Transcription ICANN London
Commercial and Business Users Constituency (CBUC)
Tuesday 24 June 2014

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Woman: All right I guess we should go ahead and get started. I want to thank everyone for joining today's session. We have a quite full agenda and then some new items that I think we need to talk about. So to get started I thought we would do just a bit of a recap of what has happened...

Man: (Unintelligible).

Woman: ...so far. And I want to talk a little bit about what happened with the board and get some feedback and share that with the group. And then I do want to spend some time specifically talking about the expert working group report on directory services. And I want us to really make sure that we all understand and can be supportive of that body of work. I know that it represents a huge amount of time and energy and I think it is really a great way forward. I think it's since these are my personal views, I think it's significantly better than what we have today, but I want us to hear from (Susan). And I know we just (unintelligible) (Susan) - is she here.

Woman: She's coming right back.

Woman: Okay, so and (Susan) is going to help to lead that. And then at 2 o'clock we have staff coming in to share with us a little bit of the work that they've been doing on this operational excellence dashboard, so that would be a way for us to understand their priorities, how they are viewing the work that they do

and how they're rating themselves. And then I want to spend some time - I know that we were slighted to talk about open new detail lead issues, but I think what we need to do instead is to spend that time talking about what we want to potentially put forward with you know all of the other stakeholder groups in terms of our position on the transition and - well really about accountability.

And we've been asked in a earlier CSG meeting to kind of look through the list of points that keep (unintelligible) cuts for to come up with, but I think you know if we can come up with some high level points that we would like to circulate with the other group so that perhaps we can have a joint statement. And so I would like to use that time in lieu of that. And along with that you know kind of where we're at with the IANA transition and the coordination group and spend a little bit of time talking about that.

There are three candidates I understand now that we will be discussing with the CSG in terms of who that one individual representing the CSG will be on the coordination group. And then finally we're slated to discuss main collision and I understand from (Jim) that you have someone that might be able to join us and even give us some additional information?

(Jim):   (Unintelligible)...

Woman: Okay.

(Jim):   ...(unintelligible).

Woman: Okay, that's great. Are there other things that people want to be sure that we spend time on in our session today that are not on the schedule?

Marilyn Cade: This is Marilyn Cade, very, very quickly if we time under any other business we were going to mention this morning let me park it and then if we have time we can talk about this, if we don't we can do it electronically. That was the

idea that we would talk about ideas of how to re-improve and strengthen the interaction with the board and the staff to get it back on a more positive tone. And we mentioned that yesterday in the closed session, didn't have time for it. I had some ideas that we may not have time and then we could just do it at least by email in follow-up if we don't.

Woman: Okay, thank you. So starting off just to kind of recap where we are any thoughts that people would like to share about the interaction that we have with the board and maybe in comparison to the interaction we had last time? Marilyn and then (Chris).

Marilyn Cade: Some of you thought - Marilyn Cade speaking, some of you thought that I sent to the BC private, I just did a quick tally of the number of board members. We had great board turnout at the CSG interaction but we were missing the CEO who was there in the morning and had an emergency complex that came up. It wasn't explained to the room and so it looked a little kind of strange.

The thing that I took away was measuring that interaction, not only against Singapore but also against the GNSO open session on Sunday morning. It was a very different feel and I am aware that several board members have spoken with body and other senior staff about the defensiveness that is coming across. And I think they were very, very sensitized to it across the board, so to speak. But I did think it was notable that when we tried to clarify it was initially the, you know, you're just bringing us a list of problems again and we kind of had to get them back on track that they ask us for that list of examples.

I thought that was really remarkable and something that amazed me because I would have thought there's three full time staff people that support the board. I would've thought they would have had a summary of where they ended up with us from the previous meeting and so I just that as kind of like maybe we're not getting adequate --what I would call -- staff work. I use to

support a couple of CEO's and you know you didn't go into a meeting with the clients until he knew what he said the last time. So like...

Man: (Unintelligible) items.

Marilyn Cade: Yes, so I wanted to part that as an idea Elisa that that it's not a criticism but just ways to improve maybe we ourselves would when we send the questions also say you know as you recall this is where we were last time. It's just an - just an idea but I was very thrilled that I think we got really positive response on the name collision reserved name list. And if in fact we do get something out of that I think that is an example to us of a payoff to our documentation in place of it.

(Krista): (Chris)?

(Chris): Thanks (Krista), on a general comment it just seem very superficial to me as though they weren't really engaged, so that just answers my general complaint. To a more specific one I had a touch of deja vu as it were because we're talking about compliance and then an issue that I had to do with the registry services .Compliance take such a narrow contractual view - not a common sense view, and I think that's probably the same as where we are and where we're going with this one. And you know that's why we're bringing that issue again.

(Krista): Thank you (Chris), any others? So another topic that came up in our discussions earlier was one around structural improvement and there was an idea put forward that we should work cooperatively with the ITC and the IFPs to put together some recommendations or thoughts within the CSG as to how we might realign our restructure. And so are there any individuals in the room here, because I've got we have a full house, that would like to join a group to work within the CSG that would work with others from the CSG that have an interest? Okay Scott, Marilyn (unintelligible). And I know that Ron Andruff is

working on the GNSO restructural working group and I'm sure, or you probably have an interest.

Ron Andruff: Yes I've talk - yes probably (Stephane) may have an interest, he's the other rep so just I'll bring it to his attention.

(Krista): So in the sessions with the CSG we talked about the need for working within the CSG to come up with some ideas and thoughts about how we might restructure realign within the GNSO. Okay, so J. Scott, Marilyn, (Stephane) and - no - yes (Stephane) and Ron, anyone else?

Man: Take a question on restructure. We just want to get (unintelligible).

(Krista): They just want to volunteer, yes. Great so actually I will send that forward to the CSG and hopefully that is something that we can move forward with, J. Scott.

J. Scott Evans: One of the reasons I volunteered is because I also volunteered to work on the bylaws that are the charter revisions for us and I think that works going to be close realigned if there's any restructuring. So I just wanted to make sure that we have - you know we're not working in tandem or parallel tracks where there's more four going on the recourse duplication of efforts. So I'm hoping that I can feed both of this together that will make it a little bit more effective and efficient.

(Krista): Yes, I think that'll be fantastic, Ron?

Ron Andruff: Sorry I wasn't available for the meeting on Sunday because of non call commitments, but did I hear you're going to draft (unintelligible)?

J. Scott Evans: We're going to be looking at things that have already been done. I think you've sent an email out on the 23rd of June that hasn't really gotten the attention it need.

Ron Andruff: Right.

J. Scott Evans: I just volunteered to help push that through and get looked at and get some discussion going and then I felt like this would feed into that discussion as well, so I might as well volunteer. Yes, that's all fine - that I just wanted to make sure because I feel that (Andy) is (unintelligible) that and Marilyn is forward to that so I just wanted to see a duplication, that's what came to my mind okay.

(Krista):   All right I think - I mean I think that kind of covered where we're at so far. Any thoughts about anything else that you think we need to talk about in terms of what we saw in the meeting with the CSG this morning or the board because I do want to move on and I want to hear from (Susan) to have her guide us through the recommendations of the excellent working group. And also to share with us kind of what's going on in terms of just perception.

                 And just how things seem or feel to be shaking now because I'm very concerned that there is some negativity around the report and like I said I just think it's what has been described in the report I believe is a huge leap forward for both users, for companies, for everybody involved. And I just don't understand why you know the entire community wouldn't be behind it. But at any rate let me turn it over to (Susan).

(Susan):   Here Lisa, I sent you a Power Point, I don't know if you could put that up and...

Man: (Unintelligible).

(Susan):   Sure.

John Berard: This is John Berard, one of the BC counselors. The expert working group report being given to the board is now in normal course, the board seeing the

policy implications of that report would pass it to the GNSO council to begin a PDP process. But the board has told us that they understand how big a piece of work to chew that is and have asked the council to offer in advance of that decision of that handing down to advise the board as to what the council wants the board to do in addition to reading the report before asking the council to engage in the PDP process.

I mean because at one level be don't do it as one PDP, do it as many segments of the way the IRTP was done. Or it could be that some additional research should be done before to help frame the issues. And so when I talked to (Susan) about this earlier, asked here is she could advise us today in her presentation some of the things that we might, from the council ask the board to do before it comes to the council for PDP action.

(Susan):   So I'm not sure I can completely speak to that, because I just haven't got the time, my lunch instead of looking over those in force one more time. If you could go - it's like slide five or six I think fast forward to the minimum data record. One more - it's a little hard to see, but before we get to that slide, one of the - I know John, one of the things that we put into the report is that there should be a risk analysis done. So I would think that some of that risk analysis could be done prior to the actual you know PDPs and you know - and building of if this ever got the point of being built.

So - and I - and there's something else that's somewhere on the top of my head that's not coming out. I know there's two key things that we - you know the risk analysis and something else that we were really strong on that you know we would recommend being done because it wasn't something we could get done in the time period that we had. So yes this report had some controversy from one member, surprise, surprise, surprise to be data protection.

And in my view we definitely gave - I gave up on several key points that I had going into the work and starting out on the team and you know we get in

concessions to the privacy and data protection principals. Unfortunately that doesn't seem to help get them - it does not satisfy them. So (Stephanie Paran) who is - she's a data protection person from Canada has - is writing a descent. There was some issues going up to the publication data, we extended it for her and she still really wasn't ready to publish and wrote a decent in the last couple of hours and we didn't publish it with the report.

To be honest that wasn't my decision, we weren't consulted about this and I can decision. So - but she also did not write a clear descent and we have been trying to work with her to get her to you know clarify what she's saying. She's definitely mischaracterized and actually just does not understand the report. It's become pretty apparent that she didn't read most of this and agreed to a bunch of stuff and then went (unintelligible) is what this is.

So it is what it is, I think we did you know the other 13, 14 members really agree and we think this is a good body of work, we're going to move forward and they can figure out the whole descent thing, that's not my business. But I am a little surprised that I have not heard any push back from this community on how limited a data we're giving to the public. It really is not very much data, it - if you want it - if you want to remain anonymous and you want access to any data on a domain name this is all you get.

And if you look at it on the left hand side is all the registry registrar data, you know all the statuses, that concentration data, renewal data and nobody has any problem with that, so. And then the top right hand corner is the domain name, the servers and the registrant type and that was a concession we gave to. We really started out wanting to have if you're a business say you're a business, if you're a legal person say you're a legal person, you know whatever your status is.

The only registrant type besides undeclared that's required is proxy. So if you are a proxy service offering a - if you're an accredited proxy service through the ICANN system and you are offering proxy services on a domain name it

is spelled out clearly. And so which has always been a problem at least for me and my work. And then there's a registrant contact ID that is - that could be any amount of numerals, but in here an example is eight numbers that's all you get and a validated email address.

So if you want more information then you will have to be accredited, you'll have to log in, you'll have to tell us who you are and what you need the information for. Then through sort of the multi door system, as I like to call it because gated has huge implications now that work. Then you can get the address of the business owner the legal contact. And we've broken out - and can you go another slide, yes just one more slide forward. Okay, so if you go down a little bit - but oh no it's any one.

So you can see the - we have - we've - we came up with a lot of purposes, so you have to declare your purpose for needing the data - needing access to the data. So you know domain name control, that's need as managing domain names, I need to see all the records of my own domain names. For some reason (unintelligible) people did not want me to see all the information that I have provided. And so that was a big controversy for a little while.

And so there's lot of different purposes and ways - reasons you can declare are those all the purposes - absolutely not. You know we - I'm sure we can come up with them all. So it is - there's - we've added a couple of new players in the system, its creditors and validators, all the information is validated. The creditors will credit individual businesses - companies to you know request the data and unfortunately I can't speak very well to the actual how the model works and is it synchronized and where all the data sits that's released by goal.

But by the worst Scott - but what I can say is this is one of the arguments that keeps coming up is oh you've got this huge pile of data and it'll be compromised. Well we all know everybody gets breached, it's a fact of life. But there's actually lots of different databases, so this is not one pile of data

all sitting in one pot, its lots of databases working together. So we've tried to put in as much as we could to protect the individual and to protect the data in general. There will be a rule in the engine based on your country code, where you - where your business or your - the individual resides. And then what data can be shown will be based on those individual country rules. So I have just sort of really high level.

Man: I have a couple of questions, one is why were we willing to take less than we have today? What is all - what are we getting for that? Because as I heard pointed out yesterday by a registrar and (unintelligible) when asked there is no additional requirement on the registrar because they already signed an agreement that requires them to provide accurate information, is that not correct?

(Susan): That is correct.

Man: So what is our take away from this that we're willing to compromise on less publicly available information?

(Susan): That it is validated information.

Man: So there's less time running around chasing Donald Duck at Disneyland?

(Susan): Yes, exactly. So - and what could - it's - okay there's 180 principles and if the community decides and goes in the direction that I hope they will and implement you know - figure out the implementation for all these principles. One of the principles speaks to having a sort of a higher level of validation of information, but a higher level of protection. So therefore I could have - I could pay extra -- which I would do -- to have Facebook Inc. information completely validated, line by line and you know I would get up and give my firstborn child away.

Man: Right.

(Susan): And then no one can use Facebook Inc. 1601, you know Willow Road in a registration...

Man: Without being attached to your number?

(Susan): Yes...

Man: Okay.

(Susan): ...it's all attached to the contact ID, so there is higher levels of validation...

Man: Okay.

(Susan): ...and then I think swifter levels of recourse.

Man: Okay, and I think I heard yesterday (unintelligible) explained that it is going to be their - some aggravated database - aggregated, and it would be a large database, but the additional protection that provides a registrant is that it is easier for the person that curates that data to see patterns of abuse.

(Susan): Right.

Man: Whereas today the federated model you have different standards that are applied to the different databases and so I think one person Fred Feldman stood up and actually read off his phone three different domains that he has personally that were registered in different ways in different - and they had all been breached because there were different standards and that this would assist...

(Susan): Right.

Man: ...in being able to identify abuse in patterns. Was that...

(Susan):   There's - there - we have a whole auditing and compliance section...

Man: Thanks.

(Susan):   ...so 180 principles. And Ron did you have a question?

(Krista):   Ron...

(Susan):   Sorry.

(Krista):   ...then (Gabby), and I have brief comments.

Ron Andruff: Thank you (Susan) you picked up my hand waiving out here.

(Susan):   I could see it as I'm talking.

Ron Andruff: No I wanted first to commend you and the group - working group that you know 14 years I'm with ICANN and countless working groups on this and looks like we're finally getting to have some checks and balances I can put in those ways...

(Susan):   Right.

Ron Andruff: ...and it's real exciting, so I'm pleased about that. But I wonder if you could just expand a little bit more on the concept of anonymity and this proxy because anonymity is one of the things that's very frustrating for everybody who owns this thing how...

(Susan):   Right.

Ron Andruff: ...(unintelligible). So could you explain a little bit about that, thank you.

(Susan):   So we have not ruled out the use of the current proxy system. We didn't do a lot of deliberation on how proxy should be - should work and everything because there's a whole nother (sic) - there is a BDP on that. So we're looking to that - the outcome of that group to really dive what would go on. But we assumed that there would be accredited proxy providers, and who would have to agree to certain processes.

And by identifying in that minimum public data example that the - it is a proxy is an important first step in my opinion because as I look at proxy's sometimes I'm guessing, is this a proxy. And then holding them to the responsibilities that is determined by future contract with these accredited proxy providers. So the proxy still remains. There's a certain amount of privacy and anonymousness - I can't say that word, and then antimony, anyway - see I can't say that one either.

In the fact that all you're going to get is anybody that's not accredited to request information and anybody could pass that test to do that as long as you're willing to comply with the terms and conditions is you will get a eight digit number and so you have a contact ID. Now a contact ID and an email address gets me a long way in my research for on things. Because okay I - all of these - this same data set is related to that contact ID and I've got an email to contact them, but you can dig in to get more. But on the face of it you know you're pretty anonymous if all they've got is a contact ID and your email address because you can, you know use Gmail you can use Yahoo email.

I mean there's a lot of ways to not make that apparent that it's your company or your home business. The we've also allowed for the secured protected credential and that is something that you know the privacy people really wanted to protect that individual that is maybe fighting for their lives and their - against their government somewhere. And that is a whole scheme that would need to - ICANN would need to put some work into and that community should come forward and help set it up and we even recommended that ICANN probably fund that to start.

And so the secure protected credential would literally mean a community that feels like they need extra protection, or want to protect members in their community would vouch for them. None of the individual information would ever be given to a registrar, registry, anything but the community would - some organization within the community would be developed to vouch and actually register the domain and use a proxy on top of that. So there's a higher level of protection, it's that we see few and far between uses of that. So there is - this would definitely take away any of the unfettered access.

You have a responsibility to - if you're requesting the information and you have a responsibility if you're providing - if you're receiving a domain name you have to get the information. There's been an argument - ongoing argument that domain names - everybody has a right to a domain name, everybody has a right to be on the internet and you should not have to consent to give your personal data to get a domain name. Don't agree, we argued that stringently that - you know I'm not even sure how technically that would work that you - you know have a domain name without any registrant information.

(Krista):   Let's see (Gabby) I just have a quick comment to make though, and that is - and you touched on it (Susan). The one area where I think this is really a great benefit to business is that there is this - because it's aggregated data you can get that sort of reverse who is functionality, right. And so that's something that you don't have access to today unless you're paying for it from a third party. And so I think this is tremendous, that in particular is a tremendous benefit, (Gabby).

(Gabby):   First of all (unintelligible) you can have (unintelligible) the reporting it. But I have a question, what if because we're businesses and some business in my region are actually want - they want their data to be out there because they want to give trust. So is there a thought of maybe having - clicking something that would put your data out there without seeing the need to go through

processes to get the information? Like if I'm a company I want my information there...

(Susan):   Right

(Gabby):   ...would that be a possibility?

(Susan):   So it - registrant type allows you to select business or a legal entity and so in that your - you - your business contact information or ID would be in that minimum data set, but also in the principles we've recommended that in the implementation stage that for a business they could say no I want my information out there, Facebook would definitely do that. And there would still be some sort of login process that it could be a self accreditation process. So you would need to be accredited, but you would need to say this is my email address and I am a consumer and I would like to see the business information, and then it would be published. So there's - the (unintelligible) to access is pretty much taken away, but you do have a minimum dataset.

(Gabby):   Okay, just for the transcript that I'm Gabrielle (unintelligible), thank you.

(Krista):   There's a question over here and then (Steve).

(Benay Garcia): Hi (Benay Garcia) from HIBU. I had a question and it's a question hypothetical. I sat in the meeting the other day and I was trying to follow through how - follow what was going on. What our business model particularly is is that we represent small businesses, so we are effectively like an agency for small businesses of which we have about 650 thousand of them. And they don't want their information shared, they will - they pay to have that information hidden because the moment they come online they get spammed as small businesses for any number of different kinds of services.

                And so what you see for that service is is that we're actually - we are their admin, we are their technical contact because they don't administrate

anything. We are there - you know we are the contact who you talk to to have - to find out who they are. And the amount of data that we have is voluminous on these people. We have search on them, we have display on them, we actually in our business model we don't do things online, have a physical sales person that actually goes to you, he's met you, he knows where you live, he knows what you look like and that's the data we have on them.

So when I see this kind of thing where you guys are saying well would we want to have this information out there? There's a whole body of small business people who don't want that out there and I'm wondering how that factors into how you guys are calculating this. And that particular business model plays, because you could create a scenario where you make me responsible to provide that information if asked and I would be the shield for that so I'd be a - sort of like a virtual...

(Susan): And that's exactly what...

(Benay Garcia): ...person.

(Susan): ...we did. So this is all based on, you know (unintelligible) are in I think in 106 page report - 180 recommended or principles I'm trying to put that into 15 minutes, but that's exactly what we've done so there's purpose project. So you - the registrant could be all of these things, but you are required to list an admin contact, technical contact, a legal contact, an abuse contact. Now that could all be the same contact ID, but - and if you want to flip back to the last - the minimum data set, so - because I've lost over that part.

So you could be all of those things for them, you could be the registrant if you have that business connection with them, okay. But you could act in - for all of those roles so their information is not out there, but there are scenarios that - I would predict that there are scenarios that a registrant - if the registrant information could possibly requested and displayed due to a legal issue or you know something that is - I can't think of an example right now,

but there could be a scenario where the registrant information would be revealed but it's not - or displayed, but it's not - it would be few and far between.

So you would have to decide - they would have to decide where the risk is. They could use a proxy and then you still have to go back to the - if I was requesting information for that was a proxy registration I would only get the proxy then I'd have to work with the proxy to reveal the rest of the information to me so that we did not change how that works in this record. But you can see right there there's administrator contact text legal abuse and a business contact is optional if you select business that can go in there. If you're - if it is a proxy, if the declared registrant type indicated it was a proxy that proxy - privacy proxy contact ID would be displayed.

(Benay Garcia): Okay.

(Susan): So I think it would work with your scenario, but all - you know at the end of the day there are reasons for a registrant to have their information shared with someone in the public.

(Benay Garcia): So just so currently we're using privacy proxy...

(Susan): Right.

(Benay Garcia): ...just shield it without providing any more information.

(Susan): Right.

(Benay Garcia): And we'd be proposing that we would actually display it but we would show how your own information.

(Susan): You could share your own, yes. Or you could use privacy proxy, you know.

(Krista):   All right...

(Susan):   ...(unintelligible) sent.

(Krista):   ...I think we have a question from John and then actually - yes, and Jimson. And then actually our guests from staff are here, so if we can hear from John and then Jimson.

Man: Microphone John.

John Berard: Oh I'm sorry, what is the nature and use of the ID?

(Susan):   The ID would be connected - yes a code basically connected to a dataset of you know who is that - let's use - just use the registrant. So the registrant in the - you know today who is record you would see the registrant their address, their email address, their phone number. All of that data would be associated with that eight digit number.

John Berard: And the other contacts would also be connected to the same data store?

(Susan):   If they would ask, each contact ID would be connected to a unique set of data but those fields basically I lined out. So if it was Facebook I would put registrants - registrant contact ID as let's say Facebook's number was one, two, three, four, five, six, seven, eight, but I would use the same contact ID for the administrator, the tech contact, the legal contact, and the abuse contact because we're set up to handle all of that. But if we weren't, if we were this small business and I contacted with someone to be the legal contact, to be the tech - you know want a different - you know maybe my hosting provider is the tech contact, maybe you know my registrar is the admin contact. So you have a variety of contacts that you can use.

John Berard: But in the scheme based on your credential for access you would - you might not be able to get anymore than just the ID. I mean you might not have

access if you weren't - if I were just me coming in off the street all I would get is the email of the registrant.

(Susan): Without being accredited...

John Berard: Right.

(Susan): ...of some sort, could be a self accreditation...

John Berard: Right.

(Susan): ...you would only get what you see.

John Berard: Right, and I ask only because in listening to the discussions about the descent there has been a lot of attention focused on the fact that if you do not offer up a tech and admin or a legal contact that the registrant ID then...

(Susan): Correct you (unintelligible).

John Berard: ...and is being presented as if that's how - somehow reveals more - reveals information that it shouldn't, just wanted to confirm that.

(Susan): No, no you - I think you understand that they seem to want to - we've sat down and tried to clarify that and she doesn't want to listen, so Jimson.

Jimson Olufuye: Thank you, a (unintelligible) reports and the (unintelligible) have gone now it case to me that the working group has really done a great job. Perhaps about three questions based on the comment last time these comments, concern about you may have system, so what specific measures are taken to mitigate that? And then two you talk about a global policy - privacy policy framework, so how do you intend to go about that. Is there any recommendation to ICANN regard to agree about a global privacy policy framework?

(Susan): Right.

Jimson Olufuye: Then three, the aggregated RDS has sort of been changed to a centralized idea. Yes, can you give me more information about the auditing part of it because do I ask this question at the open session or maybe now you could make it more clearer about the protecting assurance part of this system.

(Susan): Right, so let's start with the - your last question first. I'm not sure I can and I must say that this - the reports pretty in depth and we'd have sub teams and I focused on certain things and it was not that part of it. But the database is aggregated except that there's a validator (sic) database, there's a creditor database, there's you know where the registry sends the information over that they have received, the registrant sends it to the registry, the registry sends it over so there is databases all over that we're pulling from. And then there will be auditing of how that data is requested and accessed just to see if there is abuse if there's, you know, like a behavioral analysis of how the data is requested and accessed.

And so to make sure that we didn't miss something and all of a sudden we've left a big hole. But and I have never developed software or a database. That's not my, you know, technical expertise but (Scott) definitely can speak to that more.

You know, there's reason - there's standards for doing the auditing and what comes out of that and how to deal with the information that comes out of that.

I would like to say I'm an expert on everything in this report but I'm not. So but we can get you more of an answer. We're having another discussion period tomorrow at 8:00 - from 8:00 to 10:00.

The global privacy framework there's several things in there about that. One of the big things for me that came - that we were able to say in this report how some history with the Whois Review Team I was on that team also.

And we found it very frustrating that you couldn't find a policy a written policy, an overarching, you know, that for all of ICANN in one place.

So we put in a recommendation saying that they should pull all the information regarding Whois policy together so at least you could sort of read it as one.

We've gone a step further here and said let's write one. So do, you know, put in place a global privacy policy but there's also other recommendations that speak to that and I have to look those up.

So and I'm forgetting the first question you asked?

Man: Email harvesting.

(Susan): Oh email harvesting. I'm not sure that this database would prevent you from - what was that?

Marilyn Cade: You guys this is Marilyn Cade. I thought you guys did discuss the use of technological measures...

(Susan): Yes.

Marilyn Cade: ...to prevent harvesting?

(Susan): Right we did. And part of that could be implementation is going to be the key here.

But part of that could be that no one, you know, you just don't sit there and keep looking at all the data.

It is a minimum data set. That is anonymous but we can still put something in front of that, some technology to prevent map harvesting.

And also, you know, there's a lot of terms and conditions we could put in place for the players in the field that this is not permissible.

Elisa Cooper: So I think that there are some other questions. And I think we should come back to this after we...

(Susan): Right.

Elisa Cooper: ...hear from staff. I think if we want to finish up with answering Jimson questions and then I'll ask for a new queue.

So at this point let me - let's stop here and let's - I'd like to invite (Carol) to come on up. I already have your presentation loaded so we can jump right in.

We're going to be hearing from staff regarding a new way that they're looking at operational excellence and it's through this dashboard.

So we're going to have an opportunity to hear from them how it looks, what it does, what it's measuring and I think also how we'll be able to take advantage of it.

(Carol): Good morning and thank you everybody. We're only going to spend a very few minutes today and talk a little bit about business excellence as a whole and a little bit about the dashboard measures as a subpart of that.

One of the areas that I'm responsible for internally with ICANN has to do with the overall business excellence which means it's a constant refreshing and reviewing of our processes and how to improve them.

And I have a person that we're working within our department like the IANA external EFQM assessment that happened a year or so ago.

Similarly we're going through all the processes within ICANN and looking at which ones we have documented how to improve them and all of that.

And that's just an operational matter but I just want to say just that one of the areas that I'm working on.

Along with that area is business excellence. And business excellence from an overall perspective is how do we look at key success factors from a goals and perspectives? Talk louder?

Man: (Unintelligible).

(Carol):   Oh.

Man: Better like this or (unintelligible).

((Crosstalk)

(Carol):   Okay? Okay so business intelligence in this case is pulling together the right set of metrics both as an operational internal management perspective as well as the ones that at a high level we reached out publicly into the board as to how we're performing against goals and objectives.

And what we're going to kind of cover in an overview today is kind of what is that structure, our process driven culture that we're heading towards, the dashboard development and roadmap and some samples so we can give you a full picture of where we're going.

So tomorrow if you want to come and spend an hour at 8:30 in the morning we'll talk a little bit more about the process and the methodology and you're

welcome to come. And there's a subset of the ones that we're showing you is in that presentation.

This is something, this is the structure that today we use which I call the 4 x 16. But it is taking the goals and objectives and putting them through what each individual project that supports those goals and objectives and vice versa what are the main objectives of the company and how they're all set.

So you've seen these before. And as you can see we're even using this structure for our budgeting process. We're using the structure for how we do dashboard reporting. We're using the structure when we talk about cross functional approach to projects and is that foundational structure what I call the 4 x 16 model goals objectives portfolios and how all that works together.

And this one this is a slice from the FY '15 operating plan and budget which actually has the dollar amount added to it. And the point here we're even tying the dollars to that goals and objective performance.

I think I just made this point. This is about the linkage of all that structure together.

And I talked a little bit about the definition. This is a little bit about the report and the dashboards. You know, we are in the process. We do not have a common warehouse database of all this information. A lot of the systems are all independent.

And we're in the process at looking at pulling all that together and having more common database to pull and create the dashboards from it.

I think that main message but it's really important to know that when you hear us talking about charts and dashboards for us it's three different levels.

There's the day to day ones we're using for the operations and the management perspective. There's the ones that our management team will use as fact-based decisions.

And lastly the ones that we show high level are we on track to what those performance metrics are?

This is the process we're using. This is an important piece. And this is what a lot of people have been asking a little about this time is if we are updating some of our dashboards when would that be visible, when would you see it, when could you see a lot of that data?

That tool we're working on as you can see is the long plan roadmap. But between now and Los Angeles you'll see a new beta of the dashboards that we're pointing out. And this is the roadmap to do that.

The initial goal in which you'll see is one or two key success factors tied to the goal. So therefore you will have a key performance indicator for each one of the goals in the portfolio.

And this is the direction we're heading. So it will tell you that if you are looking at today we have four objectives, 16 goals and 50 portfolios. So that you can get an idea of how many dashboard tracks you would initially see in the rollout.

This is an actual current dashboard we use today. This one has got all the elements of a dashboard that you'd want to see. It has a target and objective.

It has - and this is all of the projects that we run through myICANN and how they're doing and how many are complete and closed, how many are in work, how many are planning.

And as you can see we have a direction. The only thing that you can't see on here is if you look at the gray group or 38% in the middle a lot of those are ongoing operational projects that close out at the end of the year because they're used to track our costs for those so they will close out.

So in the last month you'll see a lot of those closed down. And that's how you see where we stand today. Normally you might see a higher trend of closure here.

(Emmet) do want to talk or do you want me to talk?

(Emmet): Oh sure.

(Carol): Do you want to talk from...

(Emmet): Let me close to the mic (unintelligible).

(Emmett): (Unintelligible). That'd be fine?

(Carol): Yes.

(Emmett): Okay. All right this chart in here as about the ICANN meeting. So we can see it's a bar chart. And you represent by color the participation of the ICANN meeting by region.

What we did in this chart is really to put into numbers what we already knew notionally.

You can see the first bar represent ICANN meeting in Beijing. And in that bar chart you see there is a large orange bar which represents the participation from Asia.

On the next meeting which was in Durban it's the blue bar who is really dominant which is the participation for the African region and so on Buenos Aires and Latin America. Then you can see that the green is larger.

And all this chart really it tells you the story that it's justified for ICANN to really rotate the location of the meeting. And if you do an average of the last three meetings you can see that actually the colors are well-balanced.

So this is really to put into fact what we're already using which is to predict the location of the meeting. And that's really the purpose of the business and diligence exercise of the dashboard is really be able to make fact-based decisions, not just based on looking at what real facts that you can see.

Yes let me go to the next chart yes. This is same with the ICANN meeting, the number the support travelers.

Let me - and this one represents the support the services that we provide at ICANN meeting.

I'm going to spend more time on the IANA chart in here. This chart is important because actually this one emulates the pyramid that we show you earlier.

At the top of a pyramid you get the strategic level which really represents all the site. And at the bottom of the pyramid it's really operational. It's for ICANN internal operations.

And here for the IANA -- and this is public -- the URL is being putting on top the first part of a chart really give you a high level on the key performance metrics of IANA.

And this one is to process the change request on the root zone. And what we're trying to measure is really the timeliness of the request.

And you have - zoom in so everybody can see. It's very difficult to see yes. Yes.

And from the time that is here we have a target of 80%. The actual measurement is 97% and the result is really green we met the target.

So really on the top of a pyramid from an oversight set perspective that's the only information that really you will need from the oversight perspective.

But for operational manager you will need to really drill down in this data and to see more information. And that's where you get the table that will appear underneath here which is actual, the actual requests that has been processed.

And there is way more data with really the time calculation segment from the time to validate, time to dispatch and time to actually complete the actual request.

So one more for IANA. This is the same concept where you get the table that will really show you at the high level for oversight purpose. And at the bottom you've got to drill down from the operational level where you see the bar chart with every single request.

That was the last chart so if you have any questions?

Woman: (Unintelligible).

Man: (Unintelligible) my question too. Can I hear - see - so when I say dashboards I kind of like to see two things.

              One I like to see content with the dashboard. So first what is the purpose? What is that dashboard supposed to represent?

The second thing I like to see in a dashboard is so what? You know, we can show data and it can sort of be counting things.

But the point that where you want to get when you show a dashboard is what is the - what's the so what? So this thing happened, we counted these things and then crawled out. That really helps us understand from the context of so what we're looking at.

(Carol): I'll answer it in a couple of ways. In the first chart that we showed you which had to do with the volume of projects we're closing out we make a commitment financially for a year to spend X number of dollars to do X scope of deliverables.

So what we're trying to show there is are we going to meet those deliverables by closing those projects within the timeframe parameter? So that's what we we're trying to do by showing that chart. And that's one that we use internally to see how our closure rate is working.

And that was the point here. We have a target to hit 85% of them. The ones that don't are carryover projects so it's our way of showing that we are performing against that plan.

To answer your question but you're right we should put an explanation of why we're doing this against what goal. And we will go forward and do that when we write the explanation of what these chart.

The other is I said in the registry registrar meeting and they were talking there were some dashboards that they would like to see to show that they are making the agreements that were set up.

Like in the case of car step they wanted less than 15 days to respond. But we're going to actually track that data and show that we're making that requirement as an example.

Man: (Unintelligible).

(Carol):   So for us it's based on what we would call key performance indicators is the ones we're working on in terms of the right charts to show and work on.

We're not just putting all the dashboards that we could create. You know, we're tying them to the goals, the objectives and the portfolios which have key success factors. And we're creating the key performance indicator charts to reflect those. And that's why it's taking us time. It's not a quick exercise. It's part of the process.

Man: Well let me give you an example. So if I were to see a chart to float along and I said okay this was 83% and my first question would be is that good? Could it have been better? What was driving that goodness or badness? You know, and that's the so what I tend to kind of look for.

(Carol):   So if I heard you you'd like to know if that's met our goal and what the difference is and what's - why the difference?

Man: Thanks (Carol). And (unintelligible) there's obviously a terrific amount of information (unintelligible) research and in there and coming towards us.

It did remind me and your presentation reminded me of the myICANN metrics that we've got at the moment. And I must admit I must confess I've not looked at it for a long time.

And I probably looked at it more than many other people in this room. So it's seems to me is probably something that the staff are focusing on more than the community.

And while you're doing your presentation I was trying to think why? So I took a quick look at it. And if we look at one of the metrics which is a pure example I just hit on it for one of them establishment of regional communication function and it's on target 100% so that's fantastic.

But what does that mean? And I think the problem is, what is the definition of establishment of reasonable communication function?

So it's almost as if we need a handle for all of this because these projects come in finish. And I know from the work I've done on the budget it's difficult to comment on them because we don't know the boundaries or the limits of the project at all, you know?

And we sort of ask and we get an answer and then we move onto something else and we, you know, so unless anybody else has got any take on this, you know, my takeaway would be we need a great big handle like that defining everything. Thanks.

Man: Thank you very much. I'm excited to see this. Quite frankly a lot of it was right over the top of my head like a 747 because that's not - I don't deal with this area.

But I'm excited from the point of view that finally after 15 years ICANN is doing a lot of metrics work.

Sitting to your immediate right is (Steve). And he chaired the first group that we had to try to develop some ideas on metrics. And now we both share - we both participate in the IAGCCT which is consumer trust in the new gTLD program.

So we're getting baselines, were finally getting some baselines in the institution. And I just wanted to mention that because I think that goes a long way towards the accountability issues that we're all concerned about.

So if we can get some baselines and then start moving from there we can see if in fact our institution is being accountable for its activities.

So I commend this. And again I'm not really clear on it. And certainly my colleagues are in - have a better handle on it.

But I do like the fact that you guys are pulling this together. And I think if we can continue to go down this road with ICANN and have these metrics and show what is happening, where it's happening and why it's happening that's a very encouraging step forward. So thank you for that.

(Carol):   Marilyn then Sarah.

Marilyn Cade: Thank you. Marilyn Cade. Thanks for - I think all of us are very appreciative of the progress that has been made and particularly since (Chris) and myself and a few others have said in so many meetings with you and the team on the need for moving in this direction and the great work you've done including continuing to come back to the community to ask for feedback. So thank you for this and now more. Let me follow up on (Chris)'s comment.

One of the challenges that you know that I have continued to describe and (Chris) has in his role and on the budget committee as well we do really - it's very difficult for the community to understand a project when it is without a narrative description.

And I'm going to use a specific example that you're already familiar with. My concern that I couldn't find the $3.5 million of funding that went into the high level panels and the fact there was no project that I could identify ahead of

time which would have led me to understand there was going to be a launch of a series of initiatives.

So just to use that as an example and think about, you know, I - not a handbook but a database of some kind or, you know, a project description narrative of some kind I think is what (Chris) you were pointing to.

And I think that may be in the works but it's going to be very, very helpful to us as we try to track through here is what the strategic plan at a very high level said.

Here is the projects which you're going to work to achieve it. Here's is the achievement and progress along the way. Here's the feedback loop about how something has to change and here's the money all the way through. But thank you very much for this.

(Carol):   I - gee I just want to comment on this. You know, I have heard that a couple times. And I'm not surprised and I too understand fully. And we're trying really hard to build a foundational structure that's repeatable.

One of the challenges that since I've worked at ICANN for a couple of years is we've changed so many facets that it's very hard to link year after year after year to pull that together.

So one of the things we tried to do this time around is really hold to a structure. And so that's why even the budget this year which I showed you just the high level chart if you actually look in the budget for this year we actually took some lessons from the last two years.

We once went way too much detail and wasn't big enough that people could without spending a lot of time get a high big picture.

And also some have enough granularity to the budget for some individual projects of interest that do keep coming up in the four buckets.

So we're progressing down the line. And I recognize the challenge and I understand. But I do hope you can see that we're trying to listen to you and make progress.

But as you guys all know since you work in different business it takes a long time to get that foundational piece there.

Sarah Deutsch: Hi. I'm Sarah Deutsch. I had a question about the operational excellence piece of this. It was hard for me to see how granular that went from the chart. But does that cover the new gTLD program?

(Carol): I'll say yes and no. The new gTLD program is just one of a series of them that Christine Willett and her team has a lot of operational process and pieces.

And yes we collaborate in her charts for her dashboards are incorporated into the whole. But from an operational excellence perspective in terms of writing the process, documenting them, showing the progress on them, continual improving them within each department they do work on that as well as holistically how do we pull the pieces together.

So business excellence as a whole is going to follow a similar methodology and standard that you can look at how you - all the processes look the same so that if you get one out of finance or if you get one out of the new - the actual standard process you lose - you use and how you evaluate it and how often you update that process is the same for everybody.

Sarah Deutsche: That's great. And I hope, you know, we could learn more about the new gTLD program in particular and how you're measuring the excellence of that.

You know, so for example so you looked at a new TLD and said oh, you know, this TLD is rolled out and 20,000 registrations were issued is this, you know, sign of excellence? And it turns out that the registrations would justify the registry parking them for themselves.

So there's a lot of, you know, I would just love to learn more about that particular angle. Thank you.

(Carol):   I'm going to say that I'll go back to (Christina) talk about that with her and her team.

Jimson Olufuye: Jimson Olufuye. Just want to ask if this is part of the enterprise system architecture this (unintelligible) mentioned in the budget proposal that you're onboarding? It's part of it?

(Carol):   You said is the business excellent part of our...

Jimson Olufuye: Yes in the 2015 budget proposal they say mention of an enterprise system architecture may be like ERP that is being maybe used in ICANN.

You know, so I'm just asking is this part of the process of utilizing the enterprise system or something?

(Carol):   So the systems we're using for some of our processes like business excellence over all methodology standard -- things like that, you're talking about an ERP systems connected in one and are there all translatable and automated and cross information?

And I would say today no. It is a long term roadmap strategy to connect them all. It's one of the things that (Ash) our new CIIO is spending more time with and building that roadmap from the past to where we want to go. But it is a process and no we're not there yet.

Thank you all very much.

Elisa Cooper: Yes for the record I want to thank (Carol) very much and we appreciate your time today. And I'm sure we may have some additional thoughts in areas where we may have some interest in tracking some of these metrics.

So I'd like to come back in another maybe one of the other meetings and give you an update, kind of keep you on path with where we're going. So thank you.

(Carol): Thank you.

Elisa Cooper: Thank you. Okay so I think we had some additional thoughts or questions around the Expert Working Group Report. But (Steven) had to step out for just a moment.

And we're actually slated to take a little bit of a break because I find these meetings by the end of the meeting we're just - we're really not making much sense because we're just really way too tired.

So I'd like to take just like a five-minute break. I know we're slated for ten but I wanted to just to five and then come back. We'll pick up with Expert Working Group, we'll answer any questions there. And then we'll move on.

And I think we're next slated to talk about -we were going to talk about open new gTLD issues. But I think we should probably instead spend some time on the list of bullets around accountability and see if we can come up with our position on accountability so that we could share that with the others from the CSG and from actually the whole non-contracted parties house and the rest of our house as well.

So let's take five and then we'll come back.

Man:				Two-forty, come back at 240?

Elisa Cooper:		Two-forty.

Woman:			And if you haven't signed one of the sign in sheets you came in since they're up here at the front. We'd welcome getting you to sign in.

((Crosstalk))

Elisa Cooper:		All right folks why don't we go ahead and get started? And I'm sure folks will come back in.

((Crosstalk))

Elisa Cooper:		I think we wanted to start off by answering or discussing a few final items that Expert Working Group Report on gTLD directory services.

				So did anybody have any other items that they wanted to cover or questions or comments or thoughts?

Woman:			Just as a heads up, you know what? Email me, I'm on the DC list. If, you know, you get home you read the report you're like what are they talking about because there are confusing parts of this report.

				Email me, we'll set up a call. I mean I all do it individually. I would do that as a group I would do whatever. But like I said there are parts portions that I haven't focused on as much as others so...

Elisa Cooper:		(Steve) and then (Jim).

(Steve):			(Susan) about a year ago the BC supported the GAC when it created safeguards for regulated industries, highly regulated industries, .pharmacy, .loans, et cetera.

And one of the requirements there would have been that the registry would have had to validate the credentials of a pharmacist before they would sell them (Steve).pharmacy.

I realize that hasn't been worked out yet because the new gTLD committee hasn't required it.

But at the very least I believe they will require that the registrant signify that they are a licensed pharmacist in the jurisdiction that matters.

I looked through the whole report on EWG and I can't find the data fields that would convey the professional registration status of the registrant. And shouldn't that be part of the project?

(Susan): So we do have a registrant type which is just undeclared as what rules the day unfortunately. And then as a legal person or a legal entity and I have to go back to give you the actual vocabulary.

But we did think about the fact that to me businesses should be treated a little differently than an individual registrant using it for their family.

(Steve): A pharmacy is very different than a business in general...

(Susan): Right.

(Steve): Was it just the regulated industries is what the BC supported?

(Susan): So but what we do suggest in the principles too -- and I'd have to look for that one -- is that if a registry has other data elements that they are collecting and they are requiring then that becomes part of this data set. That's what you needed okay. Sorry it took me too long to get there. (Jim)?

Jim Baskin: Thanks, (Jim) Baskin. Perhaps I should have heard this earlier in some other part of the presentation but the cost of this sense would seem to be substantially higher than the cost of the current mechanisms that are used.

Has - did the group look at what the potentially increased cost would be to registrants to register the second level with this in place?

I think outlined - and the reason is I'm not so concerned about businesses but I am but I'm more concerned that we need to defend this against developing country concerns but just price their people out of the market for buying a second level or not registering a second level.

(Susan):   So when they really did the math and actually VeriSign came to our session yesterday and we had a little bit of back and forth on this when they - we had a cost analysis done by IDM.

And there's a little debate but it's either 6 cents or 10 cents per domain name which is some money. And 6 cents and, you know, wherever, you know, could be a lot of money to you.

But my feeling is all of the - there are costs associated within any accurate data, there's costs at the registrar level, at the registry level, at ICANN, brand owners, fraud, you know, consumers.

So I think the costs may be redistributed is my opinion and maybe we make allowances somewhere. The community decides that we, you know, ICANN can fund that for, you know, somebody could say I can't afford that extra 10 cents, ICANN will pay it.

I mean because all of that is being that - those costs are associated. I think you might find that the costs, the true costs not to the individual registrant would come down when, you know, people couldn't use your information freely when it's not their information, it's yours.

And I wouldn't have to fight so many, you know, fraud situations using our trademark maybe.

I mean there's just a lot of things where money's being spent. So yes cost is an issue but I don't think it's as big an issue as people would like you to think. So there is a whole section on that too.

That it?

Elisa Cooper: I think so.

(Susan):   Anyway email me if you want. We'll set up a time talk.

Elisa Cooper: I would like to say that and we do have a meeting scheduled for tomorrow to plan for the public forum. But I would like us to make a statement supportive of the Expert Working Group and the final report.

And I think I think that should be well in line with our previously stated positions. But definitely if anybody has a concern about doing so I'd like to - you should raise that concern now but I feel strongly that this is in our best interest.

Okay. So with that we are going to switch gears a little bit and we are going to try to wrap up on the accountability document that we were working on over the last couple of days.

There's been some amendments to it. So (Steve) is going to take us through that. We're going to try to I think finalize that.

And then we're going to after we do that we're going to then look at these bullet points that had been drafted as a potential for what we might say across the entire ICANN community.

So across the contracted parties (unintelligible) and the non-contracted parties (unintelligible), something that we would all face together some guiding principles around accountability.

But first we're going to work on our own position and our own document and then we'll talk about what we might propose. So (Steve)?

(Steve):   Thanks Elisa. So as we discussed in our closed session yesterday it's been 14 days during which we reviewed our multi-base comments on the ICANN accountability track.

During yesterday's session we had a great conversation lasted about 45 minutes. And it resulted in several rounds of relatively small but important edits that I circulated this afternoon to the entire BC, BC-private.

The key section and I really believe the only one that needs to be discussed and approved today is in front of you.

And this is the section of the document where the BC suggests that the way to achieve accountability on ICANN's board and management is really to make a permanent Cross Community Working Group.

The way we've described it is not your typical Cross Community Working Group where the GNSO gets one vote. This is a little bit of a different flavor and this is a subtle but important for us.

The paragraph at the top suggests that every constituency becomes a member of the working group.

You know that situation there where the entire GNSO gets resolved to one vote again say one from ccNSO or one from ALAC.

When the GNSO - (Judy) is nodding. When the GNSO generates nearly all the revenue and is responsible for the vast majority of what ICANN covers. So that's in the black text at the above. And as that paragraph ends, it introduces a list of powers -- privileges -- that the new Cross Community Accountability Group would have.

So what - the only things we need to debate in the next 10 minutes is how do we set up that list? What words do we use? Do we use strong words that say something like, "The committee should at a minimum have the following powers," versus mean bringing up how (Aparna)'s edit came last night. And (Aparna), I've got your - with all the changes and I believe that you had "could include," agreed? "Could include." So this was a relatively minor difference, should we say "could include" or "should include at a minimum the following."

And I'll take a queue, let's just get this resolved in two minutes. (Unintelligible), Ron, J. Scott.

Man: Thank you - thanks (Steve). I'm really pleased with the way this is developing, because the whole issue of who's going to be the one to provide that oversight is the biggest question we have of resolving the (unintelligible) transition issues and so forth. So I think going along in this direction is a very, very healthy one for everybody and I think that we should take strong language -- 'it should include.'

Better to start there and get pushed back where we agreed at 'could' but I don't think we need to start at 'could,' we're going to start at 'should' in my view.

(Steve):   And I wanted to take comments. We'll do a vote around the room. Only give a comment if you think it's instructive before we make a vote on the language please. So J. Scott and then (Aparna).

J. Scott Evans: I'm the one that suggested this edit and the reason was because after our discussion yesterday, I felt like (David Farris) and I were both advocating very strongly for the fact that we should go in with a position of what we think a minimum choice should be. And we understand that that doesn't in any way entrench us from changing that if we get pushed back or being seen, but we need to come forward and say what we want, at a minimum for this.

Because if you do - we - I have found -- and I think (Suzanne) is now finding -- is when you come to the table being ultra-reasonable, you walk away with about half as much as you started if you just came in and were - you don't have to be rude, but you're pretty clear and pretty strong about what you want.

Woman: So I have the cut and cleared edit and I'll note that the initial text says that the power should initially be limited. So one, I would propose a compromise, which would be to say 'could include at a minimum' which would sort of address this concern of we want to say that this group could be more robust, but we don't want to necessarily say limited versus not limited. And then 'at a minimum' would be sort of like "Here are some ideas."

The reason I'm just hesitating a little bit to definitely say 'should include' is that I know we had a robust discussion yesterday for about 45 minutes about some subset of these ideas -- not all of them even -- and I know that we can obviously change our position as we go forward, but my - in general there's sort of a pre-commitment, right? But once you articulate ideas, you articulate a position, psychologically there's like a bit of a barrier to sort of going back from them.

And regardless of the procedural prospect, which is of course you can procedurally go back. And so I think just because we haven't really discussed these six proposal - I mean the last one is new. I think it's an interesting idea, I definitely think it's one we should consider. We should sort of consider embracing as a meaningful accountability mechanism, we haven't really sort

of run all the traps on these ideas. And so I guess I would suggest could include at a minimum. Another potential option would be - and I know this is going to take longer than two minutes so I apologize but I'm trying to get to something that works for everyone.

Another option is that the whatever it's called, the Working Group on Accountability should consider these mechanisms. That would be another way to put it to say, you know, our view is that these have merit, but the community has to work (unintelligible) process.

(Steve):   Thank you (Aparna). Keep in mind that we are drafting comments in response to six questions from ICANN staff that are used to start a working group. So the actual working group that will design enhanced accountability doesn't begin its work until next week. We've got several BC members that are trying to get onto there and I think CSG is going to be potentially four. So a few of us will get on, a few of us will be alternates, and it will be that group that determines what enhancements are asked for and hopefully will draw heavily on the work that we do.

So the working group that said - that would 'consider' it, (Aparna) is mentioning, is the working group that convenes next week. So I have in the queue Marilyn and John Berard. Marilyn, John, Elisa, J. Scott, and (Suzanne), all right?

Marilyn Cade: I'd like to support the direction that I think (Aparna) was going in. It's probably no surprise since I was supporting that yesterday as well, but I still think that a better direction for us to go in - so language that says, "The working group could consider..." or something of that nature, I feel much more comfortable with. It gets ideas out on the table but it also lets us further study - and again I'll say that while we have a lot of our members here, we don't have all of our members here and this is moving pretty fast.

But it does, I think - with the direction we're going in gives a strong indication of the level of our concern and commitment. And I think that is what is important to come across, because this is going to be a - this working group I expect to be a fairly long-term effort. It's not going to conclude in six months by any means. And I think a number of things are going to have to be on the table, including assessing whether there needs to be a two-staged approach to developing and implementing the accountability mechanisms.

But we can't really get there until we get into the working group and start hearing from others. Also (unintelligible) could be wrong, we should ask Elisa, my understanding is this working group is going to follow the model of the other cross community working groups, which is actually four per constituency -- not four per SG -- but - because that's what we have on the CCWG on Internet governance.

Man: (Unintelligible) on that for a minute. ICANN management staff didn't dictate anything, but the AC and SOB there's been debating what those numbers are. Elisa has some more information on that. Go ahead Elisa and then we'll go to you, John.

Elisa Cooper: Yes, so on the Cross Community Working Group for Internet Governance, it was you, (Phil), (Aparna), and (David Ferris).

Man: Right, just four.

Elisa Cooper: Yes, four.

Man: Constituency, not (unintelligible) -

Man: So per constituency -

Elisa Cooper: Yes, yes correct. And so that's my understanding, although I got some concerning news that maybe it wasn't and -

Man: It is.

Elisa Cooper: It is? Okay. Sorry.

Man: Why don't you make your (unintelligible) point.

Elisa Cooper: Actually I'll pass and let the others go.

(Steve):   John?

John Berard: This is John Berard. I agree with J. Scott that 'should include at a minimum' is a sharper point, but I think that the 'could include at a minimum' still makes the point. And if, you know, my instinct here is to find a way for us to agree on something that can be said, because my feeling is that the strategic message here is this Cross Community Committee on Accountability and the inclusion of all members of the ICANN community as a counterbalance on accountability. That's I think the goal here.

(Steve):   (Suzanne).

(Suzanne):   So having debated - having debated "should" last - "may," "could," a lot in the EWG, I mean yes, you wouldn't believe it. So "should" in my opinion immediately goes down to "may." "Should" and "may" are used in the same way to people, so don't ask me why, it's not my definition, but that seemed to be I've run into that a lot. "Could" is if was to give these numbers in ranking, "could" would come underneath "may." It would be "could," "may," "should," "shall," "must," right, yes.

                 So I am a little concerned with doing "could" because - using "could, but "should consider," - I hate to be this little, you know, intent, is you should consider it, they should look at it, think it through, does this work, but we're not asking them to include it. So it's somewhere in between - "should

consider" is a little bit below "should include" and I would go with "should consider" - I would agree to 'should consider' for that.

Man: Well that was going to be my only -

(Steve): If we did 'should consider' then you have to name the entity that would consider it. And that was (Aparna)'s point. We'd have to change the sentence around to say that, "The Enhancement Working Group should consider," which we don't discuss them too frequently.

Woman: Well, "The powers that should be considered..."

(Steve): By whom? See the by whom would be the working groups -

Man: Well my comment was going to be (Aparna) had me at 'should consider.' I'm sorry. I think that does - I think it says, "We want you to do this." Consider says "We're not demanding, we just wanted you to think about it." I'm fine with that.

(Steve): "Should consider at a minimum"?

Woman: Yes.

Man: Yes.

Woman: Okay.

(Steve): All right, then I'll have to change the language to indicate that the working group should consider at the minimum. All right, we good with that everybody? I just need to move on. Excellent, thank you very much. Now look at the list. There were a couple of edits to the list to make it cleaner. "Defining a process for appointing," as opposed to the word "appointing," and then the one that was added at the bottom came about because a couple of members

have said, "We need to put some teeth in this. There's really no enforcement consequences of the board if it should disregard the bylaws, if it should violate any."

And we talked to some corporate governance people and said, "What do you do with boards?" And last night, John Berard and I learned that the classic phrase is "Spill the boards - spill the beans, spill the board," which is immediate cancelation of all board tenure and then each entity that elects board members will have an opportunity to re-elect the same board member or elect new board members. So it seems rather drastic, but it's also rather typical in corporate governance. And it the word 'spill' is too colloquial for the corporate governance place, we could probably use something like 'triggering a recall.'

'Triggering a recall,' because we use the word 'trigger,' invoking trigger a recall, have the ICANN board an immediate selection of new directors. So I'm explaining this one because it was added last night. And we'll take the queue to discuss whether it should be in here and how we should phrase it. Let's see if we can limit this to a few minutes as well. I'll take a queue and I have Marilyn in it and J. Scott and anyone else right now? Go ahead Marilyn.

Marilyn Cade: Thank you, Marilyn Cade. Two things -- we're not a corporation and if anyone didn't hear me also announce we're not a government on Sunday morning, let me add that as well. We are - we happen to be a not-for-profit corporation incorporated in the state of California under certain, very restrictive conditions. I would know because I was part of the team that helped pick the state that we were going to be incorporated in, but I don't - I think that this is - I cannot support this at all.

This will convey - this will absolutely convey the idea that we are going to destroy the organization in order to recreate the organization and I don't think that's the point we want to convey. I think we should look at what remedial actions must be taken as a result of a ruling by an independent body, et

cetera, but suggesting, A, I would - I think suggesting we follow corporation's approaches to this I think is very, very poor. Since we should -- of anyone who does -- understand the complexity of this organization and secondly, this would be a huge credibility gap I think for the business community to be proposing something like this rather that coming up with other curated steps and measures.

Man: Thank you Marilyn. J. Scott?

J. Scott Evans: I fully support it and we are a corporation as a governing entity and that's a reality and the business people are the ones that understand - all my business people wonder why we don't run ourselves more like a corporation or (unintelligible). Secondly, my only comment was really 'spill' is too colloquial because we have a lot of non-English speakers and if we could use language that -

Man: (Unintelligible).

J. Scott Evans: Yes, something that a non-English speaker would be able to see. When you use this, I think it confuses people.

(Steve):   Ron, (Aparna) and (Brian).

Ron Andruff: I look at this and I try to consider the scenario where we would even consider doing such a thing. So if I reflect on that from the jump from (unintelligible) to Brazil, and it appeared to us as some papering over by the board to approve an action that the CEO did without the board approval in advance, would that be a case where we would say, "If you would do such a thing and jeopardize the integrity of the institution, should we be spilling the board?" I'm not sure if that crosses that threshold, so I'm trying to understand what would be a threshold, first of all. And I'm not - I can't really come up with a scenario, maybe someone else can.

So that's one element. But I do really feel quite strongly about the fact that what we're trying to do is put in really good governance elements and to show that the business community is stepping forward with some ideas that may seem a little bit radical, but clearly, if the institution were to do something really untoward right now, then NTIA would step in and be imposing some kind of remedial action. So I'm not sure where this goes, but I do believe in the principle that we need to have something strong, with teeth, to show that we're giving some thought to this.

Because quite clearly, we all know that if we do not keep a tight rein on the board -- and we've not been able to do a very good job of it so far -- they kind of do run around - (unintelligible) they will. And without having something, we're not going to be in very good shape in a very short period of time.

(Steve):   Thank you Ron. (Aparna)?

(Aparna):   Just (unintelligible) do we really need these mics?

Man: Yes.

(Aparna):   Okay. Just echoing what Ron said, I think that this is a pretty substantially drastic action and I support having it on the list, but I think you would want to say something like, "Provided that a significantly high threshold is met," or something alluding to the fact that there would have to be close to (unintelligible) in there, maybe on the people on this group to invoke that particular power. Because I think what you don't want - like I've just been in organizations where instability is created when, like - like it's too easy to like throw the bums out, as it were. So that's my suggestions.

(Brian Uzum): Hi, (Brian Uzum) with Amazon. I support the inclusion of that. I mean we're talking about things that this working group should consider I think is what the language we came out with, and this is something that definitely should be

considered. And it may be a necessary - maybe, you know, the most effective means of accountability going forward. Thanks.

(Steve):   Elisa?

Elisa Cooper: For the record, I agree and I agree with (Aparna), it has to be substantial. It has to be - there should be - this should be after the culmination of some review with and you and (unintelligible) and - but yes, I fully support (unintelligible) this that this is something they should consider.

(Steve):   I have John Berard and (Sonara) in the cube.

John Berard: This is John Berard. I'm not unfamiliar for being criticized for using colloquial, American oriented English, I apologize. And I likely will do it again. I'm incorrigible in that regard. Just going back to something (Suzanne) said about how "should" becomes "may" in an ICANN setting and thinking about my classic studies in Italian - actually in Latin, where in terms of argument, you should always be asking for a little bit more than you're willing to settle for.

My feeling is that this is just one of those instances, where it's a legitimate ask and it would great to be included, but even if it's not going to be included, it needs to be a part of the discussion. And so that's what I would encourage that we keep it in there. I am not wedded to 'spill.' We could say 'terminated,' we could choose some softer way of saying that they can be replaced.

(Steve):   Right. Okay, I only have - I have the eyes in the back of my head, X-eyes. Anyway, that's - Sarah.

Sarah Deutsch: Hi, Sarah Deutsch. You may want to refer it to as an extraordinary measure, just to make it clear that this is kind of an extraordinary remedy, but one that should be available.

Man: Yes, I tried to reflect what I thought this group wanted in real-time here, so I said "As an extraordinary measure, triggering a recall of the ICANN board and immediate selection of new directors." Looking around the room, any objections to that statement, "As an extraordinary measure, triggering a recall of the ICANN board and immediate selection..." excellent.

Moving onto the paragraph - front sentence on there I changed to say "When the accountability enhancing group (unintelligible) powers to this new cross community committee on accountability, it should consider, at a minimum:" That J. Scott, (Aparna)? Hallelujah.

All right, you should know as well that last night, I did remove 2 of the 12 scenarios. I did remove them in the edit and they were what I believed scenarios that are a little bit too provocative if Russia took over the rest of the Ukraine and the other one was more IANA focused. The rest of the scenarios are good with everyone?

Okay, so we're at 15 days. I see Phil Corwin's hand up. This is your last chance - last call as I say, on whether we approve this. Phil Corwin.

Phil Corwin: Just on that last point, do you - are you talking about the entire board at once or should it be more - I mean shouldn't it be maybe a particular board member is there's a - I just think that's a little - if you want to -

(Steve):   I think you're late to the discussion, but it is the entire board in the way we've written it. And again, this is not a final recommendation, I think you just came into the room, we're talking about -

Phil Corwin: I've been here a while.

(Steve):   Okay, got it. So we're talking about initial thoughts before the working group even starts its work and the things that we think should be empowered to the new group if a new group ever even gets created.

Man: (Steve)?

(Steve):   What?

Man: I was just going to suggest maybe "...triggering a recall of the ICANN board or members thereof," something a little more -

(Steve):   I mean it's turning into legalese at a point where you are just putting concepts and principles down. Board thereof - I hope we don't have a thereof in this entire document at this point of the commentary.

Man: I was just thinking it might react with some concern about -

(Steve):   We know they're going to react with some concern. This is designed to generate concern because the board has approved a new process to enhance accountability and they would probably love it to be as small as possible. We, on the other hand, in the - not just in the BC, but this is a much more broadly shared, we want to be bold. This is our once chance to get the board and management accountability to the community.

Marilyn Cade: (Steve), it's Marilyn. Can I just - I don't mean to make this a point of order and I have to go research this. In the back of my mind, somewhere on the ICANN, there's a process that has been approved by the board to deal with the spilling of the board. It came up during - so if we go ahead with this -- I'm not saying not -- but I'll go back and look and see if I can find in the - on the bylaws. It's an emergency mechanism that the board did approve in case something happened which destroyed the organization and a caretaker set of board members would be put in place.

                  I'll go look for that. It doesn't need to change what we're doing here, okay? But it might just inform us about how that was considered previously and that might help us smooth the acceptance of what we're proposing.

(Steve):   Like you said, it doesn't change the words we use here, it just indicates that - when we defend our idea over the next 12 months, one of the ways you can defend your idea is to point to the fact that the bylaws already anticipated something like this. We are creating a new community driven trigger for something that the bylaws anticipated.

Marilyn Cade: Right.

(Steve):   Okay, so this is deemed approved, no objection. We will it with ICANN. The comment period ends the 27th, but the opportunity here for us is to socialize it with others to get more support. But in addition, anything we've approved in this document makes it easier for us to do what Elisa wants to do next, which is to consider some principles on ICANN accountability that other members of the GNSO are seeking for broad approval at this meeting.

                So I'll turn it over to you, Elisa and then I'll bring up that list on the screen.

Elisa Cooper: Okay, so I think the list is pretty extensive. I think we might have a better shot at doing this if we just come up with some high level principles. And there are sort of, in my opinion, three principles in that document. And one of them I'm not sure necessarily fits with what we are putting in our position, and that is that ICANN needs to be accountable to someone other than itself.

                Now, I guess the -

Man: Did that.

Elisa Cooper: Yes, I mean but we're talking about a cross community working group and I think - I don't know, that's still ICANN.

(Steve):   It's not the corporation though.

Elisa Cooper: No, it is not the corporation.

Marilyn Cade: Hey, can I ask a question?

(Steve):   (Unintelligible).

Marilyn Cade: It's Marilyn Cade. I didn't - I don't agree that ICANN can - you heard me yesterday, I'll say it again for the members. I'm on the record, the transcript is running, there's many of our members who aren't here, many who are here. So I want to be careful that we're not making new policy that goes far beyond positions we already have, right? So we're trying to stay in the principles within the context of where we already are, or close to where we already are.

                  Now my second comment is I don't - and I asked this yesterday, I prefer we not specify to whom ICANN would be - what external body ICANN would be accountable to because I think it's premature to do that until this working group works.

(Steve):   So the list you have in front of you is the same e-mail that Elisa sent to BC Private today, 9:42am. Find that in your list. It's a little difficult to read the screen from here. And Elisa, I would ask you to describe the genesis of this and who it came from, who it went to, and what steps might be taken if in fact this body approved it today. Would a letter actually go to someone this week? Where are you thinking this would go?

Elisa Cooper: So as (Christina) mentioned, this was her idea. She took it to the ITC, they were happy with the idea. She sent it out to the entire FG list and the registry from the registrars are on board with doing a joint statement. We have not heard as far as I know from the NCSG but I think, I mean look, it's most of us. So the idea is that we go through this list here and determine which one, you know, which of these bullets we would be able to agree with. And so I think if we can do that quickly - I mean I think there's going to be a lot of bullets in here that somebody's going to disagree with.

But the idea is that yes, this week we would come together and submit a joint comment, so that's the idea.

(Steve): Trying to also give people time to digest this list, which was circulated this morning. As you read down the bullets, you will see very frequently that they are close to the document we just approved. But again, we have to look at them carefully and understand that. Do we want to take a queue on discussing specific items or is it better to go down one item at a time? What's the thought of the group?

Elisa Cooper: I would suggest we should go down the list.

(Steve): Okay. So the notion of the first item said, "It's reasonable for ICANN to continue running the IANA functions as they are today." Any objections to that statement? Marilyn?

Marilyn Cade: I think that it's reasonable for ICANN to continue to run the IANA functions if they are fulfilling certain operational standards of excellence and have the support of the broad (unintelligible). I mean it's not reasonable for them to continue running IANA if they lose the support of the CCs and the RAIs and the ISPs to whom the - that are the customers of the IANA function. So I would be - I could accept it but it has to be caveated with some kind of performance criteria.

Elisa Cooper: Okay, let's just look at the list, exactly the sentence as it appears without changing it and if we can agree to it, let's say that we can agree to it. Because I think that's what the other groups are doing, so let's just look at it and try to go through this as quickly as possible. I think some of these we're just going to say we can't just agree to exactly that wording. (Aparna)?

(Aparna): So I have heard -- and I don't know if this is facilitative -- that in the registry groups they're actually looking at something that's a bit more paired down.

And I notice this is the process you suggested Elisa, and so I'm happy to go back to it, but I actually think there are just like two or three key things we could say.

Elisa Cooper: Yes, I actually do too. I think there's three kind of big ideas in there. One is that - and you could be accountable to somebody else. Two that the transition should be completed before - the accountability mechanisms must be completed before the transition occurs, and - well I think another item we could put into this whole idea is that we want to be very supportive of ICANN through this entire process.

That was not in there but I think that's something that we should consider adding.

(Aparna): So I would just add a fourth potentially, which is that we support the conditions articulated by NTIA. And then - and I think the way that you want to - the way that I would suggest we characterize the ICANN has to be accountable to something other than itself, I would actually want to consider just being slightly more specific and say, "The ICANN board should be accountable for something other than itself," because then we retain the notion that we - but, I mean I don't know whether this is a widely shared view within this room, but my own view is that we want the board to be accountable to the community.

But I'm not, like, sure that creating a whole separate, other mechanism with people that may have no familiarity with ICANN is necessarily the best approach. And so when I hear new mechanism, I feel like that is just - that just makes me feel a little bit like we haven't vetted that fully and it's kind of specific. So those are the suggestions I would make, those four points that you articulated.

(Steve): (Aparna) for clarification, what we just approved in this document was such a mechanism. It didn't involve outsiders, it didn't involve the community.

(Aparna):   Yes, but I think we can (unintelligible) -

(Steve):   We're the only ones -

(Aparna):   Right.

John Berard: Yes, just a point of order on this, John Berard, that's the list I have from council is one of those e-mails, the one that has the new paired down tax.

Man: No, what I forwarded to you came off of registry's list.

John Berard: Then I don't have that (unintelligible).

Man: Really? (Unintelligible).

John Berard: Should I return to the previous list? What would be your pleasure? This is a tough way to do (unintelligible) thinking in the BC.

Woman: (Unintelligible).

Man: What's the length, (unintelligible)?

Man: There's my inbox. Want to bring your machine up? It's just - this is a draft letter and it's just pros now. It's not a list of bullets, so it's a statement that would be read. Propose that I would read the statement.

Woman: Yes, just read it.

John Berard: Right. "We stand before the board and staff today in a rare showing of unanimity among the GNSO. As such, the board and staff should take our statement with appropriate seriousness and consideration." Any objections to paragraph one? Come on.

"We agree that ICANN has earned the trust of NTIA to operate the IANA functions under contractual arrangement that could be rebid or terminated. ICANN has also earned the opportunity to convene the multi-stakeholder community to help determine future accountability and stewardship mechanisms. However, ICANN has not yet earned the trust of the ICANN community to operate the IANA functions absent new, meaningful, and independent accountability structures for the entire organization."

"True accountability does not mean ICANN is only accountable to itself or to some vague definition of the world. Nor does it mean that governance should have the ultimate say over community policy."

I'll read the next two because it's hard to look at a paragraph at a time without context. The third paragraph of four says, "The board's decisions must be open to challenge and the board cannot be in a position of reviewing and certifying its own decisions. We need an independent accountability structure, one that is identified and created by the community that holds the ICANN board, staff, and various stakeholder groups accountable under ICANN's governing documents and serves as an ultimate review of board and staff decisions. In addition, we need third party independent annual operational and detailed financial audits from a respected firm."

And the final paragraph, "One of the NTIA's four principles" -- and this again is the principles for IANA transition -- "...is that the recommended IANA transition plan be multi-stakeholder so that multi-stakeholder community has the opportunity and responsibility to propose meaningful accountability structures that go beyond just the IANA specific accountability issues. We the community are committed to coming together and developing recommendations for creation of these mechanisms. We ask the ICANN board and staff to fulfill their obligations and support the community driven multi-stakeholder initiative."

(Steve):   John, would you - I want to see if it's in my inbox yet.

Man: It found it.

(Steve):   I guess not. Send it CC privately.

Woman: John, before you go, the section that says ICANN - it says toward the top, "ICANN has earned the right to convene..." I just want to be sure we have that terminology right because what the NTIA asks ICANN to do was very specific and I just want to be sure we get that language right. But we can probably do that.

(Steve):   John has just told me that the registries who are meeting right now have not even fully approved that yet. We don't even know if they're going to approve it, so it's being circulated right now. I would suggest a coordinator, we are going to have to wait and see what makes it through the first constituency and then quickly run it through e-mail to the rest of the constituencies.

            As your coordinator, I'm personally much more comfortable with a statement like that than list of bullets that got into a little bit more specificity. Statement like that I am hard pressed to find in there anything in what we just read that is at odds with BC position that we have either previously adopted or adopted today after the two-week review of our accountability. Again, it's pros and principles now instead of a list of bullets, but I can't assure you then in the next two hours what it will look like.

            This would be read to the board at the Thursday session presumably, so we have well over 24 hours to consider this. And the BECAUSE again is meeting tomorrow at 12:30, right Elisa? So we have another opportunity to take a look at it, not only online but in face-to-face. So Elisa in the interest of moving things ahead, I mean I would ask, if like Marilyn, if anybody had general principle comments about what we read, this might not be a bad time to share them.

But keep in mind, we shouldn't burn too much time because it isn't final and none of you even have it in front of you.

Woman: I'm sorry, I just wanted to ask didn't (Aparna)'s - in what you read, didn't (Aparna)'s four points seem consistent with that? I mean isn't that a place to kind of start to provide guidance, to say -

(Aparna): Yes, and I think they're probably consistent. I'm not sure I would agree with every word that you read out, nor can I recall all of them. So that's a burden. But I mean if they're already down the path of having language, I think we're - rather than us reinventing the wheel, I think we're better off reacting. But remember, so the ITC is going to look at this too and I don't think they're going to like some of this language and I don't - there's some language in there that I don't care for. It's a little combative, a little negative.

(Steve): A tone issue more than a substance?

(Aparna): Yes, a tone issue.

(Steve): What do others thing of the tone? How many of you think the tone is somewhat too negative? Show of hands, negative, too negative?

Woman: Can someone send this to all of us?

(Steve): We - John is the only one who has it and he is having e-mail issues.

John Berard: Well it's not just that I'm having e-mail issues as that it really is - it's not a final work product of the registries. And my assumption is that as soon as (Keith) has final work product, he'll distribute it to Elisa and other leaders in the GNSO and then it will be official to look at. Right now it would be premature and I think -

(Steve): And (unintelligible) risks for nothing.

John Berard: Right, and I don't want you dissecting my e-mail header, there you go.

(Steve): John, I think you're right. So it's a very imperfect situation, but we're not asking this body to indicate that we approve that letter in the next ten minutes. We're not going to ask you to do that, that's not fair. But it would be a good idea for us to be able to reflect back to the leaders. Elisa can say we discussed it in the BC, it's generally consistent with the positions we've just adopted and we can share that document. But a significant portion of our members think the tone is too negative. I'm just going to give you an example of what could be said.

So what guidance do we want to give to Elisa to discuss with the other constituencies while we wait on new pros to come out of the registries. Ron Andruff?

Ron Andruff: Thanks (Steve). I think that the way that John's approached this by - it's called a (unintelligible) factual and there's that maybe NTIA (unintelligible) in the board. The community is still not there, I think that's a really critical point. So we're talking about the trust. The trust has to be built and this is where we're having the trouble. So I don't find it combative, I find it very factual and I think that we really need to be very clear right now. This is not a time for us to be - I don't - let me put it another way, I don't understand why we would want to be soft and give people a little bit of wiggle room.

I think we be very clear up front, this is how we feel about these things, this is where the rubber hits the road in this transition period and we need to be absolutely clear. And what John said in those paragraphs sounded very good to me. Thank you.

(Steve): Thank you Ron. J. Scott?

J. Scott Evans: I sort of get that it could be taken as - nobody likes to hear clear information
                    they don't want to hear, so if they want to take it negative, we can't be
                    responsible for how people are going to react to the truth. And I think if we're
                    speaking as one voice, that's the most important thing and I think it gives us
                    leverage to be much more clear and use language that is much more forceful
                    because we're speaking as a group. And I think NTIA and others are
                    watching what we're going to do. And if we can tell the board that in a strong
                    way -- not rude, but a strong and clear fashion -- I think it's very valuable.

                    And it sends a very good message and I would support it.

(Steve):   Thank you J. Scott. If I am able to get a copy of it in my hands, I will circulate
                    it to the BC private with a caveat that we do not know if it's final. And
                    therefore, I think you're going to have to wait until we see a final one to
                    assess the tone. (Gabby)?

(Gabriella Flat):   This is (Gabriella Flat) from (unintelligible). Just wanted to support what J.
                    Scott just said and also (Christina) in the other meeting that it's - like it's very
                    strange that we have a joint statement and it's a rare - I mean I (unintelligible)
                    in 2010, I never heard (unintelligible). I think it's really important and I think
                    that we should try to support the whole idea in general of bringing some
                    message that is from all of us to the board. So thank you.

(Steve):   Thanks (Gabby). Elisa, I'd like to turn things back over to your general
                    agenda, and if we get late breaking news from our compatriots in the GNSO,
                    we'll circulate that.

Elisa Cooper: So somewhat related to this is the fact that we will have these four seats on
                    the Enhancing ICANN Accountability working group and that there would be
                    probably four seats available for alternates. There were eight members that
                    had expressed interest and I sent an e-mail about that probably just a couple
                    of hours ago. So before we go down the path of an election to determine

exactly who the members would be, I guess I want to ask if there are people that have expressed interest that would consider acting as an alternate.

And I believe the alternates in the cross community working group are able to participate - like listen in on the calls and participate in that fashion. But I guess I would put the call out to see if there was anybody from that list of eight who would be willing to act as an alternate.

Man: (Unintelligible) was -

Elisa Cooper: And I sent it again today.

(Aparna): So Elisa if I ended up on the coordination committee, I'd be happy to be an alternate.

Elisa Cooper: Okay.

Woman: Can I say something? I'm not on the list but I will be happy to be an alternate.

Elisa Cooper: Okay.

Woman: An observer or something like that.

Elisa Cooper: Yes, so it's like an observer, but I think the idea is it's an alternate if somebody were no longer able to fulfill the position and the alternate would take over.

Woman: Elisa, if you catch up with (Eric Lobe), I think he has news for you about (Claudia), but he should transmit that directly to you.

Elisa Cooper: Okay. Does that mean she's more likely to be an alternate?

Woman: I don't know if it's likely but I'm not (unintelligible).

Elisa Cooper: Okay.

Woman: This is a (unintelligible) conversation, so (unintelligible).

Elisa Cooper: Okay, so maybe there's one there. Good to know. Well I guess I would ask members to think about that and if it turns out that we can't, I think we'll have to move to an election to determine - and I don't think obviously we can do an election run by staff, we'll have to do something where votes are cast, probably and sent to the executive committee. And then we'll tally those up unless anybody objects to that approach.

Woman: Just a clarifying question, the alternates are also (unintelligible)?

Elisa Cooper: Unclear. As it stands now, so, you know, we may have even - depending on whatever, maybe we'll only still have eight, but I know with certainty - well at least I believe we get the four. So I believe - I think the idea of alternate is that they're alternates.

Marilyn Cade: It's Marilyn. I can just explain to you how it works in the CCWG on Internet governance, which is they're actually observers, not alternates. I'm not saying that this wouldn't be alternates, okay, but in that case they're observers. They have - they can be on all - they get the notice, they can - about the meeting, they have, you know, the ability to - and do chat sometimes in the WebEx. We've never had - we had a couple of situations where one of the observers wanted to speak and the Chair recognized the observer at the end of the - after the members spoke.

                  We don't vote. So, you know, the observer was there and there's interaction informally but they were an observer category. If this is being proposed as alternate, what alternates typically…

Elisa Cooper: Well I don't know with certainty if it's alternates or observers, I just know that there are four people and up to maybe four additional that could also join. Okay, so we'll move forward in that fashion with I think a vote. I think that will probably make the most sense. And then in terms of the other - yes? (Unintelligible)?

Man: I guess I have a question of the fact that if we find out from everyone that there is a huge amount of interest, why we don't go to (John) (unintelligible) and say, "No, we're not going to do this because (Theresa Swinehart) says -

Elisa Cooper: No, no, no, this is not (Theresa Swinehart).

Man: No, but what I'm saying is she said it was self selections and I think that that gives it a lot more credibility because it looks like anybody who had an interest in this was allowed to sit at the table. And I can tell you right now there are a lot of people watching this whole universe and this is the most important thing on their plate in their radar right now. If they're sending people here to get involved initially and they're told the first thing that they're company is woken up and thought was important that they can't participate in, I think sends a very negative message.

                 And if we find that every constituency is having a robust interest, I think we should tell them that we believe it should be open for self selection.

Elisa Cooper: So I mean we've discussed - so we had a call and we discussed this. The problem is their concern about parody. So, you know, are the ISPs going to have eight people, no. Are they going to be upset that we have eight and they maybe have three? Yes. So that's - there was a lot of pushback from the others that we should have this parody in terms of numbers.

Man: But that's not what ICANN is about. If that's what ICANN was about, half of the North Americans in this room would have to take their little butts home. The reality is that we open the door for anybody who can come through and

get the support and be involved because they bring interesting ideas into current perspectives. And that's what we want to support and I think if we finally have people willing to sit down at the table and discuss this seriously that are from other governments that are watching this and have very different views about ICANN that they can show that their industry and their people are at the table is an important message to send.

And I don't think we should agree to any constraint if in fact there is robust interest. I think we're giving up an opportunity to show up how much private-led industry is interested in this particular issue and wants to be involved in the process and support it.

(Steve): I agree and I believe that the quest for parody comes out of a concern that over time they will have to vote on something, or try to achieve consensus and numbers would matter. Which is many respects, the concern is that it's a cross-constituency more than a GNSO only. Remember it's a cross-constituency, cross community. Thank you.

And there are two models for that. One would be the cross community working groups that Marilyn has described, which are in many cases self-selecting and sometimes we self impose a limit. Things like the affirmations of commitments review teams, however, across community, are tightly constrained. Far too tightly for our interest because GNSO ends up getting one.

(Suzanne) did the EWG which the CEO created from scratch and what were the rules on participation there?

(Suzanne): (Unintelligible). Then somebody made a selection but it was not the community's per se, it was ICANN.

(Steve): So ICANN has a host of methods that are used for cross community working groups and cross community review teams, cross community expert groups -

Man: Yes, expert groups.

(Steve):   High level strategy panels and big budget CEO, what do you want to call that? They have a whole host of things and in this case, J. Scott's right, the staff did not (unintelligible) the experience of the INS steering committee, which they admit was a poor choice of words, they are not trying to overly steer the charter for this group, the scope of the group, or how people are picked.

On the other hand, we're finding that the GNSO itself is potentially going to limit how many are in there and is this - how is that decision reached? Is it going to be a consensus decision?

Elisa Cooper: So we have this call and the decision on the call I believe was to follow what we had done sort of cross community working group on Internet governance. And that's where we had decided on that number four. And believe me, I pushed back, I said, "Look I've got eight people" - so I was the only one who even had a list. I knew, you know, I had already sent the list to (Theresa), she wasn't going to be in charge of it.

(Jonathan) - anyway, this all came out of a discussion on one of those SOAC leader calls that we had with (Fadi) and I expressed my concern that, "Look, (Jonathan) is not the leader of the GNSO. He's the chair of the council. He is the not the chair of the entire Generic Name Support and Organization. And so we had this call and it really came down to this particular issue in terms of how are we going to have representation. And so I made a big push. Like look we've got these people that want to participate and then that's when the discussion about parody really came up. And that well what if we had, you know, are we going to have a call with 60 people on it. What if everybody wants to have eight people? So well that - and then that's sort of where it just sort of fell apart to be honest.

J. Scott Evans: I was on the call. When I came where there were 600 people on the phone. So it can be done. It's not technically impossible. I'm just saying that if it turns out there are only two or three from - I just don't know. I just think when the staff gives you an opportunity to have everybody involved and then you pass on that opportunity you're just constraining yourself for next time.

Marilyn Cade: I agree with J. Scott. Maybe we can do, you know, such as some sort of, you know, each constituency. Get the vote, a certain amount of votes, and maybe that would placate the issues, you know. But this is - I have been attending ICANN meetings since 2007. Usually I go back and say these are the issues. I think I - my resources are best fit in this issue, this issue, this issue. You know, this one came down from above. You will be part of this. You go and figure out how to do that. Well, you know, the steering committee, whatever they are calling that now is coordinating committee is pretty limited. You know, there's one position and we're part of ITC Basis. So we already may have representation there. So there's going to be some push back. So I really want to be on this and I think anybody else that has that, you know, mandate from above because this is getting businesses more involved should be involved if they can and I don't want to be an alternate.

Elisa Cooper: Here's what...

Man: Well she's honest.

Elisa Cooper: Yes I mean here's one way forward. If it turns out so look I was the only one who didn't want. So I mean I'm one vote okay. There is - there are all of the other SGs right and none of the others were in favor for unlimited. I was the only one of - yes I was the only one. So if it turns out that it is capped and because that's the majority want to have it capped I would propose that we allow, you know, the - whatever the observers and the primary members to convene after the sessions and to in terms of voting and questions asked and whatever that we do that as a block so that everybody that wants to be on the calls and wants to know what's going on and wants to contribute can do it

that way. I mean I know it's not ideal. What would be ideal is that we have all eight people or all seven people. But if I can't have all seven people how can we have all the representation and all of the information going to people that are actually interested. So I don't know. I'm going to just put out there as an idea. I guess I would like to hear about your thoughts on that idea.

Marilyn Cade: And Elisa could I make a comment about the voting thing. We had in the past dealt with this. The first who is passport that I chaired had I think 60 or 70 people on it and 40 of them were there all the time. But they had we called it equalized voting. So you had an allocation of votes no matter how many people you had on it which meant that people didn't argue about the voting. The other thing that we did is we set rules about ensuring if you had a lower number of participants then we made sure that the - we had rules about the number of...

Man: Interventions.

Marilyn Cade: ...interventions, thank you. And so I think if that, you know, there may be ways we can adjust and calm some of the concern. I think the bigger concern on equity of numbers is probably going to come from the NCUC and that we might be able to persuade some of the other groups if we came up with management proposals. So it's just one thing to think about.

Elisa Cooper: John.

John Berard: John Berard. I just want to confirm Marilyn's point. The session that (Becky Burr) and I co-chaired on cross (unintelligible) working group squared on Monday the NCUC one of their primary concerns was what was labeled normalized voting so that if there were more members from any other - from any one constituency or stakeholder group than other how would you equalize the weight of the vote. So yes it's on the record already this week.

Elisa Cooper: Other thoughts? I mean I can do a presumptive close and say look we will have the vote of four as everyone else but this is who will be participating if...

John Berard: We can try that. Well I mean I think you can - I don't know what's wrong with going back and say if we had our meeting and put together what our decision was and here's my constituency view. They are very concerned that they heard from staff that this is self selecting and that somehow you're putting a constraint on that. And we want to know what your ultimate concern is because we think we can handle that without constraining the numbers who want to participate. And I don't think there's anything worth going back and saying, you know, I was very clear when I was on the call. I pushed really hard but now I'm getting push back from my members and they want an answer especially when they've been told that the document that sets out how this group will operate is self selecting. And so I think that's how you handle it.

Elisa Cooper: Yes we - I can do that.

Man: Lisa can say we talked about it and my members are revolting.

Elisa Cooper: No I will go back with that message.

Man: We're happy to look at ways to handle.

Elisa Cooper: I will do that and I will let you know what I hear. I've actually asked multiple times on the list to confirm exactly what we're doing and I really had almost no response. So the only person that's responded has been Bill Drake and maybe (McAley) I think. All right so the other topic to discuss around sort of opportunities to participate is the coordination group and (Aparna) is our candidate for that position. The IPC will be putting forth Greg Shatan as a potential to fill that role and then the IFPs are putting forth Wolf-Ulrich as a potential candidate. And so the next step I believe is for the CSG Executive Committee to convene and discuss who should be put forward. I've already

heard that there's some reluctance to go with our candidate because - well because of the Basis seat and so yes but I haven't spoken with the IPC. That was coming from the IPC.

And I think that the IFPs feel very strongly that they're owed the seat because of some - they have some technically understanding but frankly I don't see that role as providing technical input. I see that role as somebody going to get the data information, bring it back to us, meet with us, give us an opportunity to respond and, you know, basically to coordinate the communication back and forth. So I think, you know, we're looking for that more than somebody with technical understanding of root bill maintenance. Yes (Brea).

(Brea):   I just want to speak to the Basis issue just so folks are aware. So I think you all know that on the coordinating committee there's a seat for or whatever a certain number of (unintelligible) for CSG essentially and then there's a seat for business that doesn't participate regularly in ICANN. So one of the conditions for occupying that Basis allocated seat is that you can't be a business that participates in ICANN. And to be totally honest obviously Google doesn't fall in that category, right. Like Andy and I are both here. We're active participants. And so to say that we can't have the Basis seat because we participate in ICANN and then say we can't have the ICANN seat because we participate in Basis is a little bit of a Catch 22 for just trying to be good citizens in both organizations. And by the way we're not the only people on that (unintelligible) right.

Woman: Clarifying who set that criteria?

(Brea):   The criteria with respect to Basis for proposed on the Basis list the - I don't think anyone has formally said that they're a restriction for Basis members to have the seat. That was just what Elisa had relayed right now as a like co-work real - not co- that's not the right word but an informal concern (unintelligible) objection.

Man: And the reason I ask I'm an ITC Basis member. I didn't understand when I saw it on the list whether it came from ICANN or it came from ITC Basis. That was - I didn't know if any knew.

Elisa Cooper: I don't know. So at any rate I don't think we have a time - oh we do have a time to meet with the CSG. So as things progress I'll send it out on the list. All right so I think our final - any other topics, thoughts, comments before we move on around anything that we've talked about around ICANN accountability, the transition, the working group, the coordination group? Okay so our last topic today to discuss is around name space collision and I know that (Jim) had in particular expressed some interest in having some discussion and I think you attended the session. So I might turn it over to you to gives some initial thoughts to get this discussion kicked off.

Jim Baskin: Okay. (Jim) Baskin. I was thinking more that as an ISP in addition to your BC that you as an ISP have a unique perspective on collisions and you learned a lot that would be informative to us, probably more informative than a rehash of yesterday's session. Well I think we need to do both because there was a lot of interesting relations in yesterday's session but I will start by taking a couple of minutes to talk about something that Verizon has done. And it's to try to understand better the potential issues associated with collisions.

                We commissioned a study of our own traffic and customer traffic that is looking at our name servers and trying to identify instances of collisions or potential collisions based on the domain names that were being searched, queried. We found lots and lots of them over the course of several months, lots meaning millions and millions. We - it was a combination of traffic from our own internal corporate networks, various groups within the company, customers and in some cases open DNS. We do happen to have some servers that are open to the public as kind of a - it - no need to explain that. But we looked through all of that data and it was strictly the originated IP addresses and the query strings to try to find ones that we thought based on

the query strings looked like they could be something that might be a serious problem if they resolved.

And then we thought that it was best for us to try to target or to investigate traffic for some of our larger customers. We felt that it was - it's a very sensitive subject or could become a very sensitive subject if we were to approach some small business or individual and say we've been monitoring your traffic because we're not monitoring the traffic. We're looking at queries. But we didn't want to create some problem that didn't exist. So we thought larger customers would be more amenable to hearing from us. And so we isolated several dozen or so examples and then had to go through a process of determining actually which customer it was which was - isn't as easy as you'd think just having an IP address.

But once we did that then we went to the marketing organization, found the marketing salespeople who handled those large accounts and had them contact the customer. Had to convince them that they should do that and they were cooperative. We found - ultimately found a handful of customers who were willing to talk to us. In fact when we talked to them they were very grateful that we had taken the trouble to do the research we did and to identify where we thought they might have a potential problem if these collisions occurred.

They - the largest ones that we spoke with were fairly familiar with the potential problems of collision and in fact had already taken steps to try to tighten down their security and their networks to try to avoid the sending of these queries that are colliding queries or would be. A couple were surprised that we actually found something that was happening that way and but in some cases it in fact turned out to be that for instance most large corporations that - in their headquarters may have a customer center or something like that and in that they usually have public access to the internet that is outside their corporate firewalls. And we found that one - a couple of these instances were with a contractor or someone who was spending time

over more than a day or two at one of their locations and these queries were actually coming from non-company computers that were on the open internet portion of their systems.

But we - as I said the customers were very appreciative of our work and our attempt to reach them. They did find a couple of things that they this time that they needed to fix but we didn't find any smoking guns that, you know, if these queries had succeeded, had been resolved and a connection had been made that there would have been massive problems we didn't uncover that. And we didn't expect really. We were hoping that maybe we'd find something like that but it wasn't - we know that the possibility of a really bad occurrence happening is very, very small. But when you've got billions of queries there - it's going to happen probably. The probability of occurrence goes way up. But finding the one before the collisions are actually causing problems is difficult. But (Steve) I - you - did I cover all the pieces that you - about our investigation that you found interesting when I told you about it?

(Steve):   You did thanks and I think it was also important to note that an ISP had to be careful about informing customers we've been looking at your traffic. So that was a politically sensitive thing which is part of the reason you ran it through.

Jim Baskin: And I want to repeat we did not look at their traffic. We were only looking at queries but...

(Steve):   Exactly. Queries not traffic.

Jim Baskin: But still I mean that - if the message is wrong it will come across as we've been looking at your traffic. We're the NSA or something like that, you know. But anyway so that - I think that's enough on that. Just to let you know that even as an ISP it is not easy to identify or deal with customers and that's one of the things that the - that ICANN is looking at - is doing. It's pushing the responsibility for investigating these kinds of problems if they come up down to the ISPs. That isn't an easy thing to do and it - and why the ISP. We didn't,

you know, we're just the middle man. But now let's talk about yesterday afternoon's session.

When the session happened they did not have a link to the presentations that they made. Today - now they have it and but they've changed the whole page for that. Anyway the - well I think before a session is held there's more - there's a description of a session. Now instead of a description of the session they have the link to the presentation that they made and I didn't save a copy of what was in their originally but now that it reads that the meeting was to describe the proposal made by the - by ICANN to the board or to the board's new detailed E committee and to gather comments. I don't recall that being in the documentation that I saw ahead of time.

And at the meeting there was several presentations. We had a couple of other people and (Steve) you were there. Did we - we had other people. You were there too. And initially...

Elisa Cooper: Can I ask if you're having a private conversation if you can take it outside. It's thanks sorry. Go ahead.

Jim Baskin: Oh I thought you were talking to me. (Unintelligible). All right. Yes. So there would - we heard from the ESAC about their review of the study. We heard from the consultant who did the study. We heard from staff and that was really the most interesting thing when the - when we were shown the presentation. Well no. That doesn't sound. When we were given a presentation, a PowerPoint presentation of a summary of the recommendations report that the staff is - was the - it sounds like what they were going to give to the NGDV whatever. And then when we started asking - when the finally got to the point where we could ask questions I was the first one up there.

And I had a number of questions. But it came out that - it became clear that they had already given a presentation to the committee, the board, the GTLD

committee, and so we - I asked well do we - can we see the full report, the full recommendation. And they said well no. Maybe after the decision's been made but not now. And then they went further to say and by the way the presentation we gave to the board is different from the one we gave to you today, unspecified differences. And then when further pushed they some - one of - somebody said - I think the staff said and the other material that's in the presentation or if it's in the report is irrelevant to you. And I - if it's irrelevant to us why is it relevant to the board? Or if it's relevant to the board why isn't it relevant to us? Or if it's irrelevant at all why was it in the report?

So it was kind of strange. And then they admitted that the committee, the board's committee, had asked them to gather some comments from the community when they made the presentation to the board this previous weekend. And so my next question was well then this one hour meeting is where you're gathering the comments on the recommendation from the staff to the board. And he didn't say yes or no but now the revised version of the - on the schedule says that the purpose of the meeting was to present the presentation - the recommendation and to gather comments.

So most unfortunately - no not unfortunately. The majority of people in the meeting as you probably would have expected are those that want - that are the new GTLD registries and they want to just get this thing over with and minimize it and, you know, there's a lot of booing and cheering when certain people talk. And so I don't think that they really got a lot of good input from people that would have wanted input if they'd known that this was going to be the one hour that the community had to respond to a proposal that they had never seen and or just a PowerPoint presentation about the proposal. So maybe (Steve) or Marilyn you could add other thoughts? I kind of got distracted because I was trying to think what I needed to say but.

(Steve):   I would add this is definitely a bit of a process faux pas to literally solicit comments right before you vote on it after having told the board. But to contextualize that that's a relatively small faux pas compared to what would

have been the case had they ignored the FSAC advice on collisions. And the good news is that the board listened. They acted very quickly. They commissioned a very well done study by JAAS and they're implementing recommendations to stop the blocking that are quite dramatic and they're a brute force in some cases. But they clearly listened and that's appropriate and I realize that we're - we have every right to be a bit annoyed that they're not putting that out for comment but to staff's defense what they're claiming is that what they're recommending to the board is a very close to the reports that all of us have seen and read and they're trying to articulate there's only a few small differences is what they're saying.

But yesterday the discussion revealed that those differences are material, right, but in the greater scheme of things this one's probably going to go this week. And the new applicants are so anxious to get the rules so that they can start the second level. It's my estimate that this is going to fly through NGPC.

Jim Baskin: Well I did just prior to our meeting with the GAT - not the GAT with the board this earlier today I had a short conversation with Bill Graham to make him aware of what had happened in yesterday's meeting and how it came across and how the presentation kind of - it just kind of unraveled or, you know, with - some pieces fell out that we, you know, as we went through questioning with them. And he was - he's been I won't say sympathetic. I'll say he's had an open mind and he's listened in the past when people have approached him about this particular issue. And he's been following it fairly closely and even now when we - when I came to him with how I felt that the meeting yesterday went he was surprised and was going to do a little bit further thinking. And he is on the new GTLT program committee.

So but yes there were - there are still are a couple things that need to be addressed. Just one that someone from the other side of the issue brought up which I found to be extremely important the staff did go beyond the recommendations of the (JAZZ) report analysis in an area that they decided that - or they recommended to the board that the process for shutting down or

blocking a second level domain that is - that someone reports and is confirmed that it could be a life threatening situation and it's only life threaten - human life threatening situations that are going to be considered for any kind of taking down of the second level domain or certainly any top level domain.

But they decided or they're recommending that the process - that process be available for the - forever. In other words if a new GTLD, and there's thousands of them coming, gets going and sells second level domain or registers second level domains and then 20 years from now somebody comes in and says I've got a situation. I've got a second level domain that's - we've got collisions going on and it's life threatening. And somehow it is life threatening but they could 20 years after a second level domain was registered and it became worth $1 billion they could come in and shut it down if there was a life threatening situation.

I - life threatening situations are not a small thing but to shut down a 20 year old domain because somebody has after 20 years of knowing that collisions are crazy and they create a new system that generates these collisions there's got to be another way to get around that and in fact people are starting to say yes that can even be gamed. I mean somebody could create a life threatening situation or something that appears that way and get their competitor shut down. So and then of course people said well if they're going - and if they're going to do that for a new GTL they've definitely got to do it for Commnet or (Glavco) and the rest of them. So that's something - that's one example of something that probably needs further consideration before - by the board committee before they let this thing go.

Elisa Cooper: Any other thoughts or comments, questions? Marilyn.

Marilyn Cade: I just - it's Marilyn Cade. I just wanted to note there's a - I think there's three sessions coming up between now and the public forum where security, stability and resiliency or the SSAC is meeting or the global risk committee is

meeting. And so for those particularly interested in this topic we may want to take a look at the agenda for those meetings. The other thing I'll say is the room was packed yesterday and it was a fairly big room. I saw many members of the SSAC but I actually saw very few members of the board in the room. But (Jim) I may have missed some but I did see the staff. There was a good contingency of staff in the - then also the heavy turnout from the SSAC. But these other three meetings having to do with security or the risk assessment group, etcetera may also be a place to understand. And the SSAC does have a public meeting coming up on Thursday morning where they will probably give a read out of their views on this among other things as well.

Elisa Cooper: Other thoughts, questions around name space collisions? So do we have an opportunity? We don't. Okay so this is it. Okay.

Man: Jim took the best opportunity which was to speak to the board members elected from our office who understands the issue so that he might bring it up if there's not going to be any other opportunity.

Marilyn Cade: It's Marilyn again. I tell you I am so disappointed that I think (Jim) was really largely the only non-irrationally enthusiastic go go, yay, yay, let's get on this now voice. I mean you really were about the only sane commenter in the group. But the other thing is within the board and I realize again that staff paid close attention to our transcripts within the board the technical advisors to the board are not necessarily coming across as showing sympathy to the concerns we're raising. So it really is the SSAC.

Jim Baskin: I did notice that I think (Paul Malcapetris) was sitting against the wall right near me and I was hopelessly trying to focus on so I didn't look over and see if he was because he is going - has publicly stated that he thinks this is all overblown and in fact they even put a video of him on the front page of the ICANN Web site just a while back saying that this is all just a (unintelligible).

Elisa Cooper: Okay. I think that leaves us pretty close to our time. A few things I want to mention. There is another version of a letter from the registry that's come around and I've had just a chance to look at it very quickly and I think it's a little bit - it's just on the quick read it looks a little tempered. So as soon as that's final we'll send that out. I got that through a back channel so as soon as I get it officially I'll send it to this group.

Man: Elisa earlier I had sent one and then Brian was able to reply all. So BC private I think has the new one now.

Elisa Cooper: Okay. So we meet one final time tomorrow at 12:30 and that's typically the time when we discuss what we'll be taking to the public forum. But remember the public forum is now only two hours. It was cut back. It was cut in half. So I think we'll have to be very selective about what exactly we want to say on which topics. But I think also that may be an opportunity for us to review the letter from the registry as well and make sure that we're comfortable or would be willing to sign up to be associated with that. (Jim)?

Jim Baskin: Elisa sorry. Taking us back to the previous conversation my mystery guest has arrived. And (Lyman Chatham), whose company did the initial study prior to the JAZZ study also is the company that did some of the work for us in our study. And (Lyman) we've gone through my description of the work that Verizon did and my description of the meeting yesterday afternoon and we've just moved on to other business. But since...

(Lyman Chatham): You didn't ask me.

Jim Baskin: No it's no problem. If you have any general thoughts about the collision situation or maybe you could add a couple of minutes about the IETF work. I didn't talk about this earlier but the IETF has been looking at -- and (Lyman) was one of the principals in doing that -- identifying a handful of TLDs that could be used as private only TLDs as certain ranges of IP addresses are used in order to avoid the problem. That once identified hopefully they would

never be used or never be assigned for any wide purpose and he can tell you a little bit about what's happening in the IETF with that. So (Lyman) if you have a few words.

(Lyman Chatham):   Thank you. Thank you (Jim). I don't want to waste anyone's time by repeating things that you've already discussed among yourselves or already heard from other people. So it might be more efficient if there are specific questions. I don't know what the results of your earlier conversation might have been. But the number of things that I could talk about is much larger than the time that we have available. So in the interest of serving your requirements rather than just, you know, having me talk, are there specific questions that you'd like to?

Jim Baskin: Well I'll ask the first question which is the one I just asked is to tell us a little, you know, two minutes about the IETF activity in the private or, yes private use TLDs.

(Lyman Chatham):   Right. Going back a number of years, actually I started in 2010, a couple of us thought that it might be useful for the IETF to explicitly reserve a small number of domain labels for infrastructure purposes in order to forestall or deflect a potential problem - operations problem with the use of some of those labels as top level domains. And the ones that we focused on were, you know, some of the ones that you've already heard about: home, mail, exchange and host and then there were a couple of others that are more obscure. There's local domain and there was one that was overlooked when the original ROC reserving some top level domains like .example was published.

We ended up with a total of seven and we got a lot of push back in the IETF for a predictable reason which is the IETF is I think properly reluctant to deliberately contradict or conflict with something that ICANN is doing if there isn't a very good reason to do so. And by the time - as I said I started trying to promote this internet draft in 2010. By the time we got to 2013 just last fall the

political sensitivity surrounding name collision I think had reached at a point that the IETF was simply not interested in taking that path. So I would not expect to see any publication from the IETF reserving to the internet community, the IETF reserving specific top level domain labels. So if that's going to happen it's going to happen as a result of action that's taken by ICANN rather than coming out of the IETF.

Sarah Deutsch: Hi (Lyman). I have a question about kind of your big picture views on how easily this issue is going to be understood and acknowledged and the whole education function. Because it seems that in a lot of our debates about domain collision ICANN's response is well we're going to work to educate IT people and people are going to understand this and fix it. At least in our little exercise we saw it was very hard for people to understand even large companies that this is happening. So since you've, you know, conducted the study what's your take on that issue?

(Lyman Chatham):   I think that unfortunately the primary focus of mitigation efforts within the ICANN sphere has focused on what I might call technical approaches or instrumental approaches that in to my mind are unlikely to be workable in the real world in which businesses operate. And it's unfortunate because I'm surrounded by, you know, any number of clever people who come up with ideas for how they might mitigate the potential effect of a particular kind of collision. And in every case so far it has been more or less completely disconnected from the real world in which people actually have to operate that works. And in particular the real world in which people have to deal with systems that are - that contain code from, you know, the Neolithic period that, you know, contained bits of software that no one in the company understands, contain interactions among those pieces of software that, you know, some intern put together during a summer two years ago and never told anyone about but it's there and you won't find out about it until something goes wrong.

I mean anyone who's ever tried to operate a business - I actually, you know, started out, you know, writing fairly complex systems for large businesses in COBOL or yes (unintelligible) in many cases. But the point is that if you ever looked at a real system that runs a business the idea that you can somehow instrument things so that when something goes wrong you'll get a nice clear indication that something's gone wrong. First of all that you'll even notice that something went wrong. Second that it will fail in such a way that you have a nice clear indication of why it failed and what to do about it. I mean this is a fantasy world. You know, none of us actually lives in that fantasy world. I'd love it if systems behaved that way but they don't. You know, you go home on Friday, close the office door and everything is fine and you come in on Monday and something doesn't work. You know so...

Man: (Unintelligible). I certainly don't want to get in the middle of the presentation but I did have one question (Lyman) and forgive me because it may sound very naïve but now we have all of these names that are being put on these collision lists and the various registries are coming out. When do those collision lists - when do those names go off collision lists because people are buying those names even though they're in collision because that may be a mark or a name that they want to have. So now that they've bought the name but it's sitting on the collision list so how is that going to work? When will this kind of back log - when will these collisions all be kind of reviewed and by (unintelligible)...

(Lyman Chatham): Ninety days from the beginning of each registration - or for the delegation of each registry. With the additional observation that came out during our meeting yesterday that there will be some provision for ensuring that names that are originally on that list when they come off you don't have to rerun your summarize for those names. So there will be some way to ensure that you only have to summarize once and you don't run into the problem of, you know, things come off the list. So yes but 90 days.

Elisa Cooper: But isn't the other issue that there - just because that your name is not on the list doesn't mean there won't be a collision. That's just a partial list of right of known collisions?

(Lyman Chatham):   That's correct. The list was compiled based on frequency of occurrence not necessarily severity of consequence. And this has been the problem with, you know, all of the work that's been done so far including the work that I did on the initial report which is the things that we can directly measure are how often these things show up in various query streams. What we haven't been able to determine which I think is unfortunate is what the actual consequences of a collision might be because, you know, obviously, you know, the risk is, you know, probability multiplied by consequence. And if the consequences of collisions turn out to be less severe or less serious than they might be because right now the potential consequences of collisions are all for the most part hypothetical. No one has actually set up a system and instrumented it and watched collisions happen and looked at what the consequences might be to a real functioning system. So we don't know what the consequences will be. I wish we did.

Man: I just have a comment about - it's kind of a little bit like playing with dynamite. You just don't know how big the hole might be.

(Lyman Chatham):   Well I think and getting back to Sarah to your point and to the things that (Jim) was saying at this point it, you know, if you look at what, you know, what's the prudent path for, you know, a business owner or somebody who's concerned about this to take. It really has to focus on education because you're going, you know, to find yourself in circumstances where even just having name collision and the error is a potential problem. You're going to have otherwise unexplained errors and, you know, people are going to come and say could these be name collision and you won't have any good way of finding out.

You know, name collision isn't something that comes with a really clear signature. If it does happen in the real world and there are plenty of people who will tell you that the likelihood of it happening is so small that we're wasting our - a lot of time. If it does happen in the real world the best approach that we have available right now in terms of mitigation is not trying to prevent it from happening but dealing with the consequences of it happening, dealing with, you know, clients and customers that call you up in the middle of the night and want to know why something isn't working. And so that's the - and that's definitely the approach that we've taken in some of these studies.

Jim Baskin: Thanks (Lyman). I think the - Elisa has still got a few things we have to finish before.

Elisa Cooper: Yes just a couple of closing things. Thank you so much. That was really helpful, really very appreciative. Yes I just wanted to recap we're - now we're out of time. So I think we've actually accomplished quite a bit today in our meeting. We did - we finished up on the accountability comment. We are going to be able to take a look at that final language. I think that's the final language. There might have been one or two other changes afterwards but we'll look at the final changes from the registry and see if that we're comfortable with that and if we are we can sign off on that. We've got a list of participants from the BC to participate with the CSG on potential structural changes to the GNSO. So we've got that out of the way. I will go back and let the GNSO know that we feel very strongly that we do not want to limit participation in the accountability working group and put out the possibility of standardized or normalized voting as an option to address concern over parody. And I think that's everything. I think that's all we did. I mean not all we did. We did a lot.

So I want to thank you all for joining and actively participating and I really appreciate everyone's support. So thank you so much and we will see you tomorrow at 12:30 hopefully. We don't usually take the whole time when

we're discussing how to move forward with the public forum. So we'll see you tomorrow but thank you so much.

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