

We don't know how much of it will be useful in terms of going by historically. We would suggest probably restricting it to more recent efforts given that the new gTLD program has kind of overshadowed prior efforts and we have new rules since a few years ago too.

So Chuck, Alan I don't know this is the sort of thing you were looking at and I'm looking at Berry to see if he wants me to say more about this chart.

Chuck Gomes: Thank you Mary. And what I'd like to ask you to do you or Berry is to send this to the list okay because it's a lot easier to read on a full screen rather than Adobe.

And then the request of everybody in the working group is that in particularly Alan and those that would like some data done before we submit our report does this meet some of the need or what and then what else what other data would be helpful before we submit our report?

And Mary if you can pull some of that out of the chat because Alan did mention some specific - not chat in terms - yes I guess it was actually his comments.

So from the transcript if you can pull out some of the things he suggested that would be good data to have before we submit our report that would be helpful.

We're also going to have to look at some of the longer term data needs that would be useful too so if people can identify some of those things. And Avri you did a pretty good job of describing some of the things that would be helpful to track on an ongoing basis and to watch, if we can get some of that captured that would be very helpful.

We're out of time. I'm going to call on Alan to wrap it up briefly. But I think we're going to next week we're going to have to come back to this particular issue before we pick up in Section 5 in the comments and continue what we're doing.

I do have before I give it to Alan, Alan do you no longer needed to talk?

Alan Greenberg: No I've ran out of time. I have to hang up anyways. So it'll wait.

Chuck Gomes: Okay. I'm sorry. But we will come back to this next week.

Alan Greenberg: Yes.

Chuck Gomes: And Mary I do have a question for staff because I'm looking at the summary of the comments and our responses and so forth.

I don't see any comments for Item 6. Are there no comments for Item 6? We go from 5 to 7 on Page 21 of the document. So and you can give me that answer off-line but go ahead Mary. Your hand's up.

Mary Wong: No, sorry. Just as Greg was that guy...

Chuck Gomes: Okay.

Mary Wong: ...I think I'm now that girl.

Chuck Gomes: So anyway if you would check of that to see what happened to any comments for Section 6 because as I look at the question in the survey I'm sure there were comments on Section 6. But I'll let you provide that information off-line.

Before I adjourn the meeting is there anything else we need to cover? Now are going to meet again 90 minutes next week, same time same station.

And I think we made pretty good progress today. We'll keep plugging away. I think it's worthwhile, very worthwhile for us to do the due diligence on the comments like we're doing.

So I think in the long run it will pay off. Anything else we need to take care of here or any other action items?

Okay let's call it a meeting for the day and thanks to everyone for the great contributions. And we'll all talk again next week. Many of us will talk way before that.

Cheryl Langdon-Orr: Some of us will be talking sooner than that Chuck.

Chuck Gomes: Yes I know.

Cheryl Langdon-Orr: Off the phone and into the next one.

Chuck Gomes: So anyway...

Cheryl Langdon-Orr: In fact it's another two at once. I now have to split my brain again. It's been a lovely little break to only have one conversation in my head just for this last part of the call. Thank you for that.

Chuck Gomes: Good. Okay bye everyone.

Cheryl Langdon-Orr: Bye.

Chuck Gomes: The meeting is adjourned and the recording can end.

Cheryl Langdon-Orr: Bye.

Woman: Thank you.

Woman: Thank you Chuck.

Woman: Thank you very much.

Woman: Thank you everybody.

Terri Agnew: (Tony) if you can please stop the recordings. Once again the meeting has been adjourned. Thank you very much for joining and have a wonderful rest of your day.

END