

**ICANN Prague Meeting
CSG meeting- TRANSCRIPTION
Tuesday 26th June 2012 at 09:45 local time**

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Steven Metalitz: We can start the recording and I will welcome you to the commercial stakeholder group meeting. Is the recording going? Thank you.

So welcome to the meeting of our stakeholder group. You've got an agenda (here). Up here at the head table you have the leadership of the three constituencies that make up these stakeholder group along with (Deni) who's the secretary to the business constituency.

And I want to start off just by picking up on something Marilyn said upstairs and that is to thank (Deni) for all the work she has put into making these events possible.

Again she works for the business constituency not for all the three constituencies but she has done an incredible job in mastering all these logistical challenges which you can imagine are pretty serious.

And so we're here, we have an agenda, we've got everything arranged so I'd like to as the first order of business just to thank (Deni) for her efforts on this.

Okay maybe we should have the head table people introduce themselves and just so everyone knows who's here. I think we have time for everybody in the audience to introduce themselves as well. We have five minutes.

Man: (Unintelligible).

Steven Metalitz: So I'm Steve Metalitz with the intellectual property constituents.

Kristina Rosette: I'm Kristina Rosette intellectual property constituency.

Tony Harris: Tony Harris (ISPCP) constituency.

Tony Holmes: Tony Holmes chair of the (ISPCP).

Elisa Cooper: Elisa Cooper CSG rep for the BC.

Woman: (Unintelligible) (BC) secretary.

Steven Metalitz: Okay and what I'd like to do - our guest has arrived and so before we go through the introductions of the whole audience which I think is - will take a few minutes and of course it should take us a second to get ourselves organized up here.

I'd like to thank Akram Atallah for coming to meet with us. He's even busier now I suspect than he was the last time we met with him. Not only is he the chief operating officer of ICANN but he's also the interim CEO or will be on July 1 when the current CEOs contract expires.

And of course we've all met the incoming CEO and are looking forward to working with him but Akram is in charge until Fadi arrives on the scene. So we really appreciate you taking the time to be with us.

And I would be happy just to turn it over to you for any comments, remarks you want to make and then we will have some discussion. I know you're time is limited so please.

Akram Atallah: Thank you Steve. Thank you all for giving me the opportunity to be here. Everybody keeps thanking me for being here - that's my job but thanking you for being here. You're volunteering to contribute to ICANN and that's who should be thanked.

I, you know, I'd rather leave it to the questions so I can use the time most appropriately so thank you again and please if we can move forward quickly because I have to be out in 25 minutes I think, so thanks.

Steven Metalitz: Okay thank you. So let me open the floor to questions or from the head table for questions to kick things off so Marilyn do you want to go first and everyone please identify yourself for the - because we have people participating remotely and for the transcript.

Marilyn Cade: My name is Marilyn Cade and I chair the business constituency and I'll join others in welcoming you Akram. We were fortunate as the BC to capture Akram at his first meeting to ICANN and have an introductory sandwich lunch. I think we omitted the sandwiches but we had a great interaction.

I guess - I'd like to make a point and ask you, you know, to give us some thought with us to how we can be of help. Looking at where we are as ICANN both internally and externally, obviously our work load is growing in many many ways but operational performance and operational - and the goal of operational excellence I think is actually one of our best defenses to external threats.

And, also growing expectation as in particular for this particular community as lots of brands are now thinking very seriously about coming to ICANN in very

large numbers and very often without a prior experience of perhaps somewhat more casual environment that ICANN has existed in in the past.

So the challenges of operational performance and operational excellence and I don't mean just in the new gLTD program but very broadly very much on the minds of the business constituency.

Akram Atallah: Thank you Marilyn. We are definitely going through a (nature) change both with the new gLTD but more importantly with expectations from the organization. I think that's good right now.

With the growth comes visibility and visibility comes a lot of expectations and scrutiny. You know, a lot of the things that we use to do that were small projects here and there now are becoming bigger projects - projects that require much more discipline, much more regular in the way we do things.

So that's on our minds. We have put in place a operational readiness program. If you look at the projects you'll see the expanding going mostly toward that toward the operational readiness toward the end of FY13 when we're really are going to have a more of these duties.

And these come, you know, start being delegated or about to start being delegated and we're planning our exit of FY13 at almost 200 people in the organization, so our budget has gone up substantially to be able to accommodate all the changes that are ahead of us.

With any change comes also opportunities. I think we have some opportunities to prove the things that we do and not only the things that we do internally but the way we do things with our constituents.

So we are trying to accommodate all your requirements so that we can do things more productively and help you deliver more productivity for the organization.

But there is stress on the volunteers that are a few percentages of the volunteers that do the majority of the work and we want to figure out how to help you bring more resources but also we're going to have to be more productive as well.

So there are a lot of issues that we're facing as we grow the organization and we have to as Marilyn said we have to work on every front not only the new gLTD program.

Namely one of the things that we see happening with the new brands that are coming in they don't understand ICANN. They don't understand basically that we have one RAA and we have three people I think right now that support 1000 registrars and they expect us to actually have an account manager for that.

So you can take that and multiply it by 2000 and, you know, we can't do this. This is not a customer relationship here. We're not going out looking for customers so the expectations have to be changed also from these guys as well.

And so we have to figure out how to get there and there's going to be some bumps along the way but we're planning for some (mitigation) and we have to actually change the expectations from the other side and to raise our effectiveness on our side. So I hope that addresses a good bit of the question.

Marilyn Cade: I'm just going to respond that but thank you for that tidbit of an insight. As someone who worked in the corporate world for a long period of time I can understand how brands do bring the expectation that there is an (assigned) that's helpful for us to know because we're just beginning to deepen our discussions with brands who are coming about their expectations.

Steven Metalitz: Yes (Ellen) I think had a question.

(Ellen Shankrin): Thank you (Ellen Shankrin) from the (ICP). (Unintelligible) my personal question (unintelligible) necessarily. I'm curious about the terminology change their expectation. I fully agree that a brand coming in has no idea how ICANN works.

I think that all of us who have been with ICANN (is struggling) with how ICANN worked and it's a lot to understand. It's a lot - it's a new and different (model).

But I think that you close the gap between expectations and delivery we need to be the goal asking or assuming that what we really have to do is to educate them to change their expectations might not be the right target.

Akram Atallah: No I agree with you and what I meant was actually in both ways right. We have to raise our delivery which means we have to go toward more of a customer management especially that our contracts are not going to be in RAA.

They're going to be a different contract with each registry if they decide to negotiate the standard contract so it's not going to be as black and white as it is today.

So that means we need to deliver more but at the same time we cannot go to a standard commercial organization where you have a world wide sales force and you have account managers.

So we have to kind of also bring their expectations in line with what we can deliver so it has to work from both ways and hopefully to find the middle ground as soon as possible instead of after much (pain).

Jeff Brueggeman: Hi Jeff Brueggeman with (HENT). There's been, you know, some issues with the application process that have gotten some press attention and I know ICANN is working hard to remedy those.

But at some point do you have plans to issue some kind of a public assessment of what happened and how the steps are going to be taken to address it going forward. I think that's a helpful part of showing that ICANN is taking the appropriate steps going forward to look at these issues.

Akram Atallah: Yes definitely. We are planning to have a review of the process and to just look back at what went wrong but more importantly look at what is it that we can improve on and do better.

So yes we're planning to do that. I think we plan to start something as soon as we get out from (Prague). I don't know exactly how long it will take to put the review team together and get the review done but, you know, we will be taking this underway very shortly.

Tony Holmes: Yes thank you Akram. Tony Holmes chair of the (ISPCP). It was interesting to hear your response to that last question that there is the intent to address that but one of the (older) issues that some of us are struggling with at the moment is to look to help protect ICANN from some of the external challenges that are around and to help us do that.

It's a great good if we can actually carry some positive messages out there and one of the things that really needs some focus is to help us to get the word out there.

I don't think it's just enough to put positive messages out to the ICANN community. We're aware of the good things ICANN does as well as the challenges inside.

But we actually need some help by getting some positive messages out to a much broader basis and that's one of the things that really ICANN I would suggest needs to pay some attention to particularly across the next six months. Have you any (intents) or any idea of how to address that?

Akram Atallah: So it is right now challenging for me to come up with these ideas given the amount of work that we have in front of us. It is my biggest focus right now is to get the program back on track and, you know, make sure that we deliver on the next phase.

The one thing that, you know, we could say that we actually moved beyond the application phase and now we're moving into the evaluation phase and so that's an important part of the program.

I think that doing this with quality and transparency that the program requires will be something we can talk about afterwards. The question is, you know, what kind of things could we put out there that would help you to (leverage) into the broader community.

I mean we do a lot of things right. The one thing that we, you know, we made an error on that's all the publicity. So we're working with communication on changing that (tide) but it is not as easy.

The things that go right normally don't get the press. The press doesn't want to talk to us about these things. So it's a challenging - it's a challenging thing to put out.

But I think that, you know, the biggest thing that we could do is I think if we can make some progress on the RAA in the next few months that will get the ability and hopefully we can actually work, you know, work on getting, you know, more progress there.

And then try to get that as a front news for us especially if we can incorporate all the law enforcement requirements or some kind of a agreement between the law enforcement and the registrars I think that will go a long way so that's a focus area for us in the next few to six months so.

Marilyn Cade: Akram I actually - it's Marilyn Cade. I actually want to ask a follow up to Tony's question. I had a different interpretation of what Tony meant so other than asking him I'm going to just restate - I'm just going to state my - everybody in this room is a advocate for ICANN.

And since the community is ICANN we're actually almost the PR firm in a way that perhaps is not fully incorporated or understood. I see people in this room that have a association newsletters or whose law firms have pages about activities.

It's not always earned media or paid media that can distribute information. The associations are very effective at putting materials into the newsletters. I see corporations here who have customer newsletters.

And information that we can use I think is far more than about the new gLTD program. I think perhaps to me all the air has been sucked out of the room by the new gLTD program and the good stuff we do working with CCs or, you know, doing something.

So I would ask is it possible to think about an adjacent communications strategy to generate materials that can be recycled of - that's probably not a good communications term I'm looking for John Berard - repurpose - thanks.

Akram Atallah: Yes I like the idea. I think that we should try to deliver on that. I'll work with the communications team and see what we can do that's good.

Tony Holmes: Thanks. Marilyn's interpretation was exactly where I was coming from because certainly with the communications capabilities we have now. I

constantly receive messages that tell me some of the good things ICANN does.

Whenever I look in the press I only ever see the bad stories and that's something that I think needs to have some attention over this next period in particular when we're coming to some really difficult negotiations that impact on ICANN but others need to be aware of the good things and that doesn't appear to be happening too much.

John Berard: This is John Berard with the business constituency. So as we are all working for you in terms of outreach what would you say is the bit about ICANN that is least well understood and that we could most first focus on?

Akram Atallah: Oh boy. I believe that a lot of organizations can do what we do but nobody can do it the way we do it and that's multi stakeholder model and I don't think that when you talk to somebody outside of ICANN and you say it's a multi stakeholder model that they understand what that means.

We do but I don't think that the public really understands what it takes to get, you know, thousands of volunteers to show up and do work and push this forward, you know, without - with only what's on their mind is, you know, making the Internet better.

I think that is a tough thing to get outside but if we can I think that will be - that will (unintelligible) which our differentiation so I think that's the biggest message that we can, you know, work on and get to the outside world so and I will, you know, look forward to our communications team to start focusing more on that so.

Chris Chaplow: Thanks Chris Chaplow vice chair finance operations business constituency. That conversation just reminded me of something. I got here I wasn't quite in time for the press conference for the new CO but I was online in the hotel room.

And watching the press conference and following it on twitter which is a good indicator at the end of the day and seeing this sort of constant stream following the ICANN hash tag.

And we often talk about dangers of ITU and governments and things like that but there is also some very nebulous danger of huge amounts of sentences out there, you know, what does the new (CEO) do for this (money)? It was a constant stream on twitter and actually (unintelligible) 44 characters.

Somebody did actually and gave the link to the budget and operating plan so just look at this. This is what is for that money and I actually thought that was quite good.

So I just wanted to draw everyone's attention then and to that other problem (unintelligible) sort of cynicism about ICANN is just a money spending machine because (it's out there). Thank you.

Steve Metalitz: Other questions or comments? Bill.

Bill Smith: Bill Smith with (PayPal) and a member of the business constituency. I liked the discussion around, you know, messaging that we can get. Like I participate a lot at the ITU. I see staff members there, member stakes, representatives of the member stakes.

ICANN is very poorly understood. Actually everything outside of the ITU is poorly understood by many of the people who participate there.

A suggestion in messaging that we do and one would be to avoid the term multi stakeholder. The ITU has now latched onto that and is claiming to be a multi stakeholder organization.

I would suggest that we list basically some of the major constituents that governments participate, business participates, society participates that's a civil society and is particularly is something that is lacking at the ITU and I see no way that they are going to be able to get around that problem in the short term.

Nor is there an appetite to get around that. They don't want some of those voices in the room. I think we have strong messages in that area. With the GAC we have 100 plus last I knew nations that participate. That is a very strong message because the ITU comes back and says well but we're the only one that has a significant number of nation stakes, that's not true.

Alright what are the things that ICANN does and get out of the terminology that we all understand and start addressing some of - basically where the - specifically where the attacks have come I believe.

And just put out some messaging and I don't think it should be ICANN really that delivers this but I was hopeful - hope that ICANN communication staff could put some of these messages together for us and then we can tailor them as we need.

But it's a very real threat and it isn't just the ITU staff there are member stakes that have no idea. I've ran into a representative here from the Arab region who I had worked with at the ITU. First time ever in an ICANN meeting has never been to an ITF meeting.

Okay I was very happy to see him there is a representative from that nation here. He had been on - the person I knew has had to leave but it's very encouraging to me.

But we need a message out about what it is we do for those that who are - have no idea whatsoever and needs to be in language that they understand and appreciate.

So I think it's a very very important thing for us to do and I certainly deliver the message as best I can when I'm out.

Steven Metalitz: Thank you. Let me ask if there are other questions. I'm going to recognize myself if there are no other questions right now.

Man: (Unintelligible).

Steven Metalitz: (Fred) I'm sorry.

Frederick Feldman: Hi it's Fred Feldman from MarkMonitor and I just sort of wonder. I'm in marketing and so I'm sort of used to putting messages around services and I think we're talking about the wrong end of the horse here.

We have to be talking about what are we going to do to change the organization to actually gain public confidence as opposed to how you're going to market it.

I think its time to take some steps to actually convince folks that actually we understand that this is a big task we're taking on to change the Internet and its resources correctly.

And I don't think that comes across when you look at the failures that you've seen in terms of systems. I don't think it comes across in terms of the way the organization presents itself to the public.

And so we can talk about positioning all day long but unless you're going to really talk out actually how you're going to change the organization institutionally and actually make it earn the respect all the marketing in the world will do nothing.

Bill Smith: Okay if I could - this is Bill Smith if I could quickly jump in. I agree with Fred. The problem I think we have right now at least at the ITU is if I go in with a message that says we're going to improve it they will just latch on to that and say see there's more evidence that it's wrong.

I agree and we need to do it now I just want us to message necessarily. It's a complex issue.

Akram Atallah: So I appreciate what you said and I think that, you know, that's a fact of life. You have to always earn the trust no matter what organization you are you cannot live on your (role rules) or on the success that you've had yesterday.

And people have very short memories these days so it's very important for us to improve and earn our reputation. There is no question about that. I think that we're talking about two parallel things.

You know, was talking about making sure that we earn the trust, deliver on our operational excellence and show that we deserve this, you know, the role that we're playing.

So that's something that has to happen and has to happen and get redone everyday and so that's there's no question about it. I think that what the discussion was about is also what can we do to arm our constituents with materials that they can actually help promote the total picture of ICANN and not just what's in the news.

I think, you know, if I understand correctly I think that's what I'm, you know, taking from this conversation so.

Steve Metalitz: Akram I know your time is limited so do we have time for one more question. When do you have to leave?

Akram Atallah: Okay. Mark.

Mark Partridge: Hello my name is Mark Partridge. I'm with the IPC. I attend these meetings as a representative from the American Bar Association and from the American Intellectual Property Law Association. But these are my personal comments not theirs.

In addition to the things you're discussing here I'd encourage you and ICANN as an organization to engage in the outer world. I think that a lot of associations come here to these meetings.

We have a number of different associations that are present. I don't think we feel that our associations that members of ICANN come in and engage with us in those communities.

And I think you would benefit greatly from that. You have a lot of allies in these associations who want to keep governance of the Internet in private hands.

And take advantage by having people engage. You can engage at (AITLA). We welcome you and glad you have you there to help get people to understand what becomes familiar is we become more comfortable with it.

And right now ICANN is not a familiar entity to most of the business and legal world. It's a strange entity that is where the message that we're hearing is that on each time something gets publicized its strike one, strike two, strike three.

So my message and I would ask you do you have any - ever have any discussions in that light to engage outside the ICANN community with the other associations who have been engaging in here.

Akram Atallah: So, you know, when you're doing a global service and you're smaller than (the nation) you have two alternatives message of engagement and I think our method of engagement is through these - through you guys.

And by inviting you to the meetings and by putting the information in the meeting and all of that that's our kind of engagement although I think that, you know, is that there are opportunities to present to any association or countries for that matter or governments or whatever to bring more people into the fold of the ICANN community, I think we should do that.

And that goes hand in hand with what you've been talking about earlier. I think that there are more in the community that understand ICANN and they can present ICANN in a good light than there are in the staff.

And so it would be interesting if we could form a - some kind of a, you know, method way to do to leverage these resources with the tools and the ability to take the word and spread the word out in a bigger way.

So, you know, it's something that we should look into and try to figure out how to, you know, get the word out faster and with all the people that we have in the community, so.

Steven Metalitz: Okay. Uh, do you have to go or...

Akram Atallah: Yeah. I have to go.

Steven Metalitz: Okay. Well two more questions; Aisha and then Phil.

Aisha Hassan: Thank you. Aisha Hassan from the International Chamber of Commerce. We've been focusing in many discussions on the external and internal threats to ICANN. We've also had a very substantive session yesterday on Internet governance and ICANN and the Internet governance landscape.

And since we're going to be going through an important transition period, I just wanted to flag up that it would be helpful to be really thinking about how fast things are going to go this fall in the landscape and to ensure that ICANN is with everything going on prepared to communicate and to be present in the various things that are going to be happening because there is strategic dimensions to all of that.

For instance, you know, I know that preparations for the IGF are running like a speed train right now. And it's often in the midst of big transitions certain things that may not seem critical for a day-to-day kind of activity may not get the attention.

So my message is I hope that along the way with all the very critical day-to-day work that we're also keeping an eye on the strategic issues that are going to be coming up before us very quickly. Thank you.

Steven Metalitz: Phil, last question or comment and please identify yourself.

Philip Corwin: Yeah. Philip Corwin, member of the Business Constituency. Thank you for being here. Just a quick comment. I operate as an attorney and lobbyist in Washington. I would urge that ICANN as rapidly as possible resolve the matter of the IANA contract to get that question mark away from hanging over the organization.

And I'd also suggest that when your colleague and new CEO takes off as - that after the U.S. election that he spends some time in Washington meeting with the Chairman of the key committees, introduce himself, make a good - he's made a great first impression here. I think he can make the same impression there.

It was very telling that a few weeks ago when the House Energy and Commerce Committee had a hearing on the U.N. threat to the Internet not

one member of the committee spoke up to tout ICANN favorably. The only favorable comment came from Vince Cerf who was a witness.

I think you have an opportunity to change that and I would urge in future hearings that the CEO show up. when there's a problem with Chase Manhattan, Jamie Dimon doesn't send subordinates. He shows up. And as the witness I think you need the same level of engagement in Washington. Not to say it's more important than other capitals but it is very important to ICANN. So I hope that advice is well taken and thank you.

Akram Atallah: Thank you very much. Thank you.

Steven Metalitz: And thank you very much. Akram we - I was going to say we look forward to working with you but we have been working with you and we'll continue to work with you. Thanks very much for taking the time to be with us.

Akram Atallah: Thank you.

Steven Metalitz: Okay. Most of the rest of the agenda is focused on - and there's a lot of overlap between the topics that we had identified and some of the topics that we'll be talking about in the Board meeting - in the meeting with the Board coming up at 11:15.

On your sheet you see the three topics that we - that CSG put forward just - in case you're not aware of the process, normally we're asked what topics do you want to discuss with the Board. And then the Board comes back to us with topics that they want to discuss.

And sometimes there's some overlap. This time it's - I think we have to kind of interleave the two sets of topics. But you see on the sheet the topics that we proposed. They're kind of general. They're not tied to specific policy questions or specific action items.

The Board came back to us with four items that they wanted to discuss and they were all quite specific. One is the Whois Policy Review Team report. One is the registrar accreditation agreement revisions. The third one is the budget process, not the FY13 budget, but the process going forward. And the fourth not surprisingly is batching and that whole set of topics about moving forward on the evaluation process for new gTLDs.

So we have to kind of interweave these. And I think - and I think it's quite possible to do it. Obviously, you know, when we talk about the internal issues and the external vulnerabilities, I think Akram even mentioned the registrar accreditation agreement as one very important thing that's on ICANN's plate right now.

And I think a successful outcome there will be very helpful in the external world as well. And of course these are all challenges facing the incoming CEO.

But just to talk about these topics and then one more topic that we have listed under Agenda Item 3. I think we have pretty firm positions on many of these or at least I'd like to see - I think we do. I think the one that is really in flux a bit now is the whole question of batching because it's a moving target.

I know our constituency opposed the digital - well, we opposed the digital archery approach and maybe not for exactly the same reasons as some others opposed it but we did not think it was a well-conceived plan. And I think we're seeing, you know, that plan is - I don't think there was any support for that plan. And what support there was is kind of evaporating.

So I don't think that's really on the table. And the question now as I understand it is should we - do we move to a single - do we dispense with batching and just start processing evaluations and having an equivalent of a big reveal day at some point down the line where ICANN announces who has passed, who has not passed and who's been sent to extended evaluation.

So that - on those things I'm not sure that our constituencies have reached a position. And so I'm not quite sure how we will respond to the Board on that topic. So if there's - unless people have another suggestion of how to proceed, I'd like to start with that topic and just see, you know, what do we think we can tell the Board at this point on the batching question.

Again, given the fact that this meeting with the Board precedes the meetings of our constituencies. I've never quite understood that but that's how it is. So let me open the floor to comments on the batching question. We'll start with John and then Kristina.

John Berard: John Berard with the Business Constituency. So in the last couple of days both through the weekend work sessions of the GNSO Council and then the unofficial rump get together that led by Thomas Rickert, Nominating Committee Appointee to the Council yesterday and then the public session that (Kurt) led.

It's become I think clear to me linguistically at least that the problem to which we are seeking a solution is sequencing and that batching and digital archery and other things were potential approaches to solving that problem.

So whether digital archery lives or dies, whether batching lives or dies and I suspect that neither of them is - they're probably both on life support I think is the best you could say for both of them. There remains a problem to be solved in that sequencing.

What is the order in which applications are going to be evaluated? What is the order in which that evaluation will be revealed? What is the order in which these - those that are approved will be added to the root?

There was as close to unanimity as I have heard in a long time both from community applicants and IDN applicants and commercial applicants that

there can be a significant time to market a discrepancy that - and then of course the SSAC talking about the fact that even once we begin introducing these new TLDs into the root we may if there become technical problems need to throttle it back. So we will need to manage it even further so then a fourth control on things.

So I think that from a linguistic perspective I would like to suggest that we talk about the fact that sequencing is the problem and batching and digital archery may have been proposed solutions neither of which may seem to work but certainly something still needs to be figured out.

Kristina Rosette: My personal view and I've never been a fan of digital archery, I don't know that I'm necessarily in a position to propose an alternative that's going to be acceptable to everyone. But in my view the issue of batching I think really highlights the need for ICANN - they really, really need to get this right.

And if they need to take a week or extra time, not too much, to make sure that whatever it is they're going to adopt that they have fully done all of the worst case scenarios, the best case - the sequential modeling. They need to do that because from my community whether it's applicants or non-applicants, the continual problems are really eroding confidence.

And the last thing I think they really need at this point would be to come out immediately after this meeting with a new process for sequencing only to later discover that there's some type of consequence that they didn't anticipate. And it's just getting very hard to defend ICANN's implementation of this program at this point.

Steve DelBianco: Thanks. Steve DelBianco, Business Constituency. John's right in distinction between sequencing and batching because batching is optional but sequencing is essential. You have to sequence because sequencing is the order in which they get delegated or the order in which they get evaluated.

So the Business Constituency - you ask Steve about existing positions and the BC had commented on the guidebook in multiple iterations. And our position had been that we had wanted smaller initial rounds so that systems could get tested under a more limited delegation scenario.

Since that time we know because of the root stability that roughly - what is it 50 a week, no, sorry, 20 a week would be what they think could be delegated. And Patrick Falstrom in the SSAC discussed at yesterday's forum that that number would be subject to constant feedback root revision. They may have to slow that down if it turns out that the performance of delegation and changes to the root zone are affecting performance.

The BC went on to say that the character of those that should receive priority were community based TLDs and those that serve underserved communities and add value to the zone. And we variously discussed that as saying favor in community targeted TLD and also IDNs because there is - the very definition of an underserved communities would be the users and registrants for IDNs.

So I think it would be wise for the CSG to think about ways to characterize the priority that would be given because that'll affect the discussion of the sequence, who goes first. And who goes first is a far more important concept than the notion of who gets into which batch because I don't really think batching will occur.

It strikes me - I agree with John Berard in that the - I don't think batching will - now it looks as if we're going to dump it all into one giant batch for evaluation and when they come out those that are clear still have to figure out who gets first in line.

Steven Metalitz: I'm going to take a queue. We have Bill, Tony, Phil. I'm just trying to bounce back and forth here.

Bill Smith: Bill Smith, PayPal. So I think Steve's point makes - he makes some excellent points or the BC has however it came about. But what are the priorities? I would certainly support internationalized domain names as going first. I do think it's, you know, it's - I agree the batching appears to be pushed off to the side. Not likely to happen.

Perhaps we want to ask the applicants if they have a preference as well. There may be applicants who would choose to go later and say it's not that important to us to be in the first round. We're happy to go later to allow, you know, people who do care about this to get into the round sooner rather than later.

So I think we need to consider some less prescriptive mechanisms for regulating the way things get put out. Sometimes just asking people if they will accept being later could work.

Steven Metalitz: Before we continue in the queue, I just want to remind everyone that there are signup sheets that I think are circulating and you do need to sign up. There you go. There's some back there. If you haven't signed them, please do so and Benny should get them ultimately and so that way we'll have a record of who was here. So please do that. I think Tony was next and then Phil and Elisa.

Tony Holmes: Thanks Steven. I just wanted to answer your question at the start where you were wondering where the three constituencies stood on this. Within the ISPCP we haven't actually taken a position on batching. But the thing that is important for us, the overriding thing, is that whatever is chosen as the way forward actually delivers.

And I think all of us should be very aware that a lot of ICANN's future is riding on a successful completion of what is its flagship program. And whatever decisions we make, wherever we come from within the whole issue of the new gTLDs, the overriding concern we should have is to make sure that what

comes out of that delivers a quality product. Otherwise it's the disaster for everybody.

Steven Metalitz: Thank you. Phil.

Philip Corwin: Yes. Phil Corwin in the BC. In regard to the sequencing, it's important to the folks I represent and I think we have to look at the numbers because communities in IDN to my recollection there's not a lot of them. But we do want to see because competition was one of the key justifications for the new TLD program particularly with the .com renewal which we know is going to go to VeriSign that's built in allowable price increases.

It's important to have a fair mix of generics fairly on to start getting some price competition in the TLD space for the folks I represent. So we just wouldn't want to see a system that puts generics automatically last in line. We want a fair mix of different types going forward as the evaluation is completed for various TLDs. Thank you.

Steven Metalitz: Okay. Elisa and Jaime and who else wants in the queue? I'm - okay. I'm sorry.

Man: (Unintelligible).

Man: Yeah. Go ahead.

Man: And getting to the subject of sequencing, which I think is very important obviously, I think by the time you get to sequencing the total number of applications will have been sensibly reduced because although they're in contention, we will only have one left out of the various applicants for the same name.

And when you do get to sequencing one perhaps equitable way of proceeding would be to go in a round robin basis where - I mean we have

applicants who the same organization has requested, I don't now, 80 or 100 or 200 strings.

Well if you went on a round robin assignment in the sequencing process, they would - their name would come up as an organization - as an applicant once with all the other people who have only one application perhaps. And then after that they'd get their second name and then their third and their fourth.

So basically if you did that I think we could take the example with the .eu did that when they went into the land rush. Registrars could not add one single intent registrars 100 or 200 names but they had to go into this round robin sequence and then they would - it would come back to them after it had gone around all the other people.

So I think this would be one way of resolving an equitable approach to sequencing, which would not disenfranchise anyone as for instance if you went a category and sail well first IDNs or first anybody else, you would be disenfranchising other people.

Elisa Cooper: So I actually have spoken with a number of the applicants. Sorry. Elisa Cooper. I have actually spoken with a number of the applicants and for them an equitable solution is what is most important. And so, you know, the releasing of the initial evaluation results all at one time so that no one applicant is given that market advantage is very important.

So given that, one thing I question is whether sequencing is really necessary. Because when you come out of initial evaluation, naturally some of the applicants after initial evaluation are going to have to be put into their contention sets.

In some cases within those contention sets you're going to then have your community evaluations. Some of them are going to have to naturally go on to

extended evaluations. Some are going to be requiring extended evaluation of the technical infrastructure piece.

So I think there will be naturally this sequencing that will occur depending on the type of application. If an applicant wants to move quickly and wants to sign the contract with ICANN without any revision, that's one way to get into the market more quickly.

If somebody wants to sort of negotiate with ICANN and see if they can make any changes to that contract, so be it. Those will probably end up being delegated later. But I think for the applicants having that equitable solution where everyone is sort of given the same chance is really important.

Steven Metalitz: Okay. Jamie, Ellen. Let me just see who else wants to be in the queue.

Jaime Wagner: Can I? Jaime Wagner in ISPCP. I'm from Brazil and I would like to follow up on what Steve said with (unintelligible) priority ties and it's not a priority to applications that - to applicants. And the number of applicants is not as large as the number of applications.

So is there a possibility this prioritization wouldn't come after some thought would come - follow in categorizing applicants. And I see some voices saying that refusing categories here. So I would ask if this year I could see has already did the discussion that we did it in the ISPCP.

You came up with some agreement among yourselves about the kind of priority that could be offered. And it's (implied) categories and categories of applicants or not. That's a question for you Steve, please.

Steven Metalitz: Okay. Ellen, Kristina and then Steve. I thought he was asking all of the constituencies but...

Steve DelBianco: Steve DelBianco with the Business Constituency. Thanks Jaime. I believe that we have discussed in the BC, speaking just for the BC, the notion of categories. And we looked at the underserved communities as well as generics. It'd be interesting to come up with three or four categories and go round robin through the categories.

But it still - to address what Elisa said, I think the numbers are sobering with - 1400 unique strings. If you count the ones that are likely to be kicked out or have contention, the ones that have extended evaluation, you're still looking at roughly 1000 strings that'll probably come out of evaluation ready to go, 1000 strings.

No, I said strings. There'll be 1000 strings. And this is the statistics that were discussed yesterday Andrei Kolesnikov had done and analysis and his estimate was 1300. But I mean 1150 he thought. So let's call it 1000. That there'll be 1000 strings and then - and if a sizeable chunk of them decide to go with the standard contract, then Elisa, we could have several hundred at least who are ready for delegation coming out of the initial evaluation.

So I do think we want to plan ahead as if we will have more than the 20 a week that can go into delegation and there will be some jockeying for position to get in line first. And so it only makes sense to think about that.

Now even if you did categories and said we have five categories, generic, geographical, community, IDN and some other; you still have to say that if we're going to take one from each category, there's going to be multiple from each category. So you still have to find some method of saying that of all the geographics, who's I the first week, who's in the second week, who's in the third week?

So I do think we have to confront a sizeable number and it makes sense to look at categories as a way to do that too.

Steven Metalitz: Just before guys we pass the mic to Ellen, if the question was also addressed to the IPC, I mean we - our discussion early on -- it's not that long ago -- was that yes, there are categories recognized in the application process; IDNs, geographic, community and those in contention sets with those.

We now actually know the numbers. We know that'll be 2 or 300 plus a contention set. I mean I haven't calculated that. But, you know, obviously that adds quite a bit in some cases at least of identical matches.

So, you know, I think that's - the last time we discussed this, that was our sense of what ought to go first and that that would be in line with what the economists who advised ICANN said were most likely to deliver greater value to the community and also would I think help address what the GAC - some GAC members refer to as the ICANN's catastrophic failure to attract a lot of applications from outside the usual regions.

So, you know, I think that's another option to put on the table. And again, I'm not sure we're going to get any consensus on that, certainly not today.

Ellen Shankman: Ellen Shankman. One of the things that I would like - that I think we should - that I'd like to talk to this and address. My understanding is that one of the purposes of this is to see what are joint positions that we can go together forward on.

And I think that one of the things that I'd like to suggest that perhaps we can go together forward on is attitude and prioritizing, which is one of the things that I found very disturbing about ICANN's attitude especially with digital archery was we got to plow ahead, plow ahead, plow ahead, nobody came up with a better solution, we're going to plow ahead with this one.

And only when there is tremendous resistance did they finally say okay, now we're listening and maybe come up with something better. If what we're coming out of now that we know what the batches are however sequenced or

batched or prioritized is that what is a strong feeling here is everybody is saying whatever they do next has to be done right.

And if it means that we have to wait a little longer for you to test your system or wait for all the evaluations to come out at the same time or whatever it may be, what we care about is that. And if it takes a little bit more time, I think if we're sending the message that says okay now everybody has a placeholder. We know who's going to be in it. Breathe a little bit. Test it and get it, you know, get the number of people you have to evaluate and do it all right.

But our message now can switch from before innovation means rollout, rollout, rollout; we're saying okay now you've rolled it out, now we want to see it implemented well and we support you're taking the time to do it right.

Steven Metalitz: Thank you. In the queue we have Tony Holmes, Tony Holmes, Tony Harris, Bill Smith, Kristina and then we're going to wrap up this topic.

Tony Holmes: Okay. Steve, that last intervention by Ellen I think was a good one because I think that is the message we can take. And from what I'm hearing here, it's the only message we could take out of this. I don't think we're in a position to respond beyond that now. And if we're here as CSG prepping for the Board, I think we're - that's starting to where we should recognize that and move on.

Tony Harris: You probably all heard in the different forums our comments about the lack of participation from continents such as Africa and Latin America and the Caribbean in the total application number - number of applicants.

And it was our understanding that there was an intention in the original batching consideration in the first 500 there would be for example an initial availability of 100 slots for each continent.

Obviously in that scenario all the Latin American applications including my own and from Africa would get into the first batch. This may sound like

favoritism but it is true that for every Latin American and Caribbean application there is 20 from the U.S.

And I do think that this geographical consideration, which ICANN has paid attention to, might merit some consideration when we think of how we will move forward. Thank you.

Steven Metalitz: Thank you Tony. Bill and Kristina.

Bill Smith: Bill Smith, PayPal. So I was struck by Steve's comments. And I think we need to do things that are equitable. I think we also need to do things that are in the - and our recommendations should consider the public interest.

Tony's comments about recognizing Latin America, IDNs, et cetera, also we should consider how this will be perceived from the outside. Okay. Doing IDNs, addressing other continents first outside of North America and Europe I would say in particular would be seen as a positive thing I believe.

Given that the numbers are relatively low, I personally don't see how this is a significant impact necessarily to other participants in the program. And my suggestion is that we put aside our personal war in corporate interests in this next process and say what is in the interest of the community.

And that actually if we look at things from that perspective and agree we are going to do it and recommend that the Board to that and take the time to do this right that we'll actually come out with the process; externally it will be perceived as the right thing to do and ICANN is in fact discharging its responsibility properly. That would be very good.

Steven Metalitz: Thank you. Kristina?

Kristina Rosette: A few points: I mean if we go from what I'm hearing is likely to be GAK advice namely that it should be a single batch than you really are in fact just talking

about frequency after the initial evaluation results are posted which means picking up on what (Ellen) said there is plenty of time for this to be decided. And I really - I completely agree with what (Ellen) was saying in terms of making sure that it gets done properly. This is not something that needs to be decided here if in fact the single batch, you know, everything processes simultaneously the initial evaluation results go up all at once.

Just a couple other observations: One is with regard to the round-robin point I think it's probably important to keep in mind that if that is if you're going to do a round-robin based solely on applicant I think everyone needs to keep in mind that the 307 donuts applications are not actually all filed in the name of donuts, they're filed in the name of 307 different entities. So to the extent that one purpose of doing the round-robin is to try and kind of balance that out that method is not going to achieve that goal.

And I may regret pointing this out but I'm going to and that is back in the GSO final report on UGKLD's there was in fact an implementation guideline that called for first come first serve processing. That has kind of lain dormant; I'm not saying it's necessarily something we want to advocate for but if the decision is made that we don't want to advocate for it I think we need to keep in mind that it's out there and figure out how we want to respond to it.

Steven Metalitz: Okay, thank you. I think it's been a very good discussion and I want to see if we can try to pull it together as Tony pointed out. Our goal here is to decide what we are telling the Board and we have several other topics. What I heard three things: one is that the priority is to do it right to make sure that whatever sequencing and/or batching approach is taken is implementable and has been tested and isn't going to screw up like the last one.

Second, that it is not an issue that leaves to be decided right now; there is time to decide this and that I can proceed with the evaluation process and then these difficult questions will have to be addressed then obviously but they don't have to be addressed today.

And then the third point that I heard is that the ultimate solution needs to respect the best interests of the community as a whole and take into account kind of the external situation. I don't know that we can get any more specific than that because we've heard a lot of different variations on what that outcome ought to be and probably as we said we - it needs more discussion.

So I'd like to put that - is that a generally the summary or are there things missing or things that should be subtracted from that. And I have Marilyn and then Elise.

Marilyn Cade: And I have just one; I thought I got the sense that acting in the best interests of the community as a whole is actually different than acting in the best interests - acting in the public interests because - and I thought Bill was...

Bill Smith: A community - sorry - Bill Smith - when I say community I meant the public interest.

Marilyn Cade: Well and then - so my - the only correction I would make personally if we can agree on it is that I think that ICANN needs to act in the public interest in any decision because if we use language that says act in the best interests of the community as a whole the world is going to think that we are promoting the commercial interests of the applicants; so wording is very important on that.

Steven Metalitz: I agree although I think people could also say that's, you know, ICANN has to always act in the best in the public interest. So what does that mean in this case? There is going to be some decision but we're obviously a long way from that but - but. Elise?

Elisa Cooper: And so I just wanted - this is Elisa Cooper. I just wanted to confirm that we agree that we withhold the results until we can show all of the results for the initial evaluation. Is that correct? Do we agree on that?

Marilyn Cade: A single batch

Elisa Cooper: A single batch?

Man: Is everyone - or are we directly more general than that? Steven?

Steven Metalitz: There was a significant discussion on this yesterday afternoon and I wanted to share one insight. I'm not being judgmental but I do believe this is meritorious. But if you put them all in and nobody goes to delegation until all of the initial evaluations are done, there is an argument that says that as an evaluation is concluded that the results could be revealed to the applicant. This allows the applicant to prepare their documents, finish their fundraising, and decide whether to shut their ventures down. So you might reveal to the applicants, "Yes, you passed the initial evaluation" or "No, you did not."

In so many cases ICANN is having the conversation with the applicant in the process of the evaluation. That would allow them to know whether they have cleared or not even though nobody can move to delegation until all initial evaluations are done. So please consider that as a subtle distinction from the notion of nobody knows until the end of the reveal.

Man: That may be more granular than we can deal with and I think if it's revealed to an applicant, it's publically revealed. So I'd have some concern about that but I'm not sure we need to address that. John, and Ayesha - and then again we do need to wrap this up.

John Berard: This is John Berard. I'm going to side with Elisa on this one that there are - the market advantage of publically being able to know and therefore talk about it is a - is a big - is big.

Steven Metalitz: Ayesha, I think this is the last word on this topic.

Ayesha Hassan: I just am observing that this is not an IPC position but I don't - I didn't hear consensus on one single batch approach in the discussion around the room. So I think - I think that we're better off in communicating with the Board at the level that we - I know that there's an existing position etcetera but I think at this opportunity given the type of the three points that you did go through about in the public interest in the community's interest etcetera.

And also I felt one point that we didn't get to that I heard was to emphasize how important it is that whatever approach is chosen must work would be the kind of things that would be helpful given that the discussions haven't happened but...

Steven Metalitz: Well that - yes, the first - this is Steve Metalitz, and the first one was my first point.

Ayesha Hassan: Right.

Steven Metalitz: The second point I had was all revealed - publically revealed all at once. So if there's not consensus on that, let's determine that.

Ayesha Hasson: I thought...

Steven Metalitz: And then the third was public interest.

Ayesha Hasson: I think there is consensus on that so I'm a little confused; I'm - I could be mistaken. I just wanted - when I was listening to different peoples' inputs and ideas and for possible ways to approach this, I wasn't sure. So I just wanted to make sure. If that is the case, please go forward.

Man: Does anyone know I would like to support Ayesha's understanding because I don't see how a single - the point of a single revelation goes in line with prioritizing. Prioritizing means different things so I don't know how one single batch is - well...

Steven Metalitz: Yes, so I'm going to - let me ask if there is objection to including into this point as I have a second point that our - that we would support the idea of all of the evaluation results being publicly released at one time. Is there any objection to that?

Well, it's not inconsistent with that. I mean if they just - you know, but...

Ayesha Hassan: Maybe I have a solution to this. What if we ask for a scenario that included these characteristics so that we could better analyze it individually in our constituencies? I don't mean a work plan; but I mean what if we presented the idea that an approach like this because I think probably people do want to take it back and...

Steven Metalitz: Okay, I think what I'm hearing is that anything we say to the Board should be with the caveat that we have not had the chance to discuss this in our constituencies; I think that's absolutely right but that this is - coming out of this meeting these were - the three points were and make sure that what's done is implementable, tested, and isn't going to screw up. Number two, plan to reveal evaluation results at one time; and third, be sure that any sequencing decision at that point is in - is in the public interest. Okay.

Man: Global.

Steven Metalitz: Global - thank you.

Man: Yes.

Steven Metalitz: I'm going with that. All right; thank you very much. We do have a few other topics that the Board asked us to address. One is the register - one is the budget process; so and I think (Chris) did you have like - I understand is there just something very brief that we can tell the Board about the budget process - our views on it or going forward.

(Chris): I think at the highest level we're sort of heading in the right direction but we need to go more particularly with the detail which is the same as previous years. We've heard rumors that there is not a matter of transparencies and decisions as to what level of detail that we can be given but it's the technical problems when you stop letting things (unintelligible).

Ayesha Hassan: Can I - what if I focus on this a lot. So the question that we're asked is the budget and the ops. plan cycle. I think then we're going in - I think we probably need to say a little bit more about the difficulty that the community has in providing effective comments due to the lack of information and the fact that there are huge buckets of money with not enough breakdown on the descriptions right then if I would say and (Chris). So we can't just talk about the cycle and I think saying there's not enough detail, we have to actually give them a little more guidance. It is not just a question of numbers but there needs to be enough of a project description for the community to comment on it.

The second thing that I would say is I feel very strongly that the approach they are taking we need - we need to return and I'd like to make this point for some of you, you are not aware that we used to have a three to four hour working session on these processes in a deep dive and those who were focused on these topics worked through them. Xavier has been experimenting with trying to put a shorter version of that back in. I think that is an excellent thing and should continue; but I asked to have that session done either on the Friday.

I mean typically people who do the deep dive are also consumed by other things but not everybody is interested in the deep dive. So I asked to have that meeting moved to the day - the afternoon after the board meeting so that the people who are interested could stay or the Friday before. And I do think we need to find a time cycle when people can do the deep dive that doesn't

interfere with the policy work. The timing (Chris) I think is another question of is the timing working for us on the cycle.

Steven Metalitz: Okay Bill, do you have a comment on the budget process? Does anybody else want to comment on the budget process? Bill?

Bill Smith: Bill Smith, PayPal. I will take a perhaps heretical view and that is to suggest that the process is broken and I don't think it's ICANN's fault; I think it's the communities fault. I see that we - that each of our constituencies, organizations, whatever evaluates the budget and we spend a lot of time doing that. That's a lot of work.

And I submit that we may want to consider a different model which would be to use something like the Review Team model or what the Board will have which is a Finance Committee and establish something that is community wide that looks at it basically all at once to get synthesized comments back in a shorter period of time with less work.

As this organization grows and has grown, the processes, procedures that were used 10 years ago may not apply going forward. And that the budget now is - you know, we're at 70 million and growing and when you get to that size going deep diving down to tens or even hundreds of thousands of dollars becomes problematic. We have to put some faith in the organization, the staff, the executives, and the Board that they, in fact, will do the right thing. If we don't, we will - this organization will be crippled.

Steven Metalitz: Okay, other comments on the budget process? I'm just not sure what we can tell the Board at this point other than that we're dis- I mean, I think there's some general things that we would - that we are supportive of the efforts to try to get the community more integrated into this process whether that takes the form of, you know, the sessions that you're talking about, the finance committee...

Ayesha Hassan: But don't we want to recognize the progress that Xavier has already made. The fact he has created the committee that we asked him for. I'll just make a point - actually deep dive means you go down to the several hundred thousands of dollars; it's not a very deep dive but I think we ought to recognize that.

Steven Metalitz: Yes, I think and we would agree that's a step in the right direction.

Ayesha Hassan: And the timeliness of the given material which he is working very hard on.

Steven Metalitz: Right - right. Okay, if there are no further comments on the budget process, can we turn to the two other issues that the Board has asked us to address. One is to register our accreditation agreement and the other is to who has reviewed task force.

In the IPC - and this is Steve Metalitz speaking for the IPC, we have discussed this. We've reviewed the materials that were posted on time - this time. We haven't reviewed the material that was posted the day before we got here from the registrars. But I think our message is basically positive; we think that the staff having put out a proposal for a revised RAA has a lot of the important improvements in it and not just law enforcement improvements but also those that are identified - some of those that were identified as high priorities by the GNSO/ALAC drafting team.

So it's basically a positive message but we think there are - that the proposal on verification of who is data still is flawed and notably because there is no requirement for proxy services to verify data on the true registrant. There was a little back and forth about that in the plenary and so perhaps there is some progress on that and that it doesn't require registrars to make use of commercially accessible - commercial address verification systems that are readily available for many jurisdictions.

So on the privacy and proxy services issue I think we have a concern that although there seems to be agreement in principal that there should be an accreditation program, we need to know more about how that accreditation program would be set up. It obviously could be a recipe for lots of delay. We could be sitting here three years from now still trying to have an accreditation program.

So our proposal was that a time certain be put into the agreement so that if an accreditation is not in place by that time ICANN could set accreditation standards. We think it is very important to prohibit cyber-squatting by registrars and their affiliates and there should be some more detail in the proposal on that.

And then finally on the question of incentives for adoption of the registrar accreditation agreement our view is that the strongest - there could be a number of incentives but the strongest one would be to condition entry into the registrar market for the new gTLD's on adopting the new RAA for all of your registrations.

So that's the proposal that's come out of the IPC. I did circulate this material to the leadership of the other constituencies and I don't know if there's been any chance to discuss it in the other constituencies but I'd like to put that on the table for our presentation to the Board. Comments, questions, agreements, or disagreements are now in order.

Woman: Let me just look at Steven to see if he wanted to make any comments.

Steven Metalitz: I see Bill; is anybody else? Bill.

Bill Smith: Bill Smith, PayPal. As I said yesterday, a retired member of the Who is Reviewed Team but I'm not speaking for the Review Team, I am speaking for PayPal. The RAA is a mess frankly. It has bits of policy in it, who is policy, policy in terms of how we create policy and it ties us I believe this

organization in knots in terms of anytime we want to put a new policy in we go look well there's something in the RAA that can't be changed. We have people living with an old RAA.

PayPal did put in some suggestions for how to change this. I don't believe that they have been looked at and instead what is happening we are - ICANN is going in negotiating based on the current form of agreement. And I believe we may have an opportunity here like we're not going to have for five or ten more years to make a substantive change to the form of these contracts and how they will - how this organization can move going forward. I think we can be far more effective with better agreements. I don't know that we can establish that as position here, but I have certainly been advocating that with the Board Members I have spoken with.

Steven Metalitz: Others in the queue - Steve?

Steve DelBianco: Thanks - Steve DelBianco. The business constituencies written position on the RAA have been first, it needed to take care of all 12 of the LEA priorities. And then second, was a carrot; the BC suggested that no registrar should be permitted to sell or distribute any names in the new gTLD's unless they embrace the RAA. And a clarification to that would be they would have to embrace the RAA for all the names they sell and not just the new ones. So that's strictly a carrot and not a stick and we liken it to the fact that the registries who wanted to add a new gTLD had to agree to the new contract; they weren't allowed to use their old contracts for that. So the same kind of carrot should be used with registrars as well.

Steven Metalitz: Okay, I think there's disagreement on that. I think it's in the points Bill raised that I tend to agree with a lot of what he said. I think the thing - the question we're faced with now we heard from a problem that this is something that has to happen very soon. Obviously it was supposed to be done at the San Jose meeting and we're going to be at least six months late but I think it's really important to have a strong position going forward because right now I think

we have essentially a good proposal with some changes needed from the staff and we've got to put, you know, the registrars on to this.

So I think I would try to stick in the path that we are now although I take very seriously the points that Bill raised about the - some fundamental issues here. Of course we wanted to be at that table too, but that was not to be.

Steve DelBianco: But Steve is there a consensus with respect to the carrot-style incentive for adoption or did you have in mind some other form of making sure that it's adopted?

Steven Metalitz: No that's completely consistent with - with the IPC position. Okay, again in the interest of time, the Who is Review Team final report is up for action. You know, I know the BC has put in some comments on the final report; the IPC is late and will be putting in reply comments I guess which will still be open but we did have very extensive comments on the draft report. It strikes me - I mean a lot of what's - what's significant about this, of course, is that it's an affirmation of commitments report and the first one was all of its recommendations were adopted. Now they haven't been all implemented but the Board agreed to do all of those recommendations.

And I think it should come in with a benefit of some presumption that in this case obviously there's going to be debate and discussion about these but the important thing about an affirmation of commitments review is that there is a timeline in the affirmation and if the Board respects that, they have to act on it within six months, which is basically the end of this year.

So it's not a closed book at this point but I think we certainly think we should be basically quite supportive of the Who is Policy Review Team recommendations, the importance of making who is accuracy a strategic priority for ICANN and making that something that at the highest levels of the ICANN staff this responsibility for, and setting some targets and some metrics for moving forward on that.

I will say frankly that as I said before that I think I'm somewhat skeptical about reliance totally on an accreditation policy for dealing with the proxy and privacy service providers but that seems to be the consensus that was reached within the Review Team and basically I think we should be urging the Board to adopt it.

Now they also want to get into some questions about what has to go through PDP and what has to - you know, what modality should be used to implement this and I don't think there's only one answer to that because there's a lot that the Board can do without having to wait three years for a PDP to be finished and we should be urging them to move as quickly as possible. That's kind of our - the ICP view I believe which I will, of course, be open to any comments from ICP members and also from other constituencies.

Ayesha Hassan: Let me just make...

Steven Metalitz: Marilyn.

Ayesha Hasson: Let me just make a quick observation.

Steven Metalitz: ...and Cody and...

Ayesha Hasson: Let me just make a quick observation. The Board - I think we need to the position that regardless of the mechanism that the Board chooses that it should not be optional - it should not be optional to implement. That is this is a Review Team - Review Team recommendations to me ought to be at a much higher level of priority and that is the assumption that they will be implemented. It wouldn't have been made out of the Review Team had they not really received all of the scrubbing and analysis.

So if things are sent to the GNSL Policy Council, I think that has to come with instruction that the PDP is about implementation not opening a debate on

whether or not to implement. I am an expert at listening to the council from time-to time to try to re-litigate whether or not they are going to do something or not. So I would like to the instructions to be if it goes to a council.

The second point I would make is the council is actually technically capable of doing fast track PDP's. We did that in the past. I'm not going to look at counselors who will kill me for this idea, but it is possible to do a fast track PDP. They may need additional staff support, they may have to prioritize, but that may be another thing to think about - about if recommendations from Review Teams go to the council, then additional resources may have to be provided to the council in order to manage the work.

Tony: Yes, thanks Steve; much of which I wanted to say you've said and Marilyn has said as well. The only speech we did comment on the draft report and when we saw the final report we were even more pleased. I think this Review Team did a really great job on this. And so we have filed comments going on the final report as well certainly urging the Board to act on the recommendations. And we make a point within that response that we felt if the action didn't follow on, than what was set out in the policy clearly wasn't being achieved. So there is a need to act on this end.

We're totally behind the recommendations that came out thereof. We recognize there are issues on how you implement them and how it interacts with the GNSO issues as well. But the key message for us to give to the Board is we are expecting you to act on this report and if you don't do that, then you are failing in your duties with regards to the IOC.

Steven Metalitz: Okay, I think we need to - let me ask Bill as a member of the Review Team if he wants to comment briefly.

Bill Smith: Yes, very quickly. I'm not speaking for the Review Team but I was a member. Thanks Tony - very kind words. We did work very hard. Just a reminder if you haven't heard, when we began our work we decided that we would issue no

recommendation unless we had consensus. And we had representation from every, you know, across the spectrum from ICANN. Reaching consensus in some instances was extremely difficult.

As - you know, privacy proxy as an example was a very difficult set of discussions for us but we ended up at consensus and said okay this is something that will move things forward, we believe, you know, advance things and be positive for everyone. So I encourage basically anyone that I talked to to request that the Board adopt the recommendations as is. We did not - we stayed away from prescribing how to implement a recommendation because we felt that that was beyond our remit. So appreciative of the comments that I've heard and we did attempt to be responsive to all comments; but thanks.

Steven Metalitz: Thank you and I think all of us join in thanking you and the other members of the Review Team for their service. I definitely support what (Tony) just said about your work product.

Okay, I think we are just about out of time and we're going to need to move next door in a moment and I think in that regard the seating set up does depend on our helping, you know, moving in there to get our seats and make sure that you sit up as close to the front as possible. Hopefully observers, because it is an open meeting, will be farther back and the setup is not ideal. But we're going to do our best.

Unless there is any closing comment, I want to thank everybody for their participation. I think it's been a very productive meeting and we'll see you next door.

Woman: Steve, I just have one for the BC - you may note that you have a new regular start time of 1:20 because the SBAC is coming at 1:30 and we need to be - and they only have 20 minutes, so we need to be in seated with roll call before they come. Thank you.

Coordinator: You may disconnect the recording. Thank you.

END