

**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)
Work Team (WT)
TRANSCRIPTION
Thursday 24 September 2009 19:00 UTC**

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Participants on the Call:

Jeff Neuman - Registry c. - Work Team Chair
James Bladel – Registrar c.
David Maher - gTLD Registry Constituency
Tatiana Khramtsova
Wolf Knoben - ISPC
Brian Winterfeldt – IPC
Alan Greenberg - ALAC
Gabriel Pineiro - Non Commercial Users Constituency
Robin Gross

ICANN Staff:

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

Absent apologies:

Avri Doria
Paul Diaz - Registrar c.

Coordinator: Excuse me this is the conference coordinator; I would like to inform all participants that today's conference call is being recorded. If you have any objections you may disconnect at this time.

Thank you. You may begin.

Jeff Neuman: Okay. Would someone like to take the roll?

Gisella Gruber-White: Absolutely Jeff I'll do that. It's Gisella, good morning, good evening to everyone. On today's call we have Jeff Neuman, James Bladel, Tatiana Khramtsova, Gabriel Pineiro, Alan Greenberg. From staff we have Marika Konings, Glen de Saint Gery, Margie Milam, myself Gisella Gruber-White and apologies Avri Doria and Paul Diaz.

And if I could also please remind everyone to state their names when speaking for transcript purposes. Thank you. Over to you Jeff.

Jeff Neuman: Thank you very much. Everyone welcome. It is Thursday, September 24, it's the PDP work team call and the agenda for today is, and hopefully a shorter call because I actually have to apologize, I'm only able to stay on for about an hour but if anyone wants to take over afterwards they're certainly welcome.

We are going to quickly address the status of the surveys that have been filled out regarding Stage 2, go over what's going on with Stage 1 with the paper and then go immediately into Stage 3. Does anybody have any questions on that?

Alan Greenberg: Regarding the survey for those of us who are negligent is it still an option to fill it in?

Jeff Neuman: That was Alan.

Alan Greenberg: Yes it was Alan, sorry.

Jeff Neuman: No, that's great. You actually just touched in it, the survey is still open.

Alan Greenberg: Okay.

Jeff Neuman: Marika, correct me if I'm wrong, it is, we've had six people respond so far.

Marika Konings: Correct.

Jeff Neuman: It is open until Monday, this Monday so hopefully people can do it. If they can't do it during the week they can do it over the weekend and you know, we're hoping to get more responses on that and be, again just a reminder how (unintelligible) the survey it's not, it's really just a tool to help us when we're drafting some of the recommendations in the recommendations document for Stage 2.

It's pretty similar to how we use the one in, for Stage 1, and the goal is to next week on the next call to go over the survey results and to finely tune it so that by fall we could have a good concrete draft of Stage 2 of the recommendations document.

I see James has his hand up. James?

James Bladel: Thanks Jeff, this is James. I just wanted to ask for a reminder purposes how many stages in total are we expecting for this process?

Man: 49.

James Bladel: Or do we know?

Man/Woman: (Unintelligible).

James Bladel: That's fair if we don't know yet.

Marika Konings: This is Marika, in principle we had outlined five stages of the PDP but there as well some what we called overarching stages such as like overall timing and (roll of translation) and things like that. But I don't know if we're necessarily going to do a survey on those or whether that's going to be more part of the overall discussion when we have, you know, all the stages outlined. But the basic stages I think that we have now are five.

James Bladel: Okay. Thank you. And I would welcome any opportunity to pull those together as well so.

Jeff Neuman: Yeah. So I think just as a reminder what's going to happen is we're going to have papers on each of the stages, and then the goal is to then join them into one document and realizing that we're going to have to touch those overarching issues as well as go back and forth. Because you know, as we learned on the last call and several calls, you get to something in Stage 2 that you go wait a minute, I think we discussed that in Stage 1, it's very similar, what did we decide there and we should make it consistent.

And I think we've been trying to do that as we go along but you know, it's obviously going to take someone looking at it from beginning to end to really judge that consistency.

And on Stage 1 we do have the paper out but we haven't gotten any comments out. The paper's been out for several weeks, I'd venture to say probably a month or more, and we have not gotten any comments on it. So please I'll again ask for some more comments on Stage 1, the document so we can at least put it aside completely until we get done with the next four stages.

Okay. So with that said I see some other people have joined the call and Gisella has put that down. I also see Robin has joined on Adobe, Robin Gross.

So let's go into Stage 3, which is called the work phase. Stage 3 is you know, we checked with the policy process, I'm sorry the working group work team of the (CPSC) who is addressing how working groups are supposed to operate, how really the development of the charter is supposed to work, things like that.

This kind of is, we're not really going to touch on the inner workings of the working group but kind of everything really around that and more procedural items as opposed to dealing with the substance of the working group.

So if you look at the Stage 3 document that's on Adobe right now, which everyone should have the ability to scroll through, yes?

David Maher: David Maher joining.

Jeff Neuman: Oh, hey David. So you can see that the things that this touches are really are, you know, dealing with things like face-to-face meetings, communication with general counsel or you know, other outside groups, dealing with public comment periods, and you know, feasibility implementation impact studies, things like that that could give some guidance in the working group process.

So with that said if you look at the document the first question is how to maximize the effectiveness of working groups or hitting the first issue and the two, the two are concerns or questions that were raised early on that fit into this category, is what should be the role of face-to-face meetings with working groups, if any. Should there be a mechanism to report a process failure? And if yes how should that work?

So why don't we start with, let's start with the second one first because I think some people on this, James I know you were one of them, or actually Marika's got her hand up. Marika?

Marika Konings: Yeah. No. Yeah. No I just wanted to point out that the working group, working group work team has developed or will be looking at is like a procedure for resolution of problems, I mean this might fall in there as well but I guess this question (unintelligible) take more is like you know, what is the working group (unintelligible).

Man: (Unintelligible).

Jeff Neuman: Oops.

Marika Konings: (Unintelligible).

Jeff Neuman: Yeah.

Marika Konings: So I think the idea behind the discussion is more thinking about you know, so what if the group doesn't produce a document that there now is in their charter, or what if they don't respect any of the timelines or those kind of process failures. Because all the other issues like what if the group cannot reach consensus or someone doesn't disagree with a certain decision, that's something that the work team is looking at a process for addressing those kind of problems so.

Jeff Neuman: Okay. And is this also maybe to look at, and I see Alan's hand's up, to look at a way for if, even if the working group itself doesn't institute it, maybe a way for the counsel to address a failure that it perceives? What I hear from you is talking about something stemming from within the work place as opposed to (unintelligible).

Marika Konings: Yeah it's more. Yeah. No there's really the escalation from within a working group where someone can first raise it to the chair then the chair is, or then you go to the liaison, then you go to the charter organization or like in this phase in the policy development process the counsel.

So indeed this might be as well the other way around where the counsel sees that things are really going you know, the wrong way and might probably maybe because the counsel liaison indicates that or there's some other ways in which that comes through. So that's not something that the working team is looking up as far as I'm aware.

Jeff Neuman: Okay. Alan you got your hand raised?

Alan Greenberg: Yeah. Partly in comment in one of the things that you said and partly in general -- you asked is this a failure that the counsel recognizes, well unless the liaison brings the issue to the counsel, the counsel isn't going to recognize a failure until it gets awful severe and something is brought to them. So I really think these are internally recognized failures, whether it's recognized by everyone or recognized by you know, the chair is more an issue.

And the kinds of things that I was thinking of are not the absolute dead lock or failure but just the spinning wheels and not making progress or continuing to revisit the same issues over and over again. And I'm wondering how one addresses that other than saying get a better chair, which sometimes (unintelligible) is the proper answer I suspect. Are we looking at that kind of process failure or are we looking at only the (unintelligible) self-destruct ones?

Jeff Neuman: The only, sorry my voice is cracking here, the overall category, the overall issue is how to maximize effectiveness, right? So I don't think, I think you're addressing all of that, you could address everything from the chair or capture of a group, there's a whole bunch of things that I think...

Alan Greenberg: Yeah.

Jeff Neuman: ...going to the effectiveness. Or is it really, I mean your first part about it is should it really be up to the working group and unless the working group and liaison report these issues there's nothing really for the counsel to do.

Alan Greenberg: No I don't think there is unless other than triggered by an inordinately long amount of time, but presumably the liaison will start triggering questions before then. Capture is an interesting one I hadn't thought of but yes that's quite relevant given that we, our work group composition is pretty open-ended.

Jeff Neuman: Right. So James you were part of the (fast block) team and you've expressed before some comments on effectiveness of that group, at least initially. Do you have any comments on this or any thoughts given your experiences with that group?

James Bladel: Yeah, I mean I probably have expressed those in the past Jeff, I'm on the spot here just you know, just shooting from the hip a little bit. I think that Alan touched on them as well. It's just, you know, a failure of a group doesn't necessarily mean it's actually come to some sort of a outcome and then that is the wrong outcome, it's more likely that it will just kind of spin off indefinitely and continue to go over the same topics you know, add in some items.

I think that one of the challenges is just personally that I'm seeing is that the, a lot of decision-making capabilities are being expected from working groups but working groups in and of themselves don't really have any decision mechanism except for consensus or lack of consensus. So I think that, you know, that could be one thing to look at.

As far as identifying that a mechanism or that the working group process has failed and then executing some sort of a mechanism to report that or to restart that I think that you know, we had some relative success with that (unintelligible) in a couple of what we called rebooting the process and taking what we've done before and trying to organize that and get back on the rails.

But I'm not sure exactly whether that should be coming internally or to the working group or externally from counsel.

Jeff Neuman: So you said that, let me go back here, how in that group was the rebooting process, how was that initialized. Did it take the basically the chair resigning and how did that come about?

James Bladel: Yeah. I think that's correct that, you know, that we had an interim chair (Aubrey) stepped in to kind of cover until we could reestablish that group. We you know, put out a, or renewed call for, to reengage the volunteers who we had lost throughout the process and got a good delegation of the original volunteers back into the process. And then you know, worked, you know, wanted to be respectful to the work that we had done but we weren't chained to it either, we wanted to make sure we kept what we felt was still relevant and went forward with finishing up what the items remained.

So there was kind of a process of you know, reestablishing the charter, reestablishing the base of volunteers and then just kind of you know, as if you were kicking off a new working group and all the administrative things you have to do to get that thing going.

I think Marika or staff might have a little better perspective on that because I think that they did all the work, so they might have a better idea of what that entails.

Jeff Neuman: And Marika has her hand raised so maybe that's what she wants to talk about Marika?

Marika Konings: Yeah, no I just want to raise a, this was maybe one of those occasions where you know, although, you know, the group was struggling but it was more on the content basis than you know, people had to focus on the definition. And you know, it was a slow process but I think this is one of the areas where it was one of those actions where the chair actually formally resigned, I don't think many of us expected it, where the group finally was (erased), so what do we do now.

So that might be one of those instances where you might want to have a mechanism and, I mean something that the working team for example is looking at is, you know, should there be a system of having vice chairs or co-chairs.

But of course this is to raise some kind of back up in that scenario you might already have somebody that can step in the case of someone formally dropping out either because you know, they can't cope with the work anymore or for personal reasons or to ensure continuity or you know, of a working group.

Because it was quite a you know, caused quite a difficulty at least finding an entrant chair trying to get people interested again and making sure that they found that this group was going to go somewhere and not just you know, be left you know, hanging somewhere.

Again, I mean just (unintelligible) need to see is this something that they want to consider from the perspective of in a policy development process as that in the working group work team they are looking at some areas that might address some of those questions. So there might be some overlap but I think you know, it doesn't prevent this group from coming up with ideas if there are any to address situations like those.

Jeff Neuman: How far along is the other work team on this issue? Have they, has it even come up or is it something that's still out there?

Marika Konings: The other, the work team have already, almost finalized the charter drafting guidelines and the next thing staff will be posting a first draft of what is those guidelines in which district resolution process has been described and also like roles of vice chairs and co-chairs. So they will have some draft text to review, most of that language is basically what is currently being used.

So that's something for that group to review whether they want to keep the language that's in there, although we have identified that there's some gaps because it's for example only talks now about you know, if someone complains to their liaison, the liaison agrees, the liaison goes to the chair and the chair goes onto to the chartering organizations.

But it doesn't describe other scenarios like what if the liaison and the chair disagree, what happens then, so and it doesn't discuss either like you know, what should happen if the chair formally resigns or what kind of process should be in place. It might be something if this group feels strongly that that's a scenario that should be incorporated.

You might want to throw that over to the work team when they actually start discussing the specific procedure in more detail that they can take that into consideration and foresee that. So that's another way of addressing it possibly.

Jeff Neuman: Yeah I mean I think what it sounds like is that most of this is really dealing with issues that they should be thinking about and since they are addressing it, since you're writing a paper on it you can kind of add some of the questions that we've talked about here. I think it probably would be better if we just maybe moved on and looked at what they came out with and if we thought that there should be additional things from another level or from another angle, from a policy process then maybe we can add it at that point.

I just don't want to rehash the same things that they're going to be talking about. Does that make sense?

Man: Yep.

Man: Yeah. I agree.

Jeff Neuman: So the other question in this area is face-to-face meetings and how that would work. I guess right now there is, there are face-to-face meetings of working groups at you know, usually in conjunction with ICANN meetings. I would assume that that's probably something, well let me ask, throw it out to the group - do people believe that there should be time set aside for working groups to meet at the ICANN meeting?

Man: (Unintelligible).

Jeff Neuman: I'm assuming, yeah, there's people with their hands, Alan and then James.

Alan Greenberg: My simple answer to that is yes there should be. In practice it ends up where everyone gets together from around the world but you never end up talking about these issues because the schedule just doesn't allow it. And it's, the meeting is too full and if you meet on a given topic it's probably about a, on a workshop talking to the rest of the public instead of the work group people talking at each other.

Unless it's one of such great substance that the whole counsel is interested or half the counsel, and then maybe some time gets allocated for it. So in practice my experience says yes we should be meeting face-to-face, in practice we don't. Maybe that's not everyone's experience, but that seems to be the what, what happens on the groups that I've been working on.

Jeff Neuman: Okay. I have James next.

James Bladel: Yeah. I, and I just wanted to chime in similar to what Alan was saying but with some key differences, and one is that I would like to see that you know, it's an option for working groups. So that if we start requiring all active working groups to meet during ICANN meetings or to use ICANN meetings to conduct a face-to-face equivalent of their weekly or bi-weekly teleconferences I think that that's going to put pressure on an already overburdened schedule.

And then secondly I would say that Alan is correct that you have to make a distinction between who the intended audience or what the purpose of that session would be. I think it was in either Sidney or Mexico City where we had kind of a half and half, the first part was a public workshop for registration abuse and then after that it was a closed meeting just for the folks who have been active on the working group up at that point.

So you know, I think that they can work and they can actually serve as a recruiting tool for additional volunteers.

Jeff Neuman: Do you think the way that that work is, was good the way we had that public session and then followed by the workshop followed by the working group meeting?

James Bladel: Yeah. I think that that was relatively successful and we were able to, you know, make that distinction and I think it was the first hour or something was a session of that group and then we opened it up to the public workshop afterwards.

Jeff Neuman: And I think your point on you know, a good recruiting tool was actually pretty important even if it's not a hugely substantive meeting if you can use that to recruit additional people to the group I think that's a good. Marika?

Marika Konings: Yeah. No I just wanted to share you know, some current experiences and current practices and then first commenting on the recruiting tool, especially for registration abuse it was actually extremely successful and we really got some new people involved there that you know, hadn't been engaged or involved in any policy development process before.

And at least on the different working groups that I've been running to date I've always tried at the start of the issue to get some kind of workshop or meeting at an ICANN meeting. Because I think it really helps trying to inform people on an issue and get them then interested to meet, to sign up to a working group.

So from a I think a recruitment perspective it's very important and I think it's something we've raised as well in the earlier stages that's important (unintelligible) socialize the subject and get input early on and that hopefully will mean as well that people are interested in, and engaged to join.

How it currently works for most of the working groups when ICANN meeting comes up we normally ask them first of all would you like to have a meeting, we think there's value. And it often depends as well like who is going to be present, so how many members of the working group can participate, or whether there's a specific issue they would like to put forward for community discussion and benefit from the broader community being present there.

So I just think it's really up to the working group to decide and from my experience most working groups do opt for some meeting face-to-face at an ICANN meeting. Because I think many see the benefit of sitting down and having that opportunity, even if it's just an hour, to get together and many other members just dial in remotely so they can still participate even though they're not physically there.

Jeff Neuman: So, I mean it could be a recommendation from the group, because I, you know, from my experience I kind of agree with Alan that trying to, trying to just continue -- or maybe, I'm sorry, maybe it was actually James -- trying to just continue a normal weekly meeting is a little bit more difficult at these face-to-face meetings. But trying to come up with a subject to discuss and get through the input is actually pretty valuable.

And so it could be a recommendation from this group if we wanted to say, there should be a meeting of the working group but that means it can be structured in several different ways. It could be a face-to-face ordinary meeting if that's what the group decides, or it could be more geared towards a workshop to solicit input that otherwise they wouldn't obtain in their normal weekly call.

So I see James and Alan.

James Bladel: Yeah Jeff, this is James, I would be happy with a recommendation like that, and I think that you know, at this point personally I would like to see some

sort of qualifier attached that with recommendation that there'd have to be a compelling reason to meet during the general or the ICANN meeting.

You know, for example that there were things that they were looking for input from the community that they couldn't get on a teleconference, and/or they were having some sort of time sensitive issue that couldn't you know, couldn't be postponed a couple of weeks to leave a hole for the general meeting.

So I just would hate to see it become a standard operating procedure for all working groups that they, you know, require workshops and face-to-face meetings at all the ICANN meetings.

Jeff Neuman: Let me ask before (unintelligible).

James Bladel: Options, just that you know, if it's an option and if there's something that they're going to be able to achieve out of that that they couldn't otherwise on a teleconference that's great but just wouldn't want to see it as one of the necessary steps.

Jeff Neuman: Well let me ask a question and then I'll go to Alan. I believe the IETF actually does require working groups to hold meetings during their session. And I know you're a member of a lot of working groups so for you individually it might be a hardship or first a number of us that are in a bunch.

But other than that, I mean what's the, and maybe I'll ask this of Alan and then you can come back and answer. You know, why, I'm not sure I fully understand why it couldn't be that the working group should have a meeting at each, why you have to demonstrate a compelling need or there is a time sensitive issue? So let me go to Alan and then I'll come back to you James if you want to answer that.

Alan Greenberg: I guess I was going to say something almost completely opposite. I think the public meeting, the workshop or whatever is a very valuable tool if you're, if

you know you need specific input at a time and you want to get a good conversation going with the people, or if you're trying to recruit. So for both of those I think there is a valid, or if you simply feel you've been doing this long enough that you need to get feedback to the public.

The issue of a face-to-face meeting of the work group itself I think is a little bit more complex. And given how far out you have to schedule these meetings, it's not always clear that you know, if I look at work groups that I'm in are we going to have a particularly compelling time sensitive issue where we don't have consensus and have to stare at each other's eyes to get it when we arrive in Seoul, or I don't know where the work group's going to be that week.

So it's hard to tell whether we will be in a situation where we desperately need a face-to-face and it's opportune that we're meeting in Seoul or it's almost a no brainer that, you know, we could do it here but we could do it on a teleconference just as well.

I'm someone who believes very strongly that the dynamics in a face-to-face meeting are different. And you can hammer out consensus in a face-to-face meeting sometimes when you just cannot do it over a teleconference. So I'm a strong believer in face-to-face, but I don't think we should make it mandatory, but I think it's an opportunity that in general work groups shouldn't pass on if the scheduling allows it.

Jeff Neuman: Okay. And just as, as the chair of this group I will say that the face-to-face we had in, where was it, was it Sidney where we went over the survey results? I thought for me, and I think Marika also I thought it was really valuable. Because I think it was, first of all it was hard at the time to get people to come to the call and so it got a lot more people involved and I think in going over the results in person it really made people think.

I could see when people were agreeing or kind of fidgeting that they didn't agree with something and then I could, you know, call on them and they

would, you know, get it out of them what was bothering them. I found it really helpful for that purpose.

But I think you're right Alan in saying -- A, it's hard to know what the working group is going to be on at that particular time because you do have to schedule it so far in advance. And I also agree that it is a, it is a great recruiting tool for the work group but, so I hear everything you're saying.

James did you want to add to that?

Alan Greenberg: Yeah, just one more quick thing, I mean I'm looking at the post-expiration working group that I'm chairing right now and if we had had the wisdom a few weeks ago to stick up our hand and say we really need a face-to-face meeting in addition to the workshop I would have. It's probably too late now. But if we had had this conversation a few months ago I might have done that differently so.

James Bladel: Yeah Jeff this is James. I admit that my caution is purely a bit self-serving in that I am involved in a lot of working groups and it's, you know, the times that we're on site for an ICANN meeting is very, very scarce and just trying to make the most of it. And I think that you know, Alan and I are essentially saying the same thing is that we want it to be available as an option, but we certainly just didn't want to see it as a mandatory step in the process.

Jeff Neuman: Okay.

James Bladel: So we can make a recommendation and go from there. And I think that you know, there is value to having face-to-face meetings, as I mentioned, just as a workshop getting public feedback. We, I think, received a lot of feedback in some of the other groups that were, that the, what I want to call the normal weekly team was not discussing and probably should have been so that kind of took our conversation into new direction as well as bringing in some new recruits.

But you know, it is expensive to get out to these meetings and to be there and to be out of the office and I just want to make sure we're making the most use of the time then.

Jeff Neuman: I think we, does anyone want to add anything about meetings at a ICANN, a face-to-face at an ICANN meeting? I want to finish up that and then go on to a related one, which I know was brought up months ago by (Marilyn) who's not on the call, but one of the things that (Marilyn) was saying is that there should be face-to-face meetings of working groups outside of the normal ICANN meeting.

And if not a "face-to-face" a related thing is maybe a half day conference call or something where people could put aside everything else for a good half day to work on some items, and if that were the case then how would that be accomplished. So anyone want to touch on those about, first about a face-to-face meeting outside of an ICANN meeting?

James is quick to raise his hand.

James Bladel: Yeah. I would just say that that one, both of those, the face-to-face or the half-day conference call would be a couple of items where I would strongly suggest that we have some compelling reason for asking for those, for those meetings.

Jeff Neuman: And what would be an example of a compelling reason?

James Bladel: Well if it were for example like, you know, on you're probably more experience or have some better visibility with the IRT where you had a very, very short time frame where you're trying to accomplish something very specific in between ICANN meetings. So you know, something that was very time sensitive and narrow or specific objectives that required a broad spectrum of expertise.

Jeff Neuman: And you think that's even the case, before I get to Alan, you think that's even the case for just a longer workshop over the phone or you know, teleconferencing, maybe even videoconferencing or?

James Bladel: Yeah. I'm going to go ahead and say yes, just because you know, everyone's time I think is very valuable and we want to make sure that if we're asking that of volunteers, and I think in previous sessions we've discussed volunteer, you know, hitting some sort of an upper limit of volunteer capacity or capabilities. And I think that we just need to be very mindful of what we're asking folks to do and make sure that it's, you know, it's for a compelling reason.

Jeff Neuman: Okay. Alan.

Alan Greenberg: Off site meetings can be exceedingly productive but the cost is so enormous that it's hard to bite the bullet and say you wanted the cost not only in dollars or whatever is because you're going to have to - in any group you're likely to have to fly some people really far and take a significant amount of time out of their lives even for a one-day meeting.

So the cost in both financial and time is so large that it's hard to imagine many scenarios where that's warranted. I mean my first non-ICANN, or after I was appointed to the GNSO as liaison a few months later I did one of the off site meetings for the GTLDs. And that was an exceedingly productive day, but it was an expensive adventure, you know, both in terms of time and money, and I can't see many work groups that would warrant that even if they are going to be productive in their own right.

Jeff Neuman: Okay.

Alan Greenberg: I strongly support it if we can justify it. In terms of six-hour conference calls, that's an awful grueling thing, I'm not sure how productive they get after

they've been going for a few hours. It's not the same as when you can walk, you know, go out in the hall and eat an apple and have a drink of coffee and that kind of stuff in a real meeting. Conference calls that go on for several hours are killers.

Jeff Neuman: Yeah. I agree. I think though it depends on you know, if there are issues, you know, I can say that this work team has been, you know, we've gotten to some discussions that have been very productive during work teams. And then it's time for the call to end and then we go two weeks without you know, discussing it and I think there's continuity law I think.

Alan Greenberg: Oh yeah.

Jeff Neuman: You know and we haven't had the best participation on the e-mail list. I think the best participation in this has been on phone calls. So you know, maybe you know, once a quarter or something as far, as far as a longer conference call, possibly even a Webex or something or even a video conference call might actually, you know, might not be a bad idea.

Alan Greenberg: It's clear a technology-based organization like ours should be trying some of these things at least occasionally and seeing if they help.

Jeff Neuman: Yeah I agree. Margie?

Margie Milam: Yeah. I just wanted to comment about the effectiveness of face-to-face meetings. I was also staffing the IRT call with, that Jeff attended as well and I thought we did a fantastic job of getting people together and really exploring the issues you know, very deeply and were able to work through some of the disagreements on a face-to-face way that you couldn't do over the phone.

And one of the suggestions that I would have or propose is you know, there's oftentimes meetings that a lot of the members of groups attend outside of

ICANN meetings that might be appropriate places to have, convene a work team meeting if possible.

And I'm thinking of things like you know, there's (domainer) conferences, there's INTA, sometimes ICANN has these global outreach or specific meetings that a lot of people attend. And that might be an area where it would be less expensive but yet we might be able to get enough of a group together to you know, and also have phone conferences for the, you know, call ins for the people who can't participate to get more work done.

Jeff Neuman: How would you, how would you get a face-to-face, who would pay for that? Would ICANN pay for that?

Margie Milam: It's, you know I think it's possible. I mean it's certainly something that when you're, and maybe go to the issue of whether there's a compelling need for it like for example you know, imminent restructuring we need to get the new operating rules and procedures done or something, you know, something that's time sensitive, you know, it's certainly something I think that could be explored.

Jeff Neuman: So what other, well I guess work groups we'll talk about that, but you know I think we may have kind of exhausted this topic, does anybody want to add anything else in this and we'll just jot these down as notes?

Alan Greenberg: Just one comment on what Margie said, I agree with everything she said, how practical it is to really do it I'm not sure. (At Large) has talked to ICANN a little bit on could we not have an opportunity to have (At Large) meetings in parallel with the registrar, registree meetings that are held since there's already staff, there's already organization going into it and in many cases there are, people are local to the meetings anyway, so the cost is not large.

And one of the answers that comes back is well it was a big difference between arranging one room and five rooms and coordinating several

different groups and the answer basically was this is going to cost a pile of money even if we're already holding something in that city.

So I agree with the benefits, it may not be quite as simple as Margie was implying but if we could pull it off I think that will be a good thing.

Jeff Neuman: Okay. If we jump ahead to, well I'm sorry Marika's got a...

Marika Konings: Yeah. No, I just wanted to point out that of course all - this is a new document so any of the questions in here are some that you know, staff has put in there. So if there's anything else this group thinks that should fall under this category they should speak up or you know, review the document after this call and provide some input so that we make sure we cover any item that falls under these topics.

Jeff Neuman: Thank you Marika, that's absolutely right. These are just ones that either staff added or ones that came up at some earlier meetings.

The next one, communication with the Office of General Counsel, we've had discussions on this in stage, I'm going to say Stage 1, or could've been two, I'll try to put these two together, but we had discussions when it came down to whether something was in scope or out of scope, so we had discussions about that.

This is really, you know, if the work team is coming up with a solution or working groups coming up with a solution or you know, we, let me go back a step. We talked about earlier that it's hard for the general counsel to give an opinion because they don't know where the working group is going and they don't want to pre-suppose some sort of outcome and then you know, give their opinion on that.

Here we're talking about, well what if the working group is heading towards a certain outcome and it's, it's pretty clear which way the working group is

going, maybe all the details haven't been finalized, but it's certainly clear of the direction, should there be some process in place to have that communication with the general counsel?

Man: Doesn't there have to be? I mean other than, the alternative is no, we're not going to tell you until you finish all your work then it's not valid.

Jeff Neuman: And I think that latter may be closer to what the general counsel's office has previously expressed.

Man: Okay. Touché.

Jeff Neuman: It sounds like it makes logical sense but maybe it's something that should be formalized or does it have to go to the counsel first and then (unintelligible).

Man: Okay. Council spelled which way?

Jeff Neuman: The bi-cameral GNSO council before going to the general counsel.

Man: General counsel. I would hope not.

Jeff Neuman: Any thoughts on that? Margie's got a thought and James. Okay Margie.

Margie Milam: Yeah. I think it's important to try to consider getting advice from the legal department, the Office of General Counsel at this stage. Because in the few dealings that I've, you know, on the working groups that I have worked on sometimes, and what Jeff had said is exactly right, that it's too premature in the early stages in the, they really don't have feel for where the, where the counsel's headed or what's the likely policy outcome.

And so this seems to me to be the right stage to try to build in some sort of procedure or check so that - so that the group has an idea as to what the limitations are. Whether they decide that they want to have a consensus

policy that's binding on a contracted party, what the rules are, I mean there's a lot of things that would be useful for the working group to know, you know, before they actually finalize their policy recommendation and send it to the counsel.

So my recommendation would be to try to build in some sort of procedure at this stage.

Jeff Neuman: Okay. And before I get to what those procedures should be I'll got o James.

James Bladel: Yeah I think I want to echo a lot of what Margie was just saying. I think that there's probably less of a danger of asking counsel to make, to give us an opinion that was, you know, completely outside of you know, any sort of context when from my understanding of this question it's only going to be issues of scope, is that primarily what we're concerned with is the issues of scope?

So it seems like that would be sufficiently narrow to get some guidance from general counsel on that, but I do think that there should be some sort of a checkpoint person, whether that's staff or whether that's the GNSO council or whether that's the council liaison taking that.

I don't think necessarily that the working group itself should be able to necessarily just bring those issues because I think that you know, if it just becomes an extension of the myriad of scope discussions that we have on these working groups I think that you know, ICANN will quickly find itself needing a much larger legal department.

Jeff Neuman: Well so let me, you asked a good question when you started it, is it just about scope and I know that the question on here refers to scope, but I think you know, would it not be also be helpful maybe if you need a contractual interpretation or something, not about whether something's in scope.

But let's say for example that the working group is talking about requiring a registry or registrar to do something, the question may be is this something that contractually you could require. Is this something, maybe that is a scope question, maybe it's a feasibility question, let me go to Alan he's got his hand raised.

Alan Greenberg: You've just covered most of what I was going to say. I think it's not just scope of what you're allowed to talk about but possible outcomes, options on how to address, on how to best structure an outcome. I think there's a number of things related to the contracts that these are affecting and yes I believe it should be wider than just scope.

In terms of having to go to the GNSO council first or a process like that you're now talking about adding potentially a month or two to a process. You know, if you're only having meetings every two weeks, if you're out of sync with the three, with the GNSO meetings that are only held typically every three weeks you could end up adding a few, you know, two months to this process when you really wanted an answer now to go on with your work.

So I'd be careful about the, the roadblocks you put in the path of trying to get an answer to a question, especially if it happened to be a very focused question.

James Bladel: And before, and this is James, I just wanted there to be somebody that's kind of the gatekeeper of that process, Alan. Whether it's the GNSO council or the council liaison or the policy advisor attached or assigned to the working group or some - you know, I just wanted there to be some entity that was kind of collecting and running interference to make sure that that channel isn't (unintelligible) used.

Jeff Neuman: And I think James you actually brought up a, you know, something I was thinking about too, is it possible that, the person that should channel it is the

ICANN staff member of that, or not necessarily a member but ICANN staff personnel that's assigned to that work team, you know.

I think that person could hopefully, and maybe Marika and Margie would disagree, but hopefully that person would have better access to the general counsel or general counsel's office I should say, than the chair of the work team, any work team members or even the council.

I see Margie and Marika, so Margie you want to tackle that?

Margie Milam: Yeah. Sure. And I think that's where I was headed, that it's probably best to have the staff person, ICANN staffer because they have all the background and information you know, general counsel's office doesn't track that e-mail list and know where the working group is. And there'd be a lot of back and forth to even understand you know, the question and the possible policy parameters.

So I think what we've done, and we've sort of done that informally, and maybe Marika can address how it happens, you know, generally, but that would be my recommendation to have it be, you know, come go through the staffer.

Jeff Neuman: Okay. Marika?

Marika Konings: Yeah. This is Marika. Just to (unintelligible) what Margie said I think (unintelligible) normally if the group had a specific question I would take it back to general counsel and, you know, provide the feedback to the working group.

One thing I wanted to add as well is something that we've seen in some of the recent working groups is, you know, the request for the participation of someone from the compliance team, especially in view of seeing the (unintelligible) solutions, are actually going to help the compliance teams do

their job better or make sure that any recommendations are going to be enforceable.

But maybe something that hasn't come up here in any of the issues talking about you know, how to involve general counsel, that's another avenue that's currently being used to make sure that outcomes, you know, we get the most out of the outcomes that a group (unintelligible) forward.

Jeff Neuman: Okay. So what then would be the other, so what recommendations if we were going to make one would it be? Are there, obviously you know, not everything should go to the general counsel, what would the process be? How would they determine whether it is an issue for the general counsel? What kind of time frame should the general counsel be given to respond?

When I say general counsel I mean the office, not necessarily the general counsel.

Marika your hand's up, is that on this or is that old?

Marika Konings: Sorry. So you can take it down.

Jeff Neuman: No, that's okay. (Unintelligible) to answer. Maybe that's just one to think about and we'll just kind of put the notes down of this conversation and maybe we can, and it may be enough just - what we want is that there should be, there should be more open communication between the working group and the Office of the General Counsel where guidance is needed to interpret issues of scope or contracts or some sort of legal issue.

Alan Greenberg: It's Alan. I would support what Marika said of I think we want it wider than just Office of General Counsel, there are a number of groups within ICANN that might be, need to be consulted at times. Compliance is one, general counsel is another, there are probably a few others, and I don't see any reason not to generalize it.

Jeff Neuman: That's a fair point, yeah. That's right.

Alan Greenberg: Now in terms of how quickly they respond overnight of course.

Jeff Neuman: Yeah. Of course. Now Marika's got her hand up again.

Marika Konings: Yeah, I did put my hand up again because I think, if I'm not mistaken, I think in the next stage when we talk about implementation. I think that's where the question is where that comes back again as well like should this group, you know, should the working group be tasked as well to provide you know, implementation guidance.

And there of course the question comes in, you know, you would need to work very closely (unintelligible) people in the service, ICANN services team to talk us, you know, how can you actually implement (unintelligible) workable and feasible. So - and I absolutely agree with Alan that, you know, (unintelligible) discussion it's helpful if they already go wider so you come out with something that's very clear and implementable and enforceable.

Alan Greenberg: I like the idea of just throwing it over the wall and blaming them if they don't do it right.

Marika Konings: Yeah.

Jeff Neuman: Well, so why don't we change the issues to be addressed (unintelligible) communication with the Office of General Counsel if communication with different, or different ICANN services or something like, I don't know if, it's how ICANN's broken down, because you brought the services (unintelligible).

Marika Konings: (Unintelligible).

Jeff Neuman: Yeah I, okay. Because I've heard services department, I've heard the compliance department, heard the Office of the General Counsel, maybe the work group wants to demand a meeting with the CEO, kidding.

Okay. So on the next item is, and this was very abstract and I've tried to think about this and every time I do you kind of just, maybe it's just me, but if we can polish the development with the ICANN strategic planning and budgeting.

So part A is the more abstract one, which is how to make policy development of ICANN's strategic planning and budgeting and be it if costs such as experts or research are expected to be significant, should the policy work be deferred until the resources have been budgeted?

And I would say for, you know, it's abstract and it's very difficult for a work group because we're all volunteers, we don't have the insight into the ICANN budget in order to determine what resources have been put aside or what additional resources will be needed.

We would know things like hey, it'd be great to have a, I don't know anti-trust legal opinion on this or it'd be great to have an economic study on this. But I'm not sure how the working group considers this. so Alan?

Alan Greenberg: I think we're coming to a head with a subject that comes up periodically in ICANN where they, the statement is made that the budget and the operation plan are driven off the strategic plan. And that is what we're supposed to be working on, and I think that's true for the big things, whether it's IDN or new GTLDs.

Now I'm told the new GTLD PDP was driven by an item in the strategic plan going back N years. But much of what the GNSO works on is demand driven, is problem driven. The world changes quickly and we feel that something has to be done and these items usually are not in the strategic plan, they maybe are (unintelligible) to something to the strategic plan.

And I think any time we're going to have an issue in the PDP process that we're working on which mentions strategic plan and budget it has to be with an "if applicable;" that we work on just too many things which are not in the plan, would never be in the plan, or would be in the plan so many years out that it would be irrelevant and yet we can't avoid to work on some of these.

Jeff Neuman: Right. Or they're in the plan, they're just the subset, a very small subset of something that can fit into something. Or if a strategic plan says we're going to create a security group and the security group is going to focus on these ten things, you know, if there is, if we come up with, it could be something that's non...

Alan Greenberg: If you're luck you'll find a fit.

Jeff Neuman: Right. So Marika and then, or Marika.

Marika Konings: Yeah no, I just want to, because I think this is something that came up in the, in the BCG report and you know, would like to see and look back if they provided some more details of what they actually meant with this. Because I struggle and meet with the same thing of you know, how can link that well so many policy issues are you know, problem driven and it's probably something that's happening now. So I will take the time to look back at that report and see if there's something more in there that might help you know, structure this question.

Jeff Neuman: Okay. If we look at, if we then, so do we want to also hold off on B as well as the cost and the budgeting, actually it's a separate issue. So when the work group wants to do a study or you know, wants to do something that's going to cost money how does that work, I mean right now, so what happened I think the only one, the only really example I can think of right now is the WHOIS studies right.

That was something that GNSO wanted to do and then they had to get feasibility studies and I guess money for our budget for that.

Alan Greenberg: Post expiration is now doing a survey, which is going to cost ICANN money, no one's talked about it. It's not a lot of money but time.

Jeff Neuman: And does ICANN just say okay, we'll do it? I mean how does that work?

Alan Greenberg: No, well Marika hasn't raised the issue.

Marika Konings: Well the (unintelligible) the question was asked is staff able to do it and we said well, you know, we're happy if it's, as long as we were not surveying all the registrars that have the you know, tried to get as much information as possible. So and sometimes it depends a bit as well on, you know, what is being asked and you know, how many resources are available.

Jeff Neuman: Okay, well what, so has there been anything, so the WHOIS studies those were presumably or are presumably pretty expensive. James you have a comment?

James Bladel: Yeah. I'm wondering if we can take a different path with this category. And I just wanted to put this out on the table is the possibility that there be some sort of an assessment of the, in an issues report of how the given topic would be either you know, aligned or neutral or counter to strategic planning. And you know, just having some sort of an assessment in the issues report and leaving it as simple as that.

And then as far as the budgeting I don't know if, you know, I think personally this is, if the GNSO you know, has activities that they want to, that they feel are going to cause them to go over and above then perhaps they could you know, ask for and incorporate when the budget comes around for a comment period. And it's I think a fairly collaborative process, is making sure that they get some sort of support built into that.

And then maybe that budgeting process helps to drive the prioritization and docket issue that we were talking about in previous sessions.

Jeff Neuman: Has the GNSO ever really had to check on budget? I mean it's never really been an issue to GNSO as council has never really that I can recall talked about. It's just the GNSO council decides they want to do something and they do it, or they ask and I don't think they really consider the budget that's, you know, ICANN's finance department, you know, they put aside money for the GNSO in supporting (unintelligible) activity.

But I don't think, I don't think the GNSO has actually given insight into how much money is spent and how much money, GNSO's not really allocated any money.

Alan Greenberg: And not only that, we don't even get any feedback as to what something costs to sort of appreciate it even after the fact. I mean occasionally there are statements that this would be too expensive, but I don't think it ever gets more specific than that, even that doesn't happen very often. Certainly on the WHOIS that subject came up a number of times that if we were to do all the studies it would cost a huge amount of money.

James Bladel: And that might, this is James, am I wrong to ask why that wouldn't be? I mean I think that the council, and certainly they're not drawing from an infinite you know, pool of resources. And they understand that so why not plan for that and then you know, get some feedback on performance of you know, what activities are impacting those resources and what remains, and then that might help, you know, it might help the planning process.

Alan Greenberg: Completely rational statement, I'm not sure it could happen.

James Bladel: I happen to be careful with those.

Alan Greenberg: Having sat on a group which has been asking that for the last three years with no results yet I'm not sure.

Jeff Neuman: So Marika is this something maybe you can have a discussion with the finance team, (Kevin Wilson)'s team to figure out exactly how something like this would work? Or you know, why it is the case that maybe there's money allocated for GNSO policy process there's really no insight given to the council or anyone else for that matter as to how your operating against it and whether there are limits or parameters?

I mean it's just kind of like is there a better way that the GNSO could know what it's got left or whether something it was due would fit within the budgeting, with the budget?

Marika Konings: Okay. I can check on that.

Alan Greenberg: Jeff this may be one of the things we don't want to do, you know. It's sort of nice not knowing how much it costs and not having to think about it. There's a responsibility that comes with, the responsibility that comes along with knowing.

James Bladel: Yeah exactly. My, I'm of the opinion that you know, if you want to increase your expenditures don't budget for them because then they start to look like you know, the national pot of gold that is, you know, bottomless.

Jeff Neuman: But the issues were raised, I think we should address them. And maybe our recommendation is look, you know what we think it's working okay for now, it's only been you know, it's only really come up once or twice where someone's come back and said we can't do what you want to do because it's just too much.

I think travel funding might be another, it's not really a policy issue, never mind.

Alan Greenberg: But it's a good example, if you look at you know, we're allocated number of bodies not dollars. It makes the accounting simpler in dealing with us but it hides, it (unintelligible) some of the real budget issues so.

Jeff Neuman: Right. And then I just, I noticed the, so I think it's right, so maybe just an understanding and maybe just to see we may or may not recommend something to do with that but I think we should at least have a discussion or Marika should have a discussion and give us some feedback.

Alan Greenberg: Yeah. The part about being in line with or orthogonal to the strategic and operational plan though I think is something we should note. Because part of the reality is that we are dealing with demand driven, situation driven issues very often, which were not predicted three years ago when the plan was written or nine months ago when the budget was approved.

Jeff Neuman: Okay. Should we go onto probably do another ten, 15 more minutes. We want to go on to the fourth one which is timing, let me see which, there's like a timing element in each of these stages.

So this one is, okay, so the current revised, I should say the revised which are now the current bylaws state that, well they state that a constituency, well this has task forces in it in which the timing, timing for soliciting a constituency statement for example is dependent on whether there's a task force or a work group with the current bylaws.

So it might actually be more difficult to look at what's currently going on than to try to come up with...

Alan Greenberg: Well I don't think the current bylaw, the now current bylaw doesn't have task force in it does it?

Jeff Neuman: Well actually it does because it still, the now current bylaws are still the old ones, the just modified the voting thresholds. Correct Margie?

Alan Greenberg: You're right. You're right.

Jeff Neuman: So I think we've all agreed to abolish the notion of the council as a whole and the task force, so I think the next incarnation will only have working groups. So the question is, and it's in a constituency where now, well I mean we're talking about both (unintelligible) stakeholder groups.

We're just, this is definitely an issue that we're supposed to adjust as opposed to the work teams, the work group. Not that we're trying to push it off.

Alan Greenberg: Is that wishful thinking I hear in the question?

Marika Konings: The working team is not looking at all on the timing issues as far as I know.

Jeff Neuman: Okay. So let me actually address, and I think we may have talked about this on another call but I'm not sure we came to any resolution, do we want to actually, I'm going to say this and I'm going to regret it because maybe we did talk about it more than I think.

Once a working group is formed and the charters agreed and now you're constituting the working group is it something we should require before the working group starts to work as to having these constituency statements or stakeholder group statements? Is that the way we still want to operate going forward? Or is it putting the cart before the horse in essence by asking people too broad of a question to give too much input?

Alan Greenberg: Well our practice right now is somewhere in between the two things you said, that is we don't stop the working group practice while we're asking, but we ask relatively early in the process.

Jeff Neuman: And has it slowed anything down? Has it - or is it by the time we get, because I know, and I Marika's got a point, but by the time you actually get a stakeholder group or a constituency statement it's so long down the pike, I mean for it could be as short as 30 days, it can be a lot longer to get our constituency statement, and that kind of as a work group moved beyond that. So Marika's got a...

Marika Konings: Yeah. No this is Marika I just wanted to need to know what Alan said that you know, we definitely don't have constituency statements before a working group starts. Normally they (unintelligible). The working group works on normally a template that they send to the constituency in which they ask their specific questions that they would like input on, and often that's just the charter question, and at the same time the working group then starts debating those issues in parallel.

In one way it works out quite well, because you know, it does give the working group (unintelligible) the freedom to, you know, discuss in an empty, open environment without any ideas on the table yet. And by the time the day of you know, gone into depth on these issues and (unintelligible) that's often when the constituency statement come in where, you know, there's often experts talking around these issues and providing some more detailed ideas and suggestions, so then the working group can take it from there.

So at least from the working groups that I've been involved with so far that process seems to work quite okay, although we've seen now that constituencies and stakeholder groups are a bit overwhelmed as well with all the work going on. And there is delay in times that they can deliver those statements, but at the same time many working groups, you know, are meeting on bi-weekly basis so they sometimes take longer as well to get to the stage where they otherwise there would have been (unintelligible).

Jeff Neuman: That's kind of my question is could it be, instead of having it as a requirement up at the beginning, even if it runs in parallel, could it be something that the working group, each working group has the discretion? I mean at some point it's got to seek the constituency, stakeholder group opinion, along with the public opinion mind you, could it be up the working group, because we left up to the working group to determine when that is and how it's structured?

Because oftentimes, I mean and maybe this is more early on, I've noticed that when the constituencies are asked to put out a statement it's so broad. And then oftentimes what happens is the constituency ends up coming up with a completely separate statement later on once solutions are being discussed, and maybe that's appropriate, I don't know that, so Alan?

Alan Greenberg: Yeah. I think the situation's changed over time. To some extent the constituencies are going to have strong opinions are also likely to have people on the working group, so it's not as if there's complete isolation but the people who are on the working group in general are on there on their own behalf and you cannot presume that they are speaking on behalf of the constituency.

So I think I feel that you really do have to early in the process ask the constituency if they want to make a formal statement regarding the PDP, which is now starting. They're not obliged to but I don't think you want to not avail yourselves of those summary opinions of the constituency at the beginning if they have something to say to you.

Jeff Neuman: Yeah, I think that does make sense. Marika do you...?

Marika Konings: Yeah. Yeah I agree with Alan because I think you do run the risk that if you don't get the constituency input you might run the risk that at the end of the day constituency might turn back and think oh but we don't like that outcome at all and you know, on a council level it will be voted down. Well (unintelligible) ideas that the council's going to take a more managerial role.

So I think it's very important to have that input. And even though, you know, like the working group has to work through these issues and indeed constituencies might change their minds you know, once they have seen, you know, have received feedback from some of their members that are participating in the working group and new items have come to light. But I think it's very useful to have that information early on so the working group can as well position themselves.

And even though you know, most of them are participating as individuals they will already see where their constituency sits. And I presume most of them will also be involved in developing those constituency statements so that at the end of the day we do come up with something that, you know, is supported or at least we have received input on from all the different parties involved.

Jeff Neuman: Okay. I mean, James do you have a comment on that too?

James Bladel: Yeah just a comment real quickly on what Marika was saying that you know, it's a, constituencies or stakeholder groups or whatever should be sending you know, if they have a stake in the outcome of a policy development process they should be participating in it's development. I'm just not very sympathetic to the, I didn't see this coming, you know, when this reaches the council level because there's several opportunities to get involved, that's all.

Jeff Neuman: So let me take a poll from the group because it sounds like, at least the people that are talking support still having the constituency statement from the outset. So before we get to timing could everybody put a check mark or an X if they agree or disagree. By the way the X is if you disagree.

James Bladel: So please restate the question.

Jeff Neuman: Does everyone agree or disagree with the notion of continuing the practice of requiring a constituency or allowing for a constituency to submit a statement at the outset of a PDP?

Alan Greenberg: You're saying requiring that the working groups solicit them?

Jeff Neuman: I'm saying requiring that the working group give the option, yes.

Alan Greenberg: Yes. Okay.

Jeff Neuman: Right. So requiring that they, requiring that they solicit not requiring that a constituency respond.

Alan Greenberg: All right.

Man: How do you make a check mark?

Jeff Neuman: You go to the where it's on Adobe attendee list and, sorry bottom left hand corner there is a person whose hand is raised and next to it an arrow and then...

Alan Greenberg: Or the pull down just above all the checkmarks.

Jeff Neuman: That too. I'm going to applaud (unintelligible). Okay it seems like there's fair agreement on that concept so let me ask then timing, right now it says within ten days, sorry, within ten days they have to ask for it and then it's within 35 days after the initiation. Realistic? Unrealistic? Thoughts? (Wolf) has a comment. Oh maybe not.

(Wolf): I'm sorry I just wanted to check it but it was wrong, sorry.

Jeff Neuman: All right, that's fine. Marika you have a comment on that?

Marika Konings: Yeah, no just on the two recent constituency statements that we've requested we actually asked to those in the working group like what is reasonable most of them indicated that 30 days would be a reasonable time frame to come back with an answer on the, on the issues put before them.

Jeff Neuman: Okay.

Marika Konings: And sometimes they do need an extension so you know, we've seen that 30 days even wasn't enough even though people said it will be enough and they've asked for two weeks more so then you could be 30 days (unintelligible) for an extension if the group requests or constituencies request that.

Jeff Neuman: Well since it's optional could we not just say keep it at the 35 that's in there or even 45? It is optional as to whether a constituency wants to submit a statement. I think since timelines are actually moving out and there's not the rigid timeframe I'm not sure how far along the working group will be but Alan you might have a comment on that.

Alan Greenberg: The current one says 35 days, I'm happy to live with it and either have implicit or we can make explicit that the working group has the prerogative to extend that if necessary. The time, the time frame of doing it within ten days is totally ludicrous.

Jeff Neuman: I think the within ten days was to actually request, that the request needs to go out.

Alan Greenberg: Yeah. That's what I'm saying.

Jeff Neuman: Do you think that requiring it to go out within ten days after the group is (unintelligible).

Alan Greenberg: With the process of doodling and getting groups together it typically takes at least three weeks for the group to meet the first time.

Jeff Neuman: Oh I got you, okay.

Alan Greenberg: And then they probably won't take any real decisions at the first meeting because it's going to be organizational and the next meeting they're going to be is two weeks out and we're now talking five weeks from the time that PDP was called and the call hasn't gone out yet.

Jeff Neuman: Well you could always say at the first organizational meeting of the work team, like within ten days of that...

Alan Greenberg: No I don't think you can because you need to discuss what are you going to ask. Are you just going to ask the constituencies to comment on the, on the words in the charter or do you want to do more in-depth questioning based on where you see this whole process going. At least certainly if you look, if I look at the PDP that I've just started working on that's the case. It wasn't cut and dry.

We ended up taking a single, simple approach at the end but it wasn't obvious that's the way we were going when we started.

Jeff Neuman: So if you don't put it on time, which is what it sounds like you're having an issue with, you do need it early on in the, early enough on in the process where the work group is not too far along.

Alan Greenberg: Yes.

Jeff Neuman: So what can you attach it to if it's not time?

Alan Greenberg: You could probably detach the time and say within 60 days, that sounds like a long time, you may say within you know, the first three meetings of the

working group or the first, you know, I don't know. It's all going to translate to longer times than we're going to feel comfortable about.

Jeff Neuman: Or do you just say that this should be one of the first items that the work group has to deal with?

Alan Greenberg: I could live with that. We have staff people to goad us on.

Jeff Neuman: Marika what do you think of that?

Marika Konings: Yeah. I agree with that approach and I just want to note as well - and that's something I probably need feedback as well to the wording of the work team. Although I think they are waiting as well for the PDP work group to finalize its work so they can put in as well a specific example on how you know, working group should run their things on the PDP I think is a very valid point.

It's for now we do have a section in there like you know, how do you, what should be covered in the first meeting and (unintelligible) you know, this item on there that at least (unintelligible) that they should be (unintelligible) you know, in one of their first meetings to work on that.

And again I think that's something that's happening in practice is you know, staff does alert the group to the fact that they're, you know, supposed to request constituency input. And (unintelligible) would suggest maybe a template might facilitate that and I don't think there's the option of asking more specific questions that you know, the group might come up with in the first couple of meetings.

And but again I think, you know, that's something maybe we want to put in the, in other recommendations or in a guide book that you know, we might develop for the PDP I don't think a working group should be prevented from going back to constituencies with specific questions at a later stage.

And I think that's probably already happening in practice as well now where we're for example looking at doing a specific registrar survey where we're turning to the registrar community for specific input or information on certain items so I think that's something to keep in mind as well.

Jeff Neuman: I think that's and I think so before we get on to number five, and kind of as a segway sort of to number five, right now it says in the bylaws constituencies, so the first more obvious one is do we change it to constituencies and stakeholder groups or, or and do we also add supporting organizations? Is it a more generalized you know, why are we just getting opinions from constituencies or stakeholder groups, is that still appropriate?

Should we get opinions from other supporting other supporting organization, from advisory committees or even from the public as a whole? Should this be opened up to everyone to file a comment at the outset?

Marika Konings: And Jeff just on that point if you're talking to the community as a whole there is as well this requirement to have a public comment period beginning, to cover that in the previous phase, at the beginning of initiation of a PDP, but now in practice it often happens at the start of the working group.

So for the public as a whole there is, for the moment there is this already this place.

Jeff Neuman: Was that more on whether to initiate the PDP or not as opposed to...

Marika Konings: Yes. But in practice it's being used as a way to get input as well on the, normally on the charter questions. I mean the original intent was just to announce the initiation of a PDP but most working groups use it as a way to get public input early on on the charter questions they're going to be looking at.

Jeff Neuman: Okay. Alan and then I kind of have to get going, maybe Marika, actually Marika can you just finish out this subject and then...?

Alan Greenberg: My comment is really quick.

Jeff Neuman: Okay Alan.

Alan Greenberg: I think right now de facto council and working groups have been asking advisory, advisory committees and other supporting organizations if they thought there was some reasonable overlap and I think we want words in there which in large the request for "constituency statements" to the larger group as applicable or something like that. You know advisory committees and subordinate organizations as applicable and leave it at that.

Jeff Neuman: Yeah I think that's fair. Okay so I think we made some good progress today. I'm going to use, I'm more (unintelligible) now because we have several people that like to speak and some that don't, which is fine but maybe I'm going to seek more polls during the calls to get other people at least to just weigh in whether they agree or disagree, I think that might be helpful.

With that again, please everybody respond, excuse me, respond to the survey by Monday, which is the day that it closes so that we really can have a good discussion on the survey the next, through the next call. And the next call will be on our normal scheduled time next Thursday, so we're going weekly at this point until the Seoul meeting for the next three weeks.

The call after that will also be on a Thursday, so two weeks from today but we need to find a new time since the council's meeting at our normally regular scheduled time, so a doodle poll will go out. The call after that will be at our normal scheduled time.

Alan Greenberg: Thank you Jeff.

Jeff Neuman: Thank you everyone.

Man: Okay.

Jeff Neuman: Okay. Bye.

Woman: Bye.

Man: Talk to you after the game Jeff.

Man: Thank you.

Marika Konings: Thank you (Ashley).

END