

**GNSO
Affirmation Reviews Requirements drafting team
10 February 2010 at 17:00 UTC**

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On page:

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Participants present:

Bill Drake – NCSG – drafting team leader

Rafik Dammak – NCSG

Zahid Jamil - CBUC

Wolf-Ulrich Knoben – ISP

Kristina Rosette - IPC

Chuck Gomes – Registries Stakeholder Group

Olga Cavalli - NCA

ICANN Staff

Margie Milam

Glen de Saint Gery

Glen de Saint G ry: Good morning, good afternoon, good evening everyone. On the call today we have Rafik Dammak, Zahid Jamil, Olga Cavalli, Chuck Gomes, Bill Drake and Kristina Rosette.

And for staff we have Margie Milam and myself, Glen de Saint G ry. Thank you very much. Bill, continue?

Bill Drake: Thank you, Glen. Hi everybody. I'm sure that probably everybody wants to get this all over with in an hour, so we should be reasonably straightforward in going through the issues here.

We have two documents that we have to finalize to send out as well as I think we should talk for a second about the language of the motion if we make any

changes on the documents. And also Chuck had drafted a message to SG chairs; we might want to talk about that if there's time.

What I would suggest is as far as I know there are basically three issues on which we are - we have yet to reach closure. Two of those issues I believe are ones that we're not going to resolve here today that we've got chunks of people on both sides of them.

And so I had made a suggestion to Chuck about perhaps pursuing those via proposed amendments. We can talk about that, whether that is acceptable to the parties.

And then there's one other issue which was the evaluation teams. So shall we just go through those three points quickly?

Does anybody have any other suggestions or point of order or anything first? Hearing none, okay.

So let's - why don't we start with the two points on which we have some division in the group. On the matter of the diversity language, we have it seems to me one group of people comprising myself, Zahid, Olga and Rafik that would prefer according to the messages sent to the e-mail lists and statements made last time, to keep the language in.

And if I understand correctly, Kristina, Wolf, (Caroline) and maybe Tim, although I wasn't sure because he sent a message early on with regards to one dimension, and that was the eligibility restrictions on the other side. And I don't believe Chuck has said clearly what his preference was on those two, because he's such a good Chair or maybe he realized - maybe he would like...

Chuck Gomes: What I was hoping, Bill - this is Chuck. I was hoping to continue my council chair role on this call and that (Caroline) would cover it for the stakeholder group.

But she hasn't been able to join yet and she said she did have - a conflict has come up. So I don't know if she's going to be able to join us or not. So I may have to wear both hats.

I don't know where the registry stakeholder group will come out on this particular issue. My own personal view, I guess wearing a third hat right now is that I thought the language we came up with kind of allowed some flexibility with regard to the geographic diversity and gender diversity, just in case -- you know, Bill I appreciated what you added as prefaces to both of those, assuming that the candidate pool accommodate, you know, allows for us to have those requirements.

I personally was fairly comfortable with the way it was worded with regard to both geographic diversity and gender diversity. The - and the thing of it is I think that, I mean both (Yonnas) and (Peter), and I'm trying to look at it from their perspective too, they are going to have to, you know, deal with those requirements from their perspective.

And so I was trying to be, you know, think from their point of view too. So personally I think I'm okay with that language.

I can't say that the registry stakeholder group will be, because we - I haven't tried to vest that, and I don't think (Caroline) has either. Now she shared with me in an e-mail this morning that she, you know, kind of agreed with some of Kristina's logic.

So that's really all the information I have from the registry stakeholder group in that regard. I do personally support the approach you're advocating, Bill.

And I think I suggested it in fact that and easier way to do this and with the timeframe we have is to put a motion on the table and then ask for amendments. I would just ask that the amendment be made real early after the motion goes out so that there's plenty of time for all of us to vet with our respective groups.

Kristina Rosette: Chuck, this is Kristina...

Chuck Gomes: Yeah?

Kristina Rosette: I'm sorry, go ahead. I just have a - when we get to the point about talking about the motion I have a potentially different approach to that that might...

Chuck Gomes: Okay.

Kristina Rosette: ...be cleaner.

Chuck Gomes: Okay.

Bill Drake: Go for it Kristina.

Kristina Rosette: Okay. Well I was just thinking that, you know, rather - if we go with the approach of essentially having to have the text of the document within the body of the motion, then I think we really are potentially hamstringing ourselves.

And what I am wondering whether we could do instead is have a very kind of generic motion that basically says, you know, goes through all the whereases and says, "The (unintelligible) council approves the (unintelligible) document set forth in document names as attached hereto."

And so the motion is clean. And it's really then we can really just focus on the language in those particular texts.

Bill Drake: I'm sorry...

Chuck Gomes: I'm not sure I follow.

Bill Drake: Yeah. I don't think I do either, Kristina. There was a lot of noise on the line too, so...

Kristina Rosette: Okay. Yeah, well I think it might be the weather. I can't see across the street.

But instead of having a motion that recites within the body of the motion, kind of the text and the principles of these two documents...

Bill Drake: Well, no, the motion doesn't do that.

Kristina Rosette: Okay. But I would think that you could just have a very generic motion that says essentially, after you get through all the whereas clauses, that the GNSO hereby approves and adopts the processes or whatever we're calling the two documents by their kind of formal names as, you know, as attached hereto and incorporated by reference.

And that way that stuff is clean, and...

Chuck Gomes: Yeah, Kristina?

Kristina Rosette: ...you're free to focus on the specific - what? Yeah?

Chuck Gomes: Kristina, doesn't the first resolve, isn't that exactly what the first resolve does? Now I don't have it in front of me because I...

Bill Drake: I do.

Chuck Gomes: ...I'm not at my desk. But I thought the first resolution actually does what you just said. But I...

Kristina Rosette: Is there a motion? I haven't, I mean...

Bill Drake: Yes. There's a...

Kristina Rosette: Internet problems.

Bill Drake: Can I - all right. If I can get it, there is a motion that's been circulated several times and red lined by Chuck.

And the motion is I think clean by your definition, Kristina. It's, "Now therefore be it resolved that the endorsement process described in the attached document is hereby approved."

And then further resolves that each stakeholder group and non-comm appointee shall immediately commence their selection processes etcetera. So it does not repeat any...

Kristina Rosette: Okay.

Bill Drake: ...of the text of the process subscribed except that Chuck had added into one of the resolves, the council shall form an evaluation team. And that's one of the points where I said, "Well, I'm not sure we have closure on that one yet so let's talk about it."

So with regard to the diversity and eligibility restrictions issues, those are not in the motion per se. They are only in the proposed process document that the council be called on to endorse.

And so then at that point, you know, we send that out.

Kristina Rosette: Okay.

Bill Drake: And then if you and (Caroline) and whomever want to get together - Wolf and want to get together and say, "We propose a motion - a amendment to strike those two provisions," fine. You know, you send that to the list and then we work it out.

That's all we had in mind. Is that okay with you?

Kristina Rosette: I would say - I mean, I would rather - I mean frankly I would rather that we have it as bracketed text. Because then, you know, having it in the text that goes out and would be part of the motion, I think frankly makes it a little bit more complicated and I think biases the outcome.

You know, I'm the only one that feels that way...

((Crosstalk))

Kristina Rosette: I'm sorry?

Chuck Gomes: Having what in bracketed text? I don't understand what you're suggesting.

Kristina Rosette: Having kind of the alternatives. Having what the alternatives are.

Bill Drake: No, we - I think we've moved away - I had at one point proposed several different alternatives. That was simply me trying to inventory everything everybody had said.

Like Chuck at one point had said, "Perhaps what we could do is require each of the stakeholder groups to ensure diversity within their, you know, if they nominate three, each of the three are different" or something like that. So I had split those out as A, B, C options.

But I think that, you know, probably at this stage that's getting more complex than what's needed. I think that what I was suggesting, Kristina is that the existing language simply be there and then you propose an amendment to strike it.

And the people who don't want the language will vote to strike it. And maybe you'll win.

I don't think it biases the option or the outcome for it to be there, because, you know, obvious this is a point on which a chunk of the GNSO's going to feel one way and a chunk of the GNSO's going to feel the other way, whether you put brackets or not. I mean I don't feel religious about not having brackets, but I - to me it seems not the usual way that we'd do this when there's a point that's contested.

Chuck Gomes: And I think if I - can I jump in Bill?

Bill Drake: Yes, please.

Chuck Gomes: I think - didn't the brackets apply to the process itself and not to the motion? Kristina is it possible for you to pull up the red lined version of the motion that I had sent?

Kristina Rosette: Well, here's the problem is I don't - I'm not seeing the motion. I'm seeing the varied text for the two documents, but I'm not...

Chuck Gomes: No, there's...

Bill Drake: Okay. Sorry.

Margie Milam: Hey, it's Margie. Chuck, I think you didn't circulate it to the list. I thought you just circulated it to - take a look at your e-mail, because I looked at it, it looked like it was just (Liz) and...

Chuck Gomes: I can't look at my e-mail. Can somebody that did receive it forward it to the list please? I apologize if I didn't...

Glen de Saint Géry: Yeah, I'll go ahead and...

Chuck Gomes: ...do that.

Glen de Saint Géry: I don't think it arrived on the list, Chuck. This is Glen, because I looked for it too.

Bill Drake: Really?

Chuck Gomes: I'm sorry. I have been spinning in so many different directions that I must have let that one slip. I guess I was waiting for concurrence from Bill and Margie, and then was supposed to forward it and I let that slip. My apologies.

Bill Drake: And my apologies too. I thought that you had sent it to the list and didn't notice the difference.

Let - Kristina, let me just tell you again what it's - do you want me to read it real quick? It's - there's the whereases that are straightforward, accountability and transparency team will include members endorsed by GNSO council in its efforts, whereas the council desires that that's a one time process, blah, blah, blah.

Be it resolved again that the endorsement process described in the attached document is hereby approved. Resolved further that each stakeholder group and GNSO council nominating committee appointees shall immediately commence their selection process in accordance with the endorsement process.

Resolved further, ICANN's staff as directed (unintelligible) distributed endorsement process as widely as possible to all GNSO related groups in an effort to inform qualified applicants in the important work -- it should say of the important work -- of the accountability and review team. I will have to change that.

But then Chuck had it, resolved further the council shall form an evaluation team made up of one councilor from each stakeholder group plus one NCA in its meeting on 18 February to rate the responses and report to the council list no later than 25 February. The idea being there that...

Chuck Gomes: Bill, can I jump in on that one? I added a comment too in that realizing that we hadn't firmed that up.

Bill Drake: Right.

Chuck Gomes: And it's just a matter - and what I said, we can delete that if we decide not to go that way.

Bill Drake: Yes, understood. Resolved further, ICANN staff is directed to schedule a special council teleconference call on 26 February at a time that maximizes councilor participation for the purpose of finalizing GNSO endorsements.

Resolved further that the AOC review drafting team is requested to continue its work to develop a longer term process for council consideration in April. Is somebody juggling their phone?

So anyway, the operative point here is then, Kristina, that the only bit where we're referring to the document, and actually it only refers to the process. Because the other thing actually doesn't - the other thing, the plan doesn't need to be adopted necessarily by the motion unless you think it should.

But it just says resolve that the endorsement process is hereby approved. So the discussion of geographic diversity, gender equity are not included in the motion, nor is the question of any eligibility restrictions on being able to stand for a position.

Kristina Rosette: Okay.

Bill Drake: All right?

Kristina Rosette: Yep.

Bill Drake: Are you good with that, Kristina?

Kristina Rosette: Yeah. I mean, it - I'm one of those, I'm very much more of a visual person and it looks like the text just came in. It sounds fine to me, I just, you know, want to take a quick eyeball on it. But yeah...

Bill Drake: Okay, well...

Kristina Rosette: That sounds fine.

Bill Drake: It should come to you quickly. Again it's - the point is that your concerned that - the points not be elaborated in the motion is addressed. The motion does not do that.

Kristina Rosette: Okay.

Bill Drake: All right? Now so if we can agree then that those two dimensions we're going to leave for people to put forward amendments on, then I think we can progress this very quickly.

There's one outstanding question on the process though. That is under point six, for the two slots that are not allocated to a stakeholder group, in the event

that more than two candidates receive at least a simple majority from each house, titles will be broken as follows in the order presented.

Geographical or gender diversity, total votes received and the third, the council non-voting, non-comm appointee will be asked to break the tie. I think since we have not actually asked (Andre) if he's willing to do that, that we should strike that last (unintelligible).

And hopefully we won't get to that point. What does anybody think about this?

Olga Cavalli: Bill, this is Olga. Can you hear me?

Bill Drake: Yes.

Olga Cavalli: Great. I couldn't talk before. Sorry, I don't know what document are you talking about? I don't have the documents either.

Are you - I know you already said that, but I just wanted to express that I'm confused about which of the language that we're discussing. And I heard you and I'm okay with that, and that's all I wanted to say.

Bill Drake: Okay Olga. We're talking about the proposed process for a GNSO endorsements document that's been circulating...

Olga Cavalli: Yeah, I know. But I'm sincerely confused about the final version of the document, because I cannot find it.

Chuck Gomes: Olga, I resent the clean version of the process and the drafting team action items to you. Did you not receive that?

Olga Cavalli: Just now?

Chuck Gomes: It went to the list.

Bill Drake: No, Olga, it's been on the list for awhile.

Chuck Gomes: I understand that, Bill, but I - because of her comment on the list, I did resend the ones where I accepted all the...

Olga Cavalli: Not here. I haven't received it here.

((Crosstalk))

Bill Drake: Olga, look in the thread called "Two Documents Attached."

Olga Cavalli: Yeah, it's quite confusing. It's quite long. And this is where I found the options and I already expressed my comments about that.

But I'm confused about which is the last version of the document. That's all I wanted to say.

Bill Drake: Okay. All right, well the last version is basically not going to be much different from the earlier versions. We simply accepted all the changes to make it clean to look at, that's all.

Olga Cavalli: Okay.

Bill Drake: So again, all we're talking about here right now is that for the two open slots that will be voted by the council as a whole on the basis of majority of each house, the third element that was proposed by Chuck was that (Andre) would break a tie if the other two approaches didn't work.

I'm suggesting, I don't think we'll get to that stage and we haven't asked (Andre) and people weren't even sure they agree with that method. So I think we should just cut that for now.

And if we have to cross the bridge later, we can.

Chuck Gomes: I'm okay with that.

Olga Cavalli: Okay.

Zahid Jamil: Hi, this is Zahid.

Bill Drake: Hi Zahid. Is that okay with you?

Zahid Jamil: Hey. Yeah, that's fine with me. I just wanted to get a clarification of a couple of points.

So the current document has geographical diversity and gender balance in there. And what about the criteria with regard to the one suggestion for exclusion of councilors.

Is that mentioned in that at the moment, or not mentioned yet?

Bill Drake: No, there...

Zahid Jamil: What have we chosen?

Bill Drake: Zahid, there is no language about excluding people from being able to stand for the position, because that was not contemplated...

Zahid Jamil: Okay.

Bill Drake: ...earlier in the discussion.

Zahid Jamil: Great, okay.

Bill Drake: And what - the language that we included was about what requirements the GNSO wants people to meet in terms of what they submit with their application. So if people want to put forward a eligibility restriction, then that's properly just another motion.

There's two - there are amendments. There's two amendments to be put forward by folks that want this.

One is to strike the diversity, the other is to insert an eligibility restriction if that's what they want to do. And obviously probably they will want to consult with their respective stakeholder groups on that point.

Kristina Rosette: Bill, it's Kristina. Just for purposes of clarity, I know that when you spoke about the specific additional GNSO requirement the other day, we did not specifically talk about the councilor eligibility restriction.

Having said that, I know that Tim very early on had put that out on the list. So I don't want folks who listen to the recording to think that this just kind of came out of nowhere at the 11th hour.

Bill Drake: No, I'm sorry, Kristina if I gave that impression. When I ran through the outstanding issues earlier I thought I said that the - you, (Caroline), Wolf and I believe Tim had expressed the view that an eligibility restriction would be appropriate.

Kristina Rosette: Okay. Okay, good.

Bill Drake: And that there was another chunk of people who felt the other way. And so we had this - so I think if you can write an amendment that would be perfectly, you know, that'd be great.

Kristina Rosette: All right.

Bill Drake: Okay?

Kristina Rosette: Yep.

Bill Drake: All right, if everybody's cool with that then can we just turn to the one other outstanding issue in the text, because this is one where people have not expressed as much in the way of viewpoints.

And boy, I'm really hearing a lot of echo of myself. I don't know who's got what's going on.

But the evaluation team concept, I think we've simply - again, as I've said in my e-mail I think Chuck and I have different views on the merits of this. Although neither of us probably is ready to harikari if we don't get our way, I think we both feel like it's not an absolutely imperative issue.

But clearly...

Chuck Gomes: That's correct, Bill. I confirm that.

Bill Drake: Yes. Okay, thanks Chuck. I shouldn't have characterized your views.

But so we have not heard very much from others about that point. I think Rafik in his - Rafik and Olga in their messages today supported what I was saying.

I think Zahid supported what Chuck was saying. And I think Kristina had earlier supported what Chuck was saying.

So...

Chuck Gomes: And I think Wolf did too, I believe. But I...

Bill Drake: And Wolf - okay. So Wolf did too.

So that is also a point on which we're basically evenly divided. And so I don't know if we want to treat that in the same way we treated the other two issues of it, possibly having an amendment.

Kristina Rosette: Can I actually ask two questions? I (unintelligible) the evaluation team is that it seems to me to be a very useful structure to have.

And if people, if councilors want to say okay, I trust the judgment of the evaluation team, you know, here I accept their ratings, that's fine. I'm just concerned that if we don't have any kind of mechanisms set, from what I am understanding there have been e-mail messages that have gone out to tens of thousands of people encouraging them to apply.

And if we get even 1% of responses from that, that's going to be a huge amount of paper for all of us to wade through. And I'm just a little concerned that we may be inadvertently and unintentionally seeing ourselves up for a huge headache.

Bill Drake: All right. I take your point, Kristina.

Personally I tend to think that we're not going to be slopped with applications. But that's perhaps just my own guess.

What we could do is leave the evaluation team language in there until the 18th, and maybe by then we'll have more of a sense of what - whether we're getting a big pool. And if after we all go back to our stakeholder groups, if NCSG people say to me, please put in an amendment to take that out, then I'll file an amendment.

So in other words if it's easier for everybody we can leave that in there for now. I just personally don't think that the council will probably feel all that guided by whatever the valuation team will say.

I think the registries and the registrar and this where - all of us. I mean, we're all going to have our preferences and our way of thinking about this.

And whether they rank somebody as two or three, I'll bet you it doesn't affect the vote. That's my guess.

Chuck Gomes: Well, Bill that's another thing...

Bill Drake: Yeah?

Chuck Gomes: ...we can talk about briefly is, is that you could have an evaluation team that just identifies strengths and weaknesses and leave it at that with no ranking.

Bill Drake: Yeah. I - somebody else should say what they think about this. I have - I just, I feel a little odd about the way we evaluate people.

And if we're going to put out a list saying this person's weak and that's person's strong, I don't know. I - that - I feel funny about that, but that's just...

Zahid Jamil: Bill, this is Zahid. Can I make a point?

Bill Drake: Please do.

Zahid Jamil: Yeah, I'm thinking that we have a good reason for having an evaluation team, in case we get inundated with applications. And Kristina makes a good point, that if there's going to be hundreds of applications coming in then we may need some sort of a filtering mechanism, and I can appreciate that.

But in the eventuality we get like 20 or 30, I think this is something we can probably handle. So there could be sort of a saving clause or something there sort of setting a threshold, that in case, you know, the GNSO gets inundated - - give it a number, 20, 30, 40, whatever -- then we may have an evaluation team.

Otherwise we go ahead the way we already agreed.

Kristina Rosette: That works for me.

Bill Drake: All right. That would have to...

Chuck Gomes: Bill...

Bill Drake: Yes, go ahead, Chuck.

Chuck Gomes: Yeah, just one other point on something you said earlier. As I think all of you have seen I sent out a message and Glen has distributed it widely throughout the GNSO community today, that we're asking people that want to be endorsed by the GNSO to hold off until after the meeting on the 18th to submit their application to ICANN.

If they follow that direction we may very well not have a very good clue as to how many application - applicants will be seeking GNSO endorsement until after our council meeting on the 18th. Just wanted to make you aware - remind you of that so that if we're anticipating getting a good feel for how many there will be seeking GNSO endorsement and that's the only ones we're going to be concerned with, then we probably won't get that information until after the 18th.

Bill Drake: Fair point. Okay, as I say I'm prepared to leave it in if others are okay with it.

Here's my question. Actually, Chuck if I look at what we've done, you know, we don't actually describe the evaluation team in the proposed process which is a document people outside of the council would see.

We only mention the - we only introduce the concept of it in the action plan which is an internal document. Should I - if we're going to say that an evaluation team is going to be ranking your - could be ranking your proposals, I suppose we should move the operative or copy the operative sentence over shouldn't we?

Chuck Gomes: I think you're right, but - yeah, I think you're right, Bill but could we get a feel for those on the call at least whether they - what approach they would like to start with? Understanding that it can be amended.

The - and what I'm getting at, do - I mean, do people feel like it's good for them to rank? Or would it be sufficient to just identify strengths and weaknesses?

Or to identify, you know, candidates that they think are not qualified or that are qualified? What can - what do others think about what we want them to do?

I do support the idea of an evaluation team, but I'm not locked into the idea of ranking. In fact if there are a lot of candidates, ranking could be very complicated to do in three or four days.

Kristina Rosette: No, Chuck I...

Bill Drake: Chuck, I'd agree with everything...

Kristina Rosette: That's a great point, yeah.

Bill Drake: Perhaps what they could do is simply try to identify a pool of 10. Without having to specify strengths, weaknesses, we like this one, we rank this one that way.

Just cull the group to a group of 10 that the two houses would then look at. Recognizing that the house can vote for anybody.

But 10 that in particular they call attention to as viable.

Chuck Gomes: Well, isn't their work going to be more directed towards the two open positions?

Bill Drake: Yes. It's only on the two open positions.

((Crosstalk))

Bill Drake: The other four are all locked in. So those are...

Chuck Gomes: Right.

Bill Drake: Those are off the table.

Zahid Jamil: So where are you talking about only two, you know, basically for the election of the two?

Bill Drake: So what - this is described in the proposed process document. It says, okay, actually, you know what? We do describe it enough.

We say, "Prior to the vote an evaluate - for the two open slots, an evaluation team comprising one councilor from each stakeholder group plus one non-comm appointee will rate the responses and report to the council." I can change "rate the responses and report to the council," to will - we can make it more fluid and just say, "will assess the responses and report to the council."

Chuck Gomes: That's good.

Kristina Rosette: (Unintelligible)

Bill Drake: And if I - and then we could determine exactly how we're going to do that later. And prior to this sentence then, at the beginning of the sentence when it says, "prior to the vote the evaluation team will," I can say, "in the events that there are X number an evaluation team will such and such."

What's the number?

Chuck Gomes: Why don't we just let the - give the evaluation team if we go that way, the flexibility to do the best they can in three or four days? And they can give us 10 that they identify, they can, you know, we're dealing with so many unknowns here is that I think leaving it as flexible as possible for the evaluation team, I think is helpful.

Bill Drake: All right. I'm fine with that. Everybody else okay?

Zahid Jamil: This is Zahid, I'm fine with it.

Bill Drake: Okay, so...

Kristina Rosette: I...

Bill Drake: ...we leave the evaluation team language in there. My only other question on the evaluation teams, Chuck do we need for the evaluation team to be mentioned in the motion as you did?

Is there any particular reason for that?

Chuck Gomes: Well...

Bill Drake: I don't...

Chuck Gomes: ...we're going to have to - here's what I was thinking, Bill. We're going to have to get that evaluation team functioning immediately on the 18th.

And that's why I put that in there. And what I was going to do -- and this is part of that other message that I sent around I think, I don't have it in front of me right here -- is that we need - I think need to have the councilors come prepared to identify their member of that evaluation team on the 18th.

So that needs to happen in that meeting so that they can plan their strategy. So come the 22nd or 23rd after they receive all the applications, they're ready to go.

Because they're only going to have like three full days.

Kristina Rosette: This is Kristina. I have a different question I just want to kind of come back to it.

But, okay, go ahead. No, I think that's a good idea, Chuck.

Bill Drake: Okay. I don't feel strongly either way, so.

Kristina Rosette: I did have a question about the process document in point two where we specifically talk about the evaluation team. And I realize I'm probably being hyper literal here.

But where we say, "Up to two additional nominees will be selected by a simple majority vote of each house. One of these slots will be reserved for candidates, da-da-da-da-da."

If we're going to have potentially two nominees, one of which in one class can be reserved for somebody who's not associated with the stakeholder group, where does the other slot come from?

Bill Drake: Stakeholder group. In other words, Kristina, you know, each of the stakeholder groups is going to nominate the one person that they definitely want in the pool, right. And those aren't contestable.

Kristina Rosette: Right.

Bill Drake: Then there's a fifth possible slot, and we can all put forward a candidate for that slot that we want to be assessed in a competitive, open evaluation.

Kristina Rosette: I didn't really focus on that. No, I just - I guess what I'm thinking is, is that that could just get really frankly - I don't know.

I - just to me it seems if you have each stakeholder group getting one slot, if we're going to have two extra slots then the two slots should be for the "unallocated people."

Bill Drake: But there might not be that...

Kristina Rosette: Because otherwise you're ending up with a situation with - well then in that case we don't have the two extra slots. I just am - I didn't realize we were ending up with a situation where you could end up with one stakeholder group having two people nominated.

Bill Drake: Okay. Okay, but bear in mind too we're only talking about the pool (Yonnas) and (Peter) are going to pick from.

Kristina Rosette: I...

Bill Drake: So it's highly unlikely that (Yonnas) and (Peter) are going to pick two same stakeholder groups, for example.

Man: Yeah, that's right.

Bill Drake: But if people think that - we had talked about up to six for quite some time. That number was kind of locked in as seemingly a symmetrical one.

I'm hoping that they're going to give us at least two. So we've been saying six.

And so I made one, you know, I suggested one be for the non-allocated and then one be a wild card. If people don't want the wild card we can say that we're going to only nominate up to five.

But except that Chuck, I think has already sent out a message to stakeholder chairs saying that we'll nominate up to six.

Chuck Gomes: Yeah, but keep in mind that I qualified that to say that, you know, this is still in process so, you know, it's not unchangeable. But I have sent out that message.

Kristina Rosette: Yeah, I guess I'd be...

Bill Drake: Okay.

Kristina Rosette: ...you know, I'm fine with keeping six. I just don't see why they couldn't both be "unallocated."

Zahid Jamil: Well, this is Zahid. Can I (unintelligible)?

Bill Drake: Please.

Zahid Jamil: Yeah, sorry. Okay, so I was going to say if it's wide open to anybody it could be an NCA, it could be someone from another SG, it could even be somebody from outside the community. Completely wide open.

It gives flexibility if we want to put certain names forward, because this sort of process is kind of going to be developed for the next years. We want to keep as much flexibility as possible.

Otherwise where we end up is with, you know, one SG, one representative and we have five for instances. Whereas when we have to look outside our GNSO.

One of the things I am reminded of is that the people that we select and we put forward are supposed to "represent" the GNSO. So the more people from within the SGs or within the GNSO, the better (unintelligible).

Otherwise what we're doing is we're saying four for SGs and key for NCAs. And I think that's my problem

Kristina Rosette: Well, I don't think we're saying (unintelligible) talking about people who (unintelligible) two weeks ago didn't even know what ICANN, you know, what the actual...

Zahid Jamil: Yeah. Exactly. And then those individuals - this is Zahid. And those individuals, and this is why it's important to look at the language of the EOC which says they need to represent the GNSO.

And if they haven't had that much coordination experience within the GNSO itself, then, you know, it raises questions as to how they would represent the GNSO interest. Because the EMC line was very specific.

It is representatives of the GNSO. Or, you know, SOs or ACs.

Kristina Rosette: Got it. Okay.

Chuck Gomes: Yes.

Kristina Rosette: I mean, you know, I can live with this. I just didn't realize that we were going to kind of create a free for all for Slot 5.

Bill Drake: All right, can I just make two points. First on the question of representation, Zahid, I read your message about that.

We - earlier in our deliberations because we were trying to interpret - well, we were inclined, those of us who were speaking to the point anyway -- were inclined to think that what we were really trying to do here is appoint people who will be relatively neutral and more based, you know, operating more based on the expertise than on a strict representation of interests.

We even said in our reply to the comment request for - to the public comments that we thought of these as not so much as representational positions as kind of neutral people who would do - serve the community as a whole. So it is true that the EOC has had language which is slightly corporate sounding.

But we did kind of lean towards a little bit different interpretation of that. The other point I would make though is if I understood you correctly, Zahid, you were saying that both slots would be wide open.

And I want to make sure that this is clear. We were suggesting that one slot would be reserved for people who are not affiliated with or supported by any particular stakeholder group.

That would be NCAs, independent people from the GNSO community who might have kind of multiple hats or identities, or people who whether where they should fit in the topography has been the subject of some debate. So it

was not envisioned that that sixth slot would be one that stakeholder candidates would be considered for.

But for the fifth slot...

Zahid Jamil: Okay, that's fine.

Bill Drake: Okay?

Zahid Jamil: That's fine. That's fine by me.

Bill Drake: And I hope that...

Kristina Rosette: Can we just say that then? Can we just add...

Bill Drake: Well, I think we do.

Kristina Rosette: Okay.

Bill Drake: We say one of these slots that - up to two additional nominees will be selected by a simple majority vote of each house. One of these slots will be reserved for candidates who do not self-identify with any particular stakeholder group including non-comm appointees.

Kristina Rosette: No, no, no, I was suggesting that we just go on and add a sentence that says the other slot will be allocated to the stakeholder group nominee who receives the most votes. Or whatever it is that we're going to say.

So that there's no confusion as to...

Zahid Jamil: I think that's a good suggestion.

Kristina Rosette: ...(unintelligible), what are we doing with the other ones.

Chuck Gomes: I don't understand what you're suggesting. The - what do you mean the stakeholder groups that receive the - you mean of the other four candidates? I'm not understanding.

Kristina Rosette: No I (unintelligible) you're going to have four SG candidates. Whoever the SG puts up...

Chuck Gomes: Right.

Kristina Rosette: ...what we do with the diversity therein. Then you have one slot for kind of unallocated -- whether that's people who have never participated in ICANN, people who may have multiple potential stakeholder memberships, NCAs, whomever.

Then there's potentially this fixed slot, which if I understood correctly from Bill was going to be an opportunity for each SG to put up one more person for that slot number six. And whichever...

Bill Drake: We did not - right.

Kristina Rosette: Okay, no? No?

Bill Drake: The language does not define a restriction on who that might be. So I just assume...

Kristina Rosette: Okay, okay.

Bill Drake: I assume that people, you know, you're saying specify. And I assume people would read it and understand there's one more slot.

And there's no...

Chuck Gomes: Yeah, that's totally open.

Bill Drake: Yeah.

Chuck Gomes: It's totally open, yeah.

Bill Drake: So, Kristina, you would like me to specify what that other slot is.

Kristina Rosette: Yeah. Even if we just say, you know, slot number six will be, you know, filled from either, you know, whatever it is that we're going to say, just so that it's clear. Because I know that I'm going - I'm already getting a lot of questions about this process.

And I want to, you know, (unintelligible) questions I have to answer because the document answers them (unintelligible).

Bill Drake: Okay, well...

Zahid Jamil: (Unintelligible).

Bill Drake: Okay. The problem is I wouldn't know how to specify it because it is open. It's open to, you know, it could be a stakeholder but it could be a non-stakeholder.

The point is one of those two is reserved for not identified with a stakeholder group. The other one can be anything.

So if you would like a sentence that says this can be anything, we can figure out a way to do that. But I would think people would infer that by saying "additional nominee will be selected by a majority vote."

One of these slots is reserved. Meaning (unintelligible).

I mean I just - I could try and wordsmith it, but I actually have to leave here in 10 minutes and I'm a little concerned about what I'm going to do with these documents. But luckily I'm in a different time zone.

So do you...

Kristina Rosette: I mean, if I'm the only one who's confused by it and that needs clarification, well then it's clearly not an issue, so let it go.

Zahid Jamil: Kristina, this is Zahid. Can I make a suggestion?

I don't want to be, I mean, since you have a clear understanding of how you want to allocate that one, so you think it makes sense that maybe you could wordsmith something in there while those...

Kristina Rosette: Yeah, I can...

((Crosstalk))

Kristina Rosette: Yeah, okay.

Zahid Jamil: Okay.

Bill Drake: No, look, I can do this for - how about this? Look, up to two additional nominees will be selected by a simple majority vote of each house, period.

New sentence. One of these slots will be open to applicants from any - of any kind, period. The other slot will be reserve for candidates who do not self-identify with any particular stakeholder group including nominees.

Kristina Rosette: Perfect.

Bill Drake: Non-comm appointees.

Kristina Rosette: I'm okay.

Bill Drake: Okay? Fine? So I just say that?

Kristina Rosette: Yeah. Yeah.

Bill Drake: Okay.

((Crosstalk))

Bill Drake: Okay. One of these slots will be open -- what did I just say -- to candidacies - open to applications - applicants of any kind, period.

Kristina Rosette: Yep.

Bill Drake: The other slot will be reserved for candidates who - okay. Fine.

Zahid Jamil: Great.

Bill Drake: All right. With that addition made then and with the evaluation team language in and the (Andre) point struck out, the only other question I had on the process documents and then we can save this as a PDF and send it to the council, actually I was a little confused by what we wrote.

But I'm - I don't know if Chuck wrote this or I wrote this. For the - I think maybe Chuck wrote this. So Chuck, are you still there?

Chuck Gomes: Yes, I am.

Bill Drake: Okay. Under additional GNSO requirements, we added J, the following information must be submitted to the GNSO secretariat, preferably with a CV and motivation letter submitted in response to ICANN requests for volunteers.

That makes it sound to me like we're suggesting to people that they should do a separate application to the GNSO secretariat...

Chuck Gomes: Yeah, let me tell you what I was...

Bill Drake: ...after the...

Chuck Gomes: Bill, let me tell you what I was trying to do there. And I'm totally open to fixes.

What my fear is is that some people will miss the message or not pay attention and will submit their CV and their motivation letter to ICANN, and then they will need to add the information that we request. That's all I was trying to address there.

Now maybe it's sufficient, and I've kind of already asked - I think I've already asked (Marco) to do this -- is maybe it's sufficient to just if somebody does that, have (Marco) send them back a message saying hey, the GNSO needs this information. So if you want to delete that, if you think that's the best way, that's all I was trying to deal with.

Bill Drake: I - yeah, I would think that the staff could do a rapid response and say hey, we - check out the GNSO's requirements. If we're - I mean, unless others feel differently, but I just worry we're going to confuse people.

I mean they're following the ICANN process, there's this...

Chuck Gomes: I'm fine with that.

Bill Drake: Yeah, okay.

Chuck Gomes: Yeah, I'm fine with that.

Kristina Rosette: Or why don't we just say, "Applicants interested in being considered for nomination by the GNSO must include with the CV and motivation letter the following information."

Bill Drake: Exactly.

Chuck Gomes: Yeah, and I just wouldn't use the word nomination, I'd use the word endorsement. Just to be consistent...

Kristina Rosette: Yeah, whatever we're going to say. But just so that we don't - because I think Bill's right about having, you know, if you said - yeah, anyway.

I just think it's cleaner to make it clear. You want to be endorsed by the GNSO, this is what you've got to give us in addition to...

Bill Drake: Must include though in their submission to ICANN.

Kristina Rosette: Yes.

Bill Drake: Right?

Kristina Rosette: Yeah.

Bill Drake: Applicants interested in being considered for - you don't like nomination, Chuck? You want what?

Chuck Gomes: Endorsement. For endorsement by the GNSO.

Bill Drake: Endorsement.

Chuck Gomes: Because that's really what the EOC is asking us to do.

Bill Drake: Okay. Applicants interested in being considered for endorsement by the GNSO must include in their submission to ICANN the following information. And they know that they have to send a CV and motivation letter, so I can cut the rest of that sentence.

Chuck Gomes: Yeah.

((Crosstalk))

Kristina Rosette: Yeah, or if you also include, because that way you avoid any uncertainty about do I just submit this...

Bill Drake: Okay.

Kristina Rosette: ...or da-da-da-da.

Chuck Gomes: Yeah, and that's why I left that in there in addition to the CV and the motivation letter, just to be very explicitly clear. But that - I'm...

Bill Drake: Okay.

Chuck Gomes: ...comfortable, Bill, with how you do that.

Bill Drake: Okay. Okay, I think we're good. It's good to have lawyers on the call to talk you out of things.

Chuck Gomes: Hey Bill? Bill? Bill?

Bill Drake: Yes.

Chuck Gomes: A question for next steps. Can you go ahead and make the motion on the council list?

Bill Drake: Yes.

Chuck Gomes: And one of the rest of us can second it. I won't be able to get to that for a little - a couple hours.

But if you could do that, that would be great.

Bill Drake: Yes. I'm probably ahead of all of you, so if you don't mind I will do this when I come back from dinner. So it will go up in about three hours or something like that.

Chuck Gomes: Enjoy your dinner.

Kristina Rosette: You know, I hate to ask this. Do we have any flexibility on when we have our council meeting?

Because I can tell you now that David Taylor and I are not going to be avail - we're going to have almost no availability on the 26th. Do we have any way to push it back, or does that...

Bill Drake: I think...

Kristina Rosette: Evaluation team gets no time.

Chuck Gomes: On the 26th. Well, we have until the 1st to give our endorsements to (Yonnas) and (Peter), okay. If we have it on the 1st, I can't make it.

Now maybe that's not critical. I don't know.

Kristina Rosette: I was actually thinking about pushing it back. About having it - having our council call on the 25th as opposed to the...

Chuck Gomes: The 25th. The problem - I mean, we can try it. The problem of it is we're not going to probably receive the applications that want GNSO endorsement until the 23rd.

Kristina Rosette: Oh my goodness.

Chuck Gomes: And all of us need to also consult with our stakeholder groups and constituencies. So we were already in a really short timeframe.

That's why I picked that date. But you're right, Kristina, we need to have people there.

I mean, we just shouldn't have it too early on the 25th if we do that. Do we want to have Glen or Gisella do a doodle on that?

Kristina Rosette: Yeah, I think if we could do a doodle for the 25th or 26th, and whichever day, time is going to have the most people on the call, I think that's great. You know, and that's just how it'll have to work.

And if it's the 26th then David and I will try and work something out. But...

Chuck Gomes: And that's an...

Kristina Rosette: I know right now...

Chuck Gomes: That's an easy edit. That's an easy edit in the stuff we're submitting and the motion of the list.

Glen, are you still on?

Bill Drake: I think not.

Chuck Gomes: Gisella or Glen, either one of you on?

Glen de Saint G ry: Can you hear me?

Chuck Gomes: Yes.

Bill Drake: Yes.

Glen de Saint G ry: Yes, yes, I was one mute. Yes, Chuck, do you want me to send out a doodle for the 26th or 27th?

Chuck Gomes: No, 25th or 26th.

Glen de Saint G ry: 25th or 26th, yes. Got it. Yes (unintelligible).

Chuck Gomes: Now I don't think we should put too early a time on the - within reason on the 25th just because we're going to be really up against a crunch for people being ready. So but I think you can be a little more flexible on the 26th, and let's just see which one works best.

That would be good information.

Bill Drake: I'm a little confused though, because we've got the evaluation team reporting back on the 25th? Are we changing all the dates?

Chuck Gomes: We would have to, Bill. That was one of my concerns. But...

Bill Drake: And how does that - so because the deadline is now the 22nd, right? So if the evaluation team is going to do any work, saying that they're going to do it by the 24th is a little tight.

Chuck Gomes: I agree. I agree. And this unfortunately is not an issue that is covered by absentee voting.

Kristina Rosette: Right.

Chuck Gomes: So, you know, if it's a problem the, you know, if the - I don't know what to say. This whole thing is terribly awkward and difficult because of the timeframe, so okay?

Bill Drake: It is...

Chuck Gomes: Let's do the doodle and then we're going to have to try and figure it out. Dave's adjustment for the evaluation team and the other dates that we have in the motions obviously can be easily edited as friendly amendments, I think.

But yeah, I - that's - I understand the concerns.

Bill Drake: Okay. I think we can't like, go through the whole document and try and adjust all the dates and we - in the abstract. So let's submit the document as is and then as you say, if we have to adjust the dates we'll do it with an amendment later. Okay? Is that all right with everybody?

Kristina Rosette: I appreciate that.

Zahid Jamil: Yeah, that makes sense.

Bill Drake: Okay, find. All right.

((Crosstalk))

Zahid Jamil: This is Zahid. Whenever we had it - I'd like to say something not with regard to process, but it's an important point with the EOC, whenever you guys want to do that.

Bill Drake: Sure.

Zahid Jamil: Should I go ahead now?

Bill Drake: Sure, go ahead?

Zahid Jamil: (Unintelligible). Okay, the thing is that the representation point, Bill that you made, I just wanted to make a point there. The people on the review team are going to be the chairs of the act, so they're going to be sort of looking at themselves and the chair of the board looking at themselves.

And you need people there on the review team who really well understand what's been going on inside the GNSO. So that's exactly why I think it's important that we focus on that.

If we have people of - that we're choosing to put onto this, you know, review team who have no understanding of how the GNSO functions, then we lose out on that knowledge. And basically, you know, individuals who have no idea how this functions may, you know, have to then review us.

I don't know how well that works out. I just wanted to flag that point, thanks.

Bill Drake: Okay.

Olga Cavalli: Bill, this is Olga.

Bill Drake: Yes? Please, go ahead.

Olga Cavalli: Yeah, I totally agree with Zahid. I think it should be people really very involved with GNSO.

Bill Drake: Yes, I'm of the same view. It's somewhat different from the whole question of participation or representation, but I get it.

((Crosstalk))

Bill Drake: I've got these two documents clean, actually now, I guess. I hope. I will just save them as PDFs and send them with the motion to the list.

I'll do it now before I go out. Okay?

Chuck Gomes: Okay. Thank you.

Kristina Rosette: Thank you, Bill.

Chuck Gomes: Thanks everybody.

Zahid Jamil: Thanks, Bill. Thank you, Bill.

Bill Drake: Okay.

((Crosstalk))

Bill Drake: Have a good evening. Bye-bye.

Glen de Saint Géry: Thank you. (Virginia)?

(Virginia): Yes, hello Glen.

Glen de Saint Géry: Hello.

END