ICANN Brussels Meeting
Non Commercial Stakeholder Group (NCSG)
TRANSCRIPTION
Part 1.1 / 0900 – 1100 local / Tuesday 22 June 2010

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is   incomplete or inaccurate due to inaudible passages or transcription errors. It is   posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

http://audio.icann.org/meetings/brussels2010/non-commercial-stakeholder-group-1-

22jun10-en.mp3

Transcript of recording until 1:59:30

Avri Doria: Thank you very much. Okay. This is Avri Doria. This is the NCSG meeting.

I wanted to get started quickly even though I think people are going to drift in shortly because our first guest group or group that's coming in to speak to us, to interact with us is coming in at 9:30 which is in 15 minutes. So I wanted to make sure that we had started on that. So that's 9:30 to 10:15 which is the interaction with the AT review team, the Accountability and Transparency review team. And I see that, you know, we're close to that.

So (Veetid) - oh, (Rob), you're also here. Are you someone that will be able to help? And I'm told that when we have the Accountability and Transparency Team back here all day which is supposed to happen they'll be going.

And I don't have - okay. And I need support on Adobe because I - well the Accountability and Transparency Team in fact are already here -- and welcome -- but I mean we were going to get to that part of the agenda in 15 minutes. Sorry.

By the way, do we have anybody on the phone with us? So anybody on the phone is probably on mute. Who is on the phone? Do we have Robin on the phone.

Coordinator: We have Robin Gross on the line.

Robin Gross: Yes. This is Robin. I'm here.

Avri Doria: Fantastic. Good morning, Robin. We're happy to have you with us.

                  Okay. So just to go through the agenda quickly we needed to prepare for our meetings with (unintelligible). We have the Accountability and Transparency team coming in from 9:30 to 10:15 and we were going to talk about several issues. The only one I put on the agenda was the staff board memo transparency which I did bring up yesterday in the open meeting but hopefully we can talk about it a bit more.

                  Other people had other issues. I think Robin may have one that she wanted to bring up and others and just leave that open for discussion.

                  Now and also basically under the accountability side that we wanted to be some discussion about the relationship between (BAX) and NCSG and some of its history and how we get by it. Then we had a break and we were preparing for a meeting with the CFO and then later with the board. So Kevin Wilson will be coming in. We can basically talk and ask questions about the budget for 2011. And then I wanted to bring up the fair and equivalent treatment for the stakeholder group issue with him. Following that immediately was the interaction with the board where we had four items on the agenda.

                  This is only an hour meeting. After the last meeting I was told that I was terrible at keeping track of time on the meeting and we never got beyond the first item so this time I really will try to keep us moving 15 minutes a - an item through that.

                  And I expect to get to talk about the charter, to talk about once again the memo on transparency, talk about the different consumer-oriented approaches and sort of go through the differentiation between what NCSG

can focus on, basically a couple issues of concern that we had talked about, one of them being the RAA negotiations and who can negotiate with the registrars, what does it mean for ICANN to negotiate with them and then just trying to understand the situation in the vertical integration endgame. Lunch, we're eating. Always an endgame, we just don't know how to play it.

Then we have our lunch, and then CIR is coming in to interact with us later in the day just for general discussions about ways in which we can cooperate and perhaps touch on some of the issues like the application guide, STI, which is an issue ongoing and then basically going into some of our own issues and strategies as we went on.

So that's the agenda. I don't know if we can stick extra stuff in. Certainly I will if that needs to happen. Does anybody have any issues on the agenda?

No. Well that's good. Then we'll go with that agenda.

Bill Drake: Me.

Avri Doria: Yes. You've got an issue for the agenda?

Bill Drake: I have an issue. But I have not seen the agenda. It's - we sent it out a day or two ago to all but anyway...

Avri Doria: And give your name when you speak.

Bill Drake: I'm sorry. I'm Bill Drake. And we have a motion before the council that I've been asked by CSG to consider remanding. And I just wanted to bounce it off people so that I prefer if I could do that before too late in the day because then I - if we decide to change it then I want to - I need to email Glen and then to the...

Avri Doria: So you're saying that you don't want to wait until 2:30 to talk about it.

Bill Drake: I would prefer not to but...

Avri Doria: I don't know when we'd fit it in otherwise.

Bill Drake: Okay. Well then...

Avri Doria: Unless...

Bill Drake: Just right...

Avri Doria: We have...

Bill Drake: After lunch.

Avri Doria: We have ten minutes now because we don't - yes, certainly. Yes.

Brian Cute: Excuse me.

Avri Doria: Name please.

Brian Cute: Brian Cute, the chairman of the Accountability and Transparency review team. Welcome to every - hello to everyone. I'd like to make my apologies because I cannot attend the meeting.

It's understood with the review team that many members have conflicts from time to time. But Manal Ismail is the co-chair and she is here for 9:30. She will share our portion of the meeting with you. In her absence if she's unable (Anjay) is here.

I want to confirm that there is a recording of our session being made.

Avri Doria: It's being recorded now.

Brian Cute: Wonderful. Okay. So thank you again for the opportunity to meet with the group.

Avri Doria: Thank you.

Brian Cute: My apologies for not being present but I and other members of the team who aren't present will certainly review the entire recording and welcome all of your inputs.

And as I've said to other groups this week this is not a one-chance interaction. Should any of you have any inputs tied to the review team please, we will have a link on our Website. We are available to you and we encourage you to provide us with any. Thank you very much.

Avri Doria: Okay. If there's no objections since we have ten minutes before we are scheduled to start with the Accountability and Transparency team, we can take Bill's issue in the next ten minutes. Ready?

Man: Wouldn't it be better to do this...

Avri Doria: But the problem with going around the table - okay, the reason we're probably - with going around the table and I'm willing to do that. But I'm thinking A, we might as well do it when the Accountability and Transparency team comes simply so they can meet us, we don't do it twice. Second, more people come as time goes on. So if it's okay I'm going to hold that until we introduce ourselves to that team.

So Bill, you've got ten minutes. Okay, you've already got - if you want to explain that. And then we can have dealt with it first thing this morning. Get the microphone.

Bill Drake: All right. Hello. I'm Bill Drake. I remain Bill Drake.

We have a motion that I - and anybody who's been reading the listserv discussions should be familiar although it may be that the details of this are so unexciting that you've kind of tuned it out. But anyway I chaired the eligible drafting team to develop the process for endorsing candidates to the review teams.

We did an initial version for the ATRT which entailed not only one slot per stakeholder group, one endorsee but also two competitive slots that were subject to competitive election with 60% in both houses, one for unaffiliated people and then another one.

And this process caused great consternation on the part of the CSG. There was all kinds of turmoil. I was constantly being pulled aside in Nairobi for very tense deliberations and discussions about every possible legalistic detail and scenario and so on.

And so I thought, okay, we need to make this simply so that people don't freak out. So the drafting team went back and simplified the process by getting rid of the two competitive election seats.

However, we decided that because of diversity concerns we should have the option of adding people for diversity. So under the system that we developed and proposed to the council their - each stakeholder group gets guaranteed one endorsee slot. And then if it turns out that that bottom-up process results in inadequate diversity in terms of gender and geography, the council would have the option to add one to two more people by looking at the pool of candidates that had applied and then selecting somebody on the basis of the 60% vote on both houses.

Okay. So CSG decide - and this drafting team entailed representatives from all the stakeholder groups. The proposal was on the table for weeks. CSG decided the day before the council meeting that we were supposed to vote

that this was no good, that it was inappropriate for the council to - for council representatives to select somebody that had not been vetted and cleared by stakeholder groups.

This reflects an underlying philosophy about what is the council in the new configuration and what are its appropriate roles which is manifesting itself in a number of different deliberations we've had. But basically bottom line is they feel that they do not want to have the council acting in any manner that is not approved specifically by each stakeholder group.

And therefore they said that want they want - they support an amendment saying Number 1 that -- this gets kind of boringly detailed but anyway -- Number 1, that each stakeholder group can list one to two people that it would support for a diversity slot, a diversity election, and that the council would only be able to talk about those people and not the entire pool of candidates.

We would first decide whether diversity needs to be met via those people that have been specifically approved by the stakeholder groups. And only if that was not the case, if we failed via a vote or whatever to approve one of those people then we could look at the other candidates.

They've also said in their amendment that the process which was supposed to be a permanent process that we would use, in each cycle there would be a team process should not be permanent, that they agreed to it for the next two review teams who is the Security, Stability, Reliability and then revisit the issue again.

I regarded this initially when this was proposed as an unfriendly amendment because I felt that - well on a number of grounds, one procedurally, waiting till the last second. And then rejecting something when you were the drafting team that approved it seemed to me kind of inappropriate.

Secondly, the notion of limiting what the council could - who the council could look at from the applicant pool, saying oh these people that so and so doesn't like are not even possibly - can't even possibly consider them in the context of the back and forth dialogue about what would make sense. This seemed (unintelligible) to me.

Thirdly, the notion that the process had to be redone again rather than being the process that was agreed doesn't make sense to me because the council can always revisit a process it doesn't like and revise it. I hate those things really.

And finally it reflects the underlie - an underlying philosophy about the council that I don't find congenial.

So in any event they came back to me again yesterday and said look, we will drop the part of the amendment that says that the - this process is only good for the next two review teams. We'll allow it to be considered to be the process that's being used if you will accept to have our take-back aboard our amendment that limits who the council can talk about in the first instance to those candidates that have been specifically endorsed or sub-endorsed, however you like to view that, by a stakeholder group.

So the point is I have - we have to decide whether we want to accept that motion as friendly. If we do not accept it as friendly then we will have a divided vote on the procedures that would be used for endorsements.

One could argue that that's an optimal thing, it'd be much better for the council to have a Kumbaya moment and, you know, adopt its procedures on the basis of broad consensus.

There's also the question if we say it's unfriendly whether we would win. The alternatives is (C) motion would be voted first.

And I'm not entirely clear. I've gotten mixed signals from different registry and registrar folks as to how they would vote although I have not tried in detail to flesh them out on exactly what their votes would be. But it's possible that it would not fly in any event.

So the point is, I guess, whether we wish to - because in substantive terms I guess the differences are not enormous between what they're asking and what was originally put forward. And it's more a matter of the way it was handled that I don't like so much. Whether we should just go ahead and say look, let's treat this as a friendly amendment, everybody will be happy, Kumbaya, or should we instead say no, we want to call attention to the fact that (unintelligible) politics in the way that (unintelligible). So I seek your input and advice as to whether to treat this as a friendly or unfriendly amendment.

Avri Doria: That's two minute - actually one minute now before we get to our next session which I guess we've heard the story. Do people have a quick view or could we come back to it at the break?

Man: Say that again Bill.

Avri Doria: Yeah.

Man: Yuk, yuk, yuk.

Avri Doria: Okay. We'll come back to that at a break. Everybody mull it over. And when we have a sense we'll be able to come back to it without having to go back into it.

                I see though that the Accountability review team is here. Manal, I understand you'll be co - or you'll be chairing or co-chairing or however we want to call it. So thank you, welcome.

I figured we would quickly go around the table and so any objections to starting that part of - recording is on and we have one person, still just one person on the recordings, Robin?

Coordinator: That's correct.

Avri Doria: Okay. Thank you. So we have Robin Gross on the line. And why don't we start at this end and then...

Robin Gross: Avri, I'm still here.

Avri Doria: Okay, great. We're starting the Accountability and Review team's interactions with the NCSG part of the meeting now.

                Okay. I'll actually ask. Milton, can you start by giving your name?

Milton Mueller: My name is Milton Mueller. I'm a professor at Syracuse University.

Wendy Seltzer: Wendy Seltzer, GNSO Counselor for NCSG.

Willie Currie: Willie Currie with the Association for Progressive Communications.

Debra Hughes: Debra Hughes, Counselor for the NCSG with the American Red Cross.

(Mia Yovetta):   (Mia Yovetta), I'm clearly sitting in the wrong seat. I'm a first-timer but interested.

Avri Doria: Okay.

Rosemary Sinclair: Rosemary Sinclair, GNSO Counselor.

(Eddie Amanayer):   (Eddie Tibierte Amanayer), (unintelligible) TLD, member of the ATRT.
                Also if I am correct all - a member of the community, noncommercial.

Woman:　　　　You're young.

(Eddie Amanayer):　　Yeah. (Unintelligible).

(Fabio Colasanti): (Fabio Colasanti), until recently with the European Commission and now with the International (unintelligible). I'm the third member present here of...

Manal Ismail:　　Manal Ismail, is a staff representative and serving as vice-chair of the group.

(Avriel Vognat):　　(Avriel Vognat), I am a member of the (Blodoff Internet steering committee) and professor of (Brigadin) University.

Alex Gakuru:　　Alex Gakuru, I am the elected representative from the Association of Kenya. And I recently joined the Communications Commission of Kenya. It's a council I - looking after consumer interest in a broadcast arena. Thank you.

Carlos Alfonso:　　I am Carlos Alfonso from (unintelligible).

(Alta Fenersen):　　(Alta Fenersen) from CDI Brazil.

(Belda Fransa):　　(Belda Fransa) from Rio de Janeiro, the - member of the (CGI Dotviar) and of rates and (unintelligible).

Rafik Dammak:　　Rafik Dammak, GNSO Council for the NCSG.

Bill Drake:　　Bill Drake, Counselor for NCSG from Geneva (unintelligible).

Konstantinos Komaitis:　　Konstantinos Komaitis. I am the elect representative for NCSG in Europe. And I am a lecturer at the University of Strathclyde in Scotland.

Mary Wong:　　Mary Wong, I'm counselor for the NCSG from the Asia-Pacific region.

(Scott Sykes):   (Scott Sykes) with (Dot Jay).

Man: (Unintelligible) which is gathering of European and (unintelligible).

Avri Doria: Do the people at the back want to introduce themselves? Okay. Oh okay.

Ken Bauer: I'll take the invitation.

Avri Doria: Please.

Ken Bauer: Ken Bauer from the ICANN policy staff.

Avri Doria: Thank you.

Rob Hogarth: Rob Hogarth, ICANN policy staff and remote participation team.

Bertrand de La Chapelle: Bertrand de La Chapelle, snooping on the meeting and French GAC representative.

(Polly Slydel):   (Polly Slydel) from (French Magnas).

Avri Doria: And yes, we...

Woman: (Denise), (Michelle) with ICANN and (Alice), also with ICANN.

Avri Doria: Thank you. It's just to have a complete - and another member of the review team has come in.

Man: My name is (unintelligible).

Manal Ismail: We are trying to have some interactive brainstorming and discussions with the whole community to grasp the opportunity that we are all here in

Brussels. We already had some very good discussions with other constituencies and we are looking to have the same here.

We have tried to set those questions, sort of a guideline to our discussion and to trigger the discussion and brainstorm around those things. And they are posted on the Website. And we seek to receive maybe written feedback later.

But for the sake of this meeting please feel free to exchange with us anything that you feel is relevant. And we don't have to stick to a Q&A thing per se but rather have a discussion.

So okay, in the meantime as Avri said, three more members from the review team have joined us so if they introduce themselves quickly.

Peter Dengate Thrush: Peter Dengate Thrush from the ICANN board. Good morning.

Cheryl Langdon-Orr: Good morning. Cheryl Langdon-Orr, current chair of the At-Large Advisory Committee. And my apologies because I just had too many questions for me.

Becky Burr: Becky Burr from WilmerHale and the ccNSO council. And I also apologize for being late.

Avri Doria: So many of you for coming. Thank you. Okay. So we probably should start.

I guess one thing that we had been talking about and we were part of with ALAC, sending a letter. And I mentioned it as an individual impression, yesterday - gave a response yesterday that I didn't quite totally understand the whole response but that was okay.

But the - one of the things that we were looking for is not only understanding the content of policy decisions but also those things that's informing the board

of for example what's going on in a particular setting, what's going on in a particular - sort of what is being said about us when the board is making decisions that may or may not affect us.

So there was really a call in that letter that sort of - and the thing I was talking about, the moving between a sort of culture of secrecy where the first presumption is that everything is confidential except for those things that are deemed to be releasable to a culture of transparency where everything is transparent except for those things where specific decision - close it and even that decision to close something is transparent.

So if you say we are going to be discussing bids between, you know, we don't even have to know who the bids are - but we're going to be discussing bids for a certain job, therefore the conversation is closed. There's a transparent announcement that we're going nontransparent.

So that's kind of what we meant by a culture of transparency. I wanted to put that on the table.

And basically part of the argument is that without that there can be no accountability because you don't know what anybody is doing. So how can they be accountable if you only know what they decide to tell you?

So that was sort of the first thing that we had sort of decided to put on the table. I don't know if that's something you all want to speak to or other people want to add things.

Manal Ismail: So any additions to (Mark)'s questions?

Man: Well first I'd like to totally endorse the question that Avri just asked. To make it more specific we have had some indications that some of the issues that we've been trying to convince the board on have been dealt with perhaps by

staff in a less than fair way which may or may not be true because we don't - at least I have not seen the documents.

I wanted to raise another issue, kind of a meta issue about the team. I wondered how you reacted to the opening statements by Rod Beckstrom yesterday which seemed to me to indicate - and I may have been misinterpreting them but it seemed to me to indicate sort of an attitude that the accountability in the review team may not be objective, and that he would sort of take your advice as something that he had the discretion to simply ignore if he felt like it.

Woman: The question was how did we react. We reacted with excitement. We reacted with organizing a particular meeting. And we've reacted by having a number of discussions which are ongoing.

Man: I hadn't seen that. Great.

(Fabio Colasanti): The statement -- I have it now in front of me -- is even on the ICANN Website. If you want I can read it aloud. I'll do that. That was the opening statement that Brian Cute read in the public meeting.

While we had planned to have focused solely on our work and interaction with you, the ICANN community, very public sessions, the members of the Accountability and Transparency review team, know that Rob Beckstrom's disparaging comments this morning about the objectivity of our work, disappointing that he feels compelled to lay a foundation for discounting our work even as it is only beginning.

At ICANN we are organized as a multi-stakeholder body. And like the ICANN board our membership includes stakeholders from the user community, government, noncommercial parties, ccTLD's community and contracted parties.

The chair of the ICANN board along with the chair of the GAC selected the members of the review team. I can assure you from my early interactions with the member of the review team that the ATRT is composed of professional, serious and hardworking individuals from diverse part of the community and elsewhere who share a strong commitment to ICANN's success.

We're working in the open and listening to the community and to each other. And we look forward to having our work judged on its merits, to quote.

Avri Doria: Thank you for reading that. I wanted to remind people to give their names beforehand just because this transcript won't necessarily recognize all of us. And of course I should say this is Avri speaking again.

(Fabio Colasanti): And the person reading the statement was (Fabio Colasanti).

Avri Doria: Thank you very much.

Manal Ismail: Thank you. May I ask the speakers to speak a bit louder please for the phone?

Avri Doria: Okay. Thank you. We'll have to speak more into our microphones but now we start to get feedback. So...

Yes? You wanted to...

Woman: Oh no.

Avri Doria: So I guess - who would like to mention something next? Or -- I don't know -- did anyone want to - from the review team want to comment on anything else that has been said so far? Yes, Mary?

Mary Wong: Hi. This is Mary Wong. So I just wanted to highlight two other incidents. And I'll keep them brief because as you know you do have questions. And I'd like

to assure the review team that in this community we've started a wiki where we've started to discuss responses and collect responses to your questions.

So like I said I'll just keep this brief and mention two incidents. I'm happy to go into it in further detail should you ask.

I don't know what the cause or anything of these two issues are. And it could go back to what Avri was saying a little bit earlier about the need for transparency and the need for better communications with respect to the need for transparency in the context of ICANN.

But in this community there's been quite a lot of I suppose some difficulty with respect to a complaint that was sent up to the ombudsman some time ago, a few months or a year ago about the chair of the NCUC, Robin Gross, at the time.

It was an issue regarding stability of exchange on an email list with another member of the community who brought the complaint. And the community - our community felt that even if the complaint was justified -- which many of us felt it was not -- the manner in which the ombudsman handled the complaint, the process, the decision itself and the grounds for his decision was completely unwarranted and possibly an abuse of position.

So that's the first incident. And like I said I think - I'm happy to discuss it further. Other members in the room may have actually better recollection of the details than I myself do.

The second incident I'd like to mention is more recent. But again it directly impacts this community. And that is with respect to a process of chartering the new NCSG.

Specifically there were interactions with staff members, for example with the board's Structural Improvements committee. One specific example that

troubled our community was that when this community developed a bottom-up charter that was widely supported not just by members but by non-members who are interested in the issues that we're talking about.

And there was support, express support for the charter at the time which was an interim charter -- we were working on a final charter -- sent in a public comment because all the charters of all the groups were open for public comment on the ICANN Website. The reactions were characterized as - well not the reactions, the support that was expressed by other civil society groups for our interim charter was characterized as I believe a letter-writing campaign on the part of the chair of our constituency.

Secondly and again with respect to this particular incident when it came time to discuss the interim charter at I believe was it the Seoul meeting, practically the day before, the day of constituency day we were given the text of an interim charter that the Structural Improvements committee working with ICANN staff had drafted for this community that was in some respects significantly different from the bottom-up charter that had garnered so much support just prior.

So again there may be causes, explanations. But the lack of communications and transparency in this instance certainly greatly trouble me as a member of the community and I believe a great deal of other members as well.

Peter Dengate Thrush: Can I just comment on the (unintelligible)? Manal, I'll just ask a question perhaps about that - this point that you raise which was the ombudsman.

I think that you're referring to the report that the ombudsman himself referred to us as an example of a whole lot of unanswered recommendations. I think the ombudsman told us that in relation to that report he'd made 12 recommendations or relayed the recommendations, only one of which the board had followed. Is that the same - are we talking about the same case?

Mary Wong: We're talking about the same case. But I was not talking about that final outcome. And actually what I should have mentioned was that at least I personally -- and I'm speaking personally now -- felt that the board acted correctly in that instance.

But earlier in the process I think one of the questions that Robin raised in her response to the ombudsman -- I'm talking about that point in the process -- was whether or not the ombudsman even had the jurisdiction to discuss the removal of an officer of a constituency and certainly whether - with respect to the incident itself whether that was proper. I think another specific incidence again was earlier on in the process...

Peter Dengate Thrush: Just to be clear so you - the complaint is about too much transparency in that case. You're saying that there should have been confidentiality around some of that process and that confidentiality wasn't observed?

Mary Wong: I think - I wasn't talking about too much transparency on the part of the ombudsman. I - if we want to go into that - I think I was talking about the manner in which the ombudsman handled the complaint. I don't think even in terms of his disclosure that I would characterize that as transparency. I think there was...

Peter Dengate Thrush: Sorry.

Mary Wong: A lot of...

Peter Dengate Thrush: I'm just trying to limit the discussion to the issues that the panel is looking at which is accountability and transparency. Other issues about the ombudsman performance...

Mary Wong: I think...

Peter Dengate Thrush: Might be very valid but I'm not sure how helpful it is to us.

Mary Wong: I understand, Pete. And actually thank you for reminding me because I blanked on the word. I think to the extent that we're talking about accountability and transparency I think that might - it might be fair to characterize that incident at least to my mind -- and the team may wish to either lessen the importance of that incident -- as more a question of accountability of an officer of ICANN rather than a transparency issue on the whole.

Peter Dengate Thrush: Right. That raises the irony of where do you go to complain about the ombudsman.

Mary Wong: Actually, Peter, I - you've put it much better than I did. You've obviously had more coffee than I've had this morning. So thank you very much.

Woman: Manal, I have a follow-up question. Mary, I just wanted to make sure I was understanding the discussion about the charter - the draft - interim charter. Who did the summary of the comments for - on the charter? You're - you indicated that somebody characterized the comments as a letter-writing campaign and I'm - I was confused about...

Mary Wong: I don't know who specifically did the comments. It was an ICANN staff response. I know the staff member attached to that process was (Rob) but I don't specifically want to say it was (Rob).

Woman: Okay. But it was ICANN staff?

Mary Wong: Yes it was.

Woman: Okay. And so the issue there was that you felt that the summary didn't reflect the seriousness of comments that were being made, that it trivialized them?

Mary Wong: (Unintelligible).

Milton Mueller: We had been told as a constituency -- I'm sorry, Milton Mueller, Syracuse University and internet governance function -- we had been told as a constituency that we were being limited in our representation because we didn't have enough members, we were not reflecting a broad diversity of noncommercial stakeholders. So we went out and we expanded the membership base of the noncommercial community by something like a factor of five.

We had a tremendous and even to us surprising outpouring of support from noncommercial groups. I want you to understand how difficult it is to get noncommercial, ordinary nonprofits interested in the modification of a charter of a supporting organization of ICANN. Okay?

That is not, you know, people dying in Haiti. That is not, you know, a censorship in some country. That is a very obscure procedural issue. And we got 200 organizations to weigh in on that.

And then this was dismissed or treated as if it was meaningless by either the staff or the board. I don't really know what was going on inside there. So that's the issue in a nutshell.

Woman: Okay, if I could just follow up. So I was going to follow up with the question of, you know, this puts us in the quandary of sometimes these letter-writing campaigns are, you know, massive push-the-button letter-writing campaigns. But what I gather is that they may have been formed, you know, they were not formed and they were from organizations?

Milton Mueller: Both individuals and organizations.

Manal Ismail: I think we have two more remarks: Fabio and...

(Fabio Colasanti): On these two incidents -- (Fabio Colasanti) speaking -- maybe we would like to have information. But as Peter said, our concern is not so much with individual currencies, with the behavior of the staff. It may always happen in an organization. Somebody has a problem that something doesn't run in the way it should. But what we're looked at - what we're interested in, if this falls any systemic character that might be the resolver of general behavior of the way in which the board functions.

Mary Wong: I'd just respond really quickly. And may I just say for the record that at least I personally am not accusing any particular person either on the staff or the board or anywhere within ICANN. I raise these incidents because in this community we believe that they are examples and good examples of exactly the kind of systemic issue that you have just mentioned.

Avri Doria: And I don't want to - were you going to talk on this same issue because I wanted to bring up one other issue on the ombudsman specific? But the nature of an ombudsman is to be external to an organization, do things from an objective, external point of view.

In looking at many writings on what ombudsman job is like it's something that A, you don't become part of the staff. You don't become a friend - and the staff does not become your peer group, your friend group. You always remain outside. It's a job that one holds for a limited number of years and then moves on to another organization so you don't become an insider.

I think especially given the critical role of an ombudsman within the accountability chain to have someone -- whatever one's opinion is about the person -- in the job for many, many years becoming part of the community, becoming one with the community, with the staff and sometimes being hard to tell the difference, I think that is perhaps an issue that is relevant to your domain in terms of what does it mean to be an ombudsman within ICANN.

Wendy Seltzer: Thank you -- Wendy Seltzer -- I wanted to raise a different broad issue for
                   your consideration in the area of accountability. And that's the matter of
                   finality of decisions and timing of consideration processes.

                   It would be very helpful to keeping the organization accountable if the
                   community and its participants could know when a decision was final and
                   when appeals were or were not permitted. The process seems to fluctuate
                   based on who is appealing the decision and other - at times we get told, you
                   know, come to a conclusion quickly, hurry up and if you don't come to a
                   conclusion your voices will be ignored or - not ignored, you won't be able to
                   participate.

                   And we come together and we work very hard to reach that conclusion in
                   efforts like the STI process. And then questions get reopened or pieces of
                   that get pulled out and reopened. And those who thought they worked very
                   hard to come to a consensus find their position undermined or - and they
                   don't have the same opportunity to reopen other pieces of the discussion.

Becky Burr: Wendy, this is Becky Burr. It would really help us if you could be specific
                   about that, about what you're talking about. Give us some examples of
                   decisions being closed and then reopened or whatever.

Wendy Seltzer: Wendy here. There were multiple closings and reopening in consideration of
                   the trademark issues in new gTLDs for example, first the IRT, then - and the
                   way that was commissioned. Then the STI group formed and then changes to
                   the documents that the STI group produced into trademark clearinghouse
                   URS and post-dispute resolution procedures, post-delegation rather and the
                   way those documents have continued to mutate. I - I'll be happy to follow up
                   with more specifics.

Peter Dengate Thrush: And I'm - can I just make the same request exactly to Mary and
                   anyone who wants to raise the issue of the charter, because my take on that
                   is that what we are seeing mostly there is a complete clash of values? We've

got a very clear declaration by the members of the - by the board and by the Structural Improvements committee that they have a view as to how those things should be restructured and a different view who are themselves being restructured. So - and the - and that's a perfectly fair fight if you like that can go on.

For the review team what we're not interested in is challenging the decisions and that's fine. It's - because that's not what a - that's not our job.

The (unintelligible) here is if in the course of a fight like theirs which goes on there are improper processes, if the fight - if it hadn't been a declaration by the (SIT) for example as to what it was trying to achieve and took your work and suddenly without warning turned it around that would be interesting.

My sense is that what we need to be clear is we're not - you're not asking us to re-litigate a previous decision but to point to where in the - in that process the transparency or lack of accountability is featured. If I could just be clear of that.

I don't want to have that argument now. But that's what we need, not just that there was a fight.

But the easy response will be that people who lose a battle challenge the process. So if you want - I'm trying to help you to avoid that being the answer to a particular issue.

Avri Doria: (Eric), Milton and Bill - but you wanted to follow up on your question, Wendy?

Wendy Seltzer: I just wanted to -- Wendy -- follow up very quickly that at times - in general, not at times I would prefer closure and a definite closure to any decision one way or the other. And that's my complaint, that it's not often clear what will be the closure point.

Erick Iriarte: Thank you. Erick Iriarte. I would like to put another issue in the - on the table is - about cultural diversity and transparency to that is in different language, different approach. And isn't it - sorry to understand that when we make these reviews also to see the bad things and also to see the good things.

What is the position from the noncommercial community about how - our - the advance or not advance of ICANN in the cultural diversity approach and - give access to the documents and to the information in different language? Give the opportunity to another person to participate is so important also get the information in their own language and is so important to get the participation of the people and in the process.

Avri Doria: Thank you. Milton and then Bill. And then perhaps someone will answer also.

Milton Mueller: Yeah, just responding to Peter on the - so it's not really purely a clash of vision, this charter issue, because you - if the board tells us you're not diverse enough, you don't have enough members. And then we go out and we get more members than the business constituency has -- and we have actually more members now than the At-Large in its entirety -- what is the criteria that they're using to evaluate us? How do we know how to satisfy those criteria?

The factor is it seems in the end that a really - a different criteria was being used. And that criteria seemed to be something very arbitrary and unaccountable such as we don't like the people who are currently running things and we'd like to get other people in there.

And I think, you know, that's sort of a top-down determination of who's going to be representing noncommercial stakeholders rather than a more objective. Indeed I think I sent a message to you during that process saying what do you consider an appropriate number, what do you consider appropriate diversity, by what criteria are you telling us that we're not big or diverse enough. And we never got an answer to those kinds of inquiries.

So we did the best we could. And then to be told at the end well so what, you know, you expanded by five times in size, it doesn't really matter, again that's a - what does that tell people? How do you respond to this?

It's not that we lost. It's just we had no idea what we were supposed to do. And we did what we thought we were supposed to do and we're told that it wasn't sufficient.

Peter Dengate Thrush: It's Peter here again. Milton, that's a very good point. I actually wasn't referring to the constituency membership point. What I - the question I was talking about was more the charter constituencies versus non-constituencies.

So I think your point about the membership issue is a very different one. Thank you.

Avri Doria: I think we're probably going to write this one up. But I wanted to get in the minutes we have left. I mean so I had Bill, I had Alex, I had Konstantinos.

Bill Drake: Thank you. Bill Drake. I fully understand and appreciate, Peter, your desire to make sure that we stick to the precise standings of the ATRT and not get into the broader points. At the same time it is also difficult I think for the ATRT to appreciate the particular examples we might cite if they don't get any sense of the meta.

And so at some point we do have to sort of give some flavor of that. And that may lead us to talk about some things that might strike you as slightly off the narrow question of accountability and transparency.

We will try to write these things up so that there's more background and (unintelligible) people understand. But I just think it's important for - I can't imagine that members of the ATRT spent a whole lot of time worrying about the internal problem that the NCSG has experienced.

But I will just tell you from my own perspective if somebody who was recruited to participate a year and a half ago staff selection joined the NCSG, become an (AD) counselor and who has been involved in internet governance issues for a long time and has in other forums defended the ICANN process vis-à-vis governance, etcetera, as a bottom-up multi-stakeholder open thing where some society groups are able to participate it has been enormously frustrating in the time that I've been here to have constant pushback.

And I feel like everything we have tried to do in organizing ourselves, in putting together our community, in putting forward a charter we've had constant pushbacks: no it's not good enough, no this is not the way you're supposed to do it, no we don't trust you effectively.

And that has really kind of sapped a lot of energy and made people feel I think kind of, you know, we're trying to do this work of public interest advocacy, you know, pro bono basis. We don't have financial stakes like the registries, registrars and other players. We're here because we believe in the process and we want to make it work and we want to make ICANN better.

And rather than being facilitated and supported we have had instead a kind of different experience. I know that from the first time I started to come to meetings I would have interactions with members of the board who would say to me things like what Milton was alluding to you: oh you guys are all X and so we're not going to do that, you know? And I would say well why do you think that.

And it became very clear that they were getting information, their perceptions were being shaped about who we are, what we what to achieve and so on in ways that I couldn't (unintelligible). I mean a lot of it seemed to be historical. Somebody didn't like somebody five years before I got involved for some reason and because of that I was being told you're, you know, you have

entered into this nexus and you are part now of this problematic grouping that we have to deal with. And so it makes one feel after awhile like you just want to crawl under the table.

And I can tell you in a specific instance, we had this whole charter exercise that we went through, drafting and redrafting and redrafting based on comments we got. We had a big meeting with the board in Seoul which everybody thought went very well where we tried to explain what we were doing. I had several long meetings with leadership of the six where they came and said basically okay, now we get what you're about, now we understand what you want to do, why you don't want to do this other thing, that's fine, that'll work, this is okay.

And then we come back a - flash forward a few months later and when we submit our charter which has just been approved by hundreds of people, we - or just prior to the final submission, the vote, when we submitted the charter for consideration of the board we get back letters that it seems like we're back in 2008. It's the same perceptions that there hasn't been any progress, there hasn't been any shifts.

We're still being told you're captured or can be captured by some small (unintelligible) of people who I don't know what it is they're trying to do or where they come from. And so it is - that is the kind of flavor I think you have to understand.

So when - we will give you a written document that sort of outlines particular cases that have been sources of frustration. But I think you have to understand it has been a real struggle and a very draining one that has taken away from our ability to actively participate in all of the GNSO's activities and work on substantive issues because we spend so much time on this thought.

Avri Doria: Thank you Bill. We don't have that much time left. I have Alex, Konstantinos, Robin and Rosemary. And I guess Manal, would you like to - okay, and Manal. So please try to keep your comment really short. So Alex.

Alex Gakuru: Yes. I'll be very brief. Thank you very much. Alex Gakuru. First of all let me thank the ATRT team and first of all to raise first Bill's praise of ICANN as a bottom-up (unintelligible) model to say how wonderful it is and accountable to the constituents as opposed to other inter-government or that things are done at government level.

                 But when that model fails us we then don't know what to tell the people that you have praised ICANN so much about. So I think the interest in an transparent and accountable ICANN is important to all of us worldwide because other institutions affiliated to ICANN and internet which tend to emulate ICANN if something goes wrong with ICANN it becomes a top-down decision, globally they do the same. So the cost of lack of transparency is huge to the global public interest so we welcome more transparent ICANN and of course I watch you do it.

                 Now the second point, the point I want to make also is that you have to appreciate the noncommercial stakeholder group and NCSG of course in the background as an almost civil society. And these are change agents, social movement. And there are certain things that frighten people who are in that movement everywhere in the world and for example things like background checks that may be once in awhile (unintelligible) being done on the individual.

                 Now if you are advocates or you are, you know, people that actually promote things anywhere in the world where anti-censorship, etcetera, etcetera, so you do appreciate that certain background checks as they are being done it is not that they are bad. We would like them.

But the framework of conducting that needs to be very clear so that ICANN is not seen as discouraging but especially not just from language now but the scare that is somebody's watching the institution. I speak of this in countries especially where censorship may be a serious issue or civil society organization and rights movement that may be in areas that are - regimes that do not do that.

So we have to be careful to balance ICANN's requirement of certain information. And of course in other countries there are issues and other that you don't compromise what our objective is as a civil society home even ICANN is doing.

Finally I want to just end on a positive note and say we do appreciate the change despite the concern Bill has raised that we feel we don't want to go back to the pre-Seoul situation - relationship with ICANN. When we realized it had been gradual improvement is only after this chapter came up and those comments really frighten us. Have we gone back to those days?

We would like the improvement to continue with our relationship with the board and the other community members. And so we do not want to be pushed into situations where we feel we are being taken back by whatever agents whether they are staff or other known people within the organization. We'd like to continue improving that relationship. Thank you.

Woman: When...

Woman: Konstantinos, (unintelligible). I'm sorry, just a quick question. When you talk about background checks are you talking about the background checks conducted on nom-com - potential nom-com appointees are is there something else going on?

Alex Gakuru: Yes. I'm not talking about noncom. I'm talking about background checks on perhaps people affiliated to our group or the commercial stakeholder group in terms of whatever it may be that is being required as background checks.

It's like a generic (unintelligible). So we'd like it narrowed down as the kind of things that are - ought to be sought by ICANN on the general kind of nature of information that is being sought. For example, are they real or just virtual or...

Woman: So what I'm understanding from you is that there are background checks being conducted on members of this group not connected with nominating committee appointment.

Alex Gakuru: There may be something to that extent. And I can say that that's what we do not want to be done without our knowledge and it's not disclosed fully. So we were going to get - being done, we want it to be precise (unintelligible).

Woman: So we need to ask the question (unintelligible) because the background checks that I am familiar with are fit for purpose such as during a nominating committee process or whatever. We see what you say. We will ask the question. Thank you.

Alex Gakuru: Transparency. Thank you.

Avri Doria: Okay, Konstantinos. Then I have Robin and Rosemary. And we have very few minutes left.

Konstantinos Komaitis: Yes. I will keep it very brief. Thank you very much, Avri. This is Konstantinos.

One of the bigger sense is that the imbalance between commercial and noncommercial users when it comes to some quite interesting policymaking processes. And I will bring the example of the IRT. That was formed very quickly. Noncommercial users were not even invited.

And when we were asked to be told about the processes and the discussions that took place during the IRT ICANN raised some confidentiality issues. And we were not able to even know what was happening and what were the discussions of the time.

And it actually took a lot of effort in order to convince ICANN staff about the whole process that the IRT conducted was sort of illegitimate. And it actually was fruitful because it was sent back to the STI.

But the whole IRT process left a very negative feeling to the noncommercial users because it was very interesting work. It was a very important policy process concerning the balance between trademarks and all other competing rights. And this was for us one example whereby transparency was not in play at that specific process. Thank you.

Peter Dengate Thrush: Again it would be very helpful if you could explain. I mean you use a very strong word: illegitimate. I think it'd be very good if you could explain what - which parts of the work of the IRT.

Was it that the lists weren't open? Was it that you couldn't join phone calls? You know, what is it about the process of the IRT that...

Konstantinos Komaitis: Well it was both basically. First of all we were not invited at all. And it was meant to be a bottom-up...

Peter Dengate Thrush: Invited to do what?

Konstantinos Komaitis: To participate in the IRT.

Peter Dengate Thrush: That's because it wasn't the point. It was a specialist team that was appointed for a different purpose. I'd be clear about that.

You - nobody else was invited to join us. This wasn't a - the IRT was not put together as a representative group. It was a - there was a specific request by the board to a bunch of intellectual property lawyers to do a particular job.

Konstantinos Komaitis: Yeah, but also registrars were there.

Peter Dengate Thrush: Yeah. Well there was a specialist composition that was dictated by the board to put together a specialist team. It was not - it was never set up to be - and I'm not going to argue with you now about it. But just to be clear, that was not set up to be an open representative group.

So challenging it on the basis that it was not an open representative group all you'll get is agreement because that's not what it was. It was a bunch of people - special - that the board asked a specialists group to put together specialists' advice from that group and to come back and report that advice to the community.

Konstantinos Komaitis: Yeah. What I don't understand is that it was going...

Woman: Point of order, I think it's important that you all know that the (ATRT) is planning on having a focus on the new GTLD process and all that went under it including IRT, STI, etc., so you are adding to our database and with as much specific information as you can add to our database that would help us in our role.

Man: (Unintelligible) comments. Thank you.

Avri Doria: Thank you Robin you wanted to bring up a different issue correct? Are you on line? Are you muted?

Man: Robin if you aren't there please say so.

Robin: Can you hear me okay?

Avri Doria: Yes I can. Please go ahead.

Robin: Yeah I just wanted. Can you hear me? I thought you could but then (unintelligible).

Avri Doria: Yes I can. Please go ahead.

Robin: So the issues that I wanted to (unintelligible) with accountability. Accountability that the (unintelligible) community to be responsive to the communities request for follow-up (unintelligible) that sort of thing.

                The example of that giving (unintelligible) has to do with purely fictional legal (unintelligible) had to do with the morality and order restrictions in new GTLDs that ICANN staff had put out. Can you guys hear me okay?

Avri Doria: We're actually losing you. Are you on a speakerphone?

Robin: No. No I'm not on a (unintelligible).

Avri Doria: Okay. Because you keep getting a lot of feedback and we can't get it.

Woman: We're losing.

Woman: Yeah (unintelligible).

Avri Doria: Okay because you keep getting (unintelligible).

Robin: Okay. Well I'll try to just to make my point, which is that (unintelligible). Okay. I'll type it out.

Avri Doria: It's not working. Rosemary please.

Rosemary Sinclair: Thanks Avri. This is just a comment about Bill's input and I wanted to make it as one of the board appointees to the GNSO Council. I want to make sure that the Accountability and Transparency Team really takes on board Bill's comments and thinks about them unburdened by any sense that our group might be having difficulty within the group.

We are, with all that history, getting on, communicating, finding our way in quite a positive manner and I wouldn't want your team to be confused by any of the comments about accountability and transparency and best process because you thought that they may be some division within our group. We're finding our way but it's quite a positive experience now.

Man: Only a final invitation is (unintelligible) may (unintelligible) both in public and the (message) it's important (unintelligible) the space but also it's important with your (unintelligible) directly and your message.

Avri Doria: Thank you and I guess you've got to move on. Yes (unintelligible).

Woman: Sorry. Just very quickly. We do appreciate all the input we get and I mean sometimes it's an individual case but from which we can still find a pattern and no matter how the cases are different and may sound individual at the end they might relate to a common thing like some miscommunication, some lack of clarity that would solve different problems.

So we do appreciate any input from your side and as (Eric) mentioned we would very much like to receive your written feedback because the group is concerned with fact finding and we should base our recommendations on fact, that would be the reasons mentioned in our final recommendation.

Avri Doria: Thank you. One thing I'd like to add, first of all thank you very much for coming. One of the things that we count on though is for you to help us find the facts. One of the things that we talk about is the lack of transparency

means we don't have access to the facts, we don't know what was said beyond (unintelligible).

Woman: Avri, that's really important because we do have the, you give us the directions we can do the digging but we need clear concise, and we're going to be pulling out a template, which Manal may have mentioned before I can in the room, there will be a template which will assist of course we'll take free form text.

We're going to try and give you as many ways as possible be it by group or individual to help us discern the patterns because we're wanting to not have the situation where the burden of proof is on the people who don't have access to the information to give us the proof.

So yes we're very aware of that. You mentioned a Wiki, could I beg, plead, request that if we can get a link to that so some of us can, if, just make sure (Alice) gets it and gives it to us because...

Avri Doria: I'll tell you, it's an open Wiki so certainly.

Woman: Yes. Many of us would like to keep a watching brief on the work the communities are doing, that would be great.

Woman: Just (unintelligible) need to send whatever we don't have to stick to certain questions. It's not a nice thing to say but we should not be, I mean the deadline should not keep anyone again from sending us anything. The earlier the better of course but it's an ongoing process and we do appreciate anything (unintelligible).

Woman: And in any language, we'll sort that here at our end.

Woman: Right. Good point. Thank you.

Avri Doria: Okay. Thank you so much for coming and for making sure that we all knew that we could keep talking. Thank you very much.

Okay. Going back to our agenda, I guess it's being uploaded. Now I had seen Kevin come in but he wasn't really scheduled until 9:40. Of course if his schedule has changed we can move things around. But our next bit of agenda was to, what am I supposed to do with this thing?

Man: Oh please. No.

Avri Doria: Do I have to give it back later or is it mine? Do I get to keep it? Thank you. I think they're great. I totally disagreed with the people that think they're a bad thing. I think they're a wonderful thing.

Man: (Unintelligible).

Avri Doria: I think they're wonderful but I want to learn to blow it when no one is watching me flutter.

It sounds like a moose call, if I take, if I take this back up to (unintelligible) up by the Arctic Circle and I do it I may actually be able to summon a moose.

Okay. So I think actually the best thing to do right now is to return to Bill's issue and Bill I'm not going to ask you to, (unintelligible) please say a word if someone asks a question, but basically so on the amendment that's been proposed by I guess it's the CSG and stuff what do people think? And I know (Wendy) you had a viewpoint on it and you were going to express so would you like to start?

(Wendy): My, I was simply attempting to cut short the time that this process took. I was willing to say this was an unfriendly amendment. We no longer need to consider it.

Avri Doria: Okay. Does anyone, and I think on, on unfriendly amendments I think are a fine thing, in fact when I first, just a slight bit of digression, when I first came into the council as a chair and I tried to change the friendly amendment rule. Because anybody that's ever read (Roberts) and comments on it says there is no such thing as a friendly amendment because once you submit a motion and have it second it's actually owned by the committee and no longer by the motioner so there's no way a motioner should be able to change it.

But friendly amendments are such a tradition inside the council that there's almost a peer pressure on people to accept them. I'm actually not voicing an opinion either way on whether you should accept it but one of the feelings that I had is if your motion is based upon the work of a drafting team there's sort of representing a drafting team to whether it is actually appropriate for you to accept a friendly amendment is something to be considered totally separate from whether it's a good amendment or a bad amendment.

And so voting on an amendment even if you don't accept it as friendly because as the representative of a drafting team you can't, doesn't actually prevent you from voting for it if you want to and - or you know, if the (NCSG) ends up splitting its votes on it because some of you think it's a good amendment and some of you think it's a bad amendment.

So separate from whether you like the amendment you may consider just saying no, it should be voted on and see where it falls and it's not even necessarily a win or lose it's just, that's sort of a one take on it. Anyone else want to add anything?

Rosemary Sinclair: I'm happy to support the original recommendations. At this point my brain doesn't work this way so I'm not sure how to get to that point, but I thought the original motion was a good way forward before stakeholder groups put up their candidates and then the council gets to do a piece of shared work, which I actually think you would experience for the council to (unintelligible). So if you could explain to me (unintelligible) how to get back to that point then

that's what I'm prepared to go with, whether anybody else goes with that or not (unintelligible).

Bill Drake: Thank you Rosemary. Bill Drake. Actually the, it's straight forward if I tell them no I still consider it unfriendly then first we vote on their amendment and then we vote on the original version, right?

Avri Doria: Not quite.

Bill Drake: That's how I...

Avri Doria: You vote on the amendment if the amendment prevails then you vote on the (unintelligible).

Bill Drake: Right. Sorry. Yes. If the amendment does not pass then we vote on the original.

Now here's the real point, the, as this goes to what you just said, shared work. Essentially what the (CFG) is saying is that they don't believe in the notion of shared work.

I had a long talk yesterday with (unintelligible) they said look, we believe that in the new council the way it's a management team, it's not a legislative body, it's not appropriate for counselors to talk together, persuade each other and then do something that has not been cleared through the stakeholder groups.

You should only do what the stakeholder groups have told you mandated you to do in part because they have internal issues in relation to their counselors and how much they trust in so on.

And to me that speaks to a larger philosophical question about what is the council. And do the elective representatives of the council have the right and the ability to engage in that kind of back and forth persuasion and so on.

And I personally am concerned about lending credence to the notion that the council can only do exactly what stakeholder groups have told them and no more and they cannot engage in any kind of collaboratives (unintelligible) like this. So that's an issue.

On the other hand it is true, and I will stop because I know Avri thinks I'm long winded, that the substantive difference between what they're proposing and what we originally proposed, you know, is not enormous.

In terms of how it actually play out it doesn't change things a great deal and so if we wanted strictly on the basis of (unintelligible) to be able to say let's have a process that everybody supported then I would say well then take out the amendment, no big deal.

And it's really a question of whether we want to be essentially making a point, a principle on something more than trying to be collaborative, although one can argue that when we've tried that in the past we didn't get anything for it anyway, so you know, (unintelligible) tit for tat so.

Avri Doria: Does anyone else want to add anything to it or I mean I think that, you know, I think what's normally happens within the NTSG for those that are (unintelligible) investor or listening for the first time is that everybody voices their opinions. And then the counselors go off and figure out based on the opinions they heard what they want to do I suppose.

Because I don't think we've every done a binding, as so many of the other stakeholder groups do, a binding you know, we say you must vote this way. I don't (unintelligible) with each other that much to actually ever be able to really do that.

So did anyone else want to add any other guidance to the council members on this? No?

Man: (Unintelligible).

Avri Doria: Well see because what, let me say, we can come back to it. We can come back to it. I had a schedule break down and something I had written down as happening at 10:40 is ready to happen now. So in other words Kevin is here to talk about, you know, the CFO stuff. We had two things on the agenda, sort of the budget for 2011 and perhaps somebody who worked on the statement with, or the possible statement with (CSG) might want to bring that up and then I had the topic of fair and equivalent treatment for the (NCSG) as an issue.

                        So I'd like to welcome Kevin. And basically also if there are any other issues that you wanted to (unintelligible).

Kevin Wilson: Great. Thank you Avri. Thank you everyone. I, one of my favorite lines from the movie Grand Canyon is, "The hardest thing in life is to make a left turn in L.A." So I think that I'm going to top that with getting the schedule right at the ICANN meeting. So I apologize if we (unintelligible) schedules and did that.

                        And along with that I have just a few slides on the budget and operating plan that's going to be submitted to the board on Friday for adoption. And I just e-mailed that to (Rob).

Avri Doria: Okay great.

Kevin Wilson: (Rob) is there any chance we could have that projected or is it, do I just talk to it?

Avri Doria: (Unintelligible) up to (Rob) and I'm more ready, so if they show up in the, in (unintelligible).

Kevin Wilson: Okay great. So I'll just talk through it, there it is showing up great. Thank you (Rob). (Fading) remotely. It's, as Avri said my name is Kevin Wilson. I'm the Chief Financial Officer for ICANN and I'm pleased to present the long developed, arduous task of creating a fiscal year operating plan and budget which requires lots and lots of resources, lots of plan staff and all of ICANN staff forward and many, many community members.

It's a pleasure to present this but want to emphasize that it's not (unintelligible) activity, it's really a community bottom up activity. Next slide.

So the purpose for the meeting today is really just to encourage more and more community feedback. We've had two open forum, we've had a number of community calls, we had meetings in Nairobi and I'm pleased to present here today and tomorrow as well at the various community groups that want to engage in this.

Although the budget will be submitted to the board for adoption on Friday I think the intention is to continue to have that community feedback. So I'll highlight briefly the operating plan and budget. For those of you who need a good read there's about an 80-page document, I have the hard copy here you're welcome to borrow but it's on the Web sites and out there. This version, the draft, has been out there since the 17th of May. All right?

So this slide, it wouldn't be proper to have a meeting at ICANN to not talk about the process so I just wanted to emphasize that there is, the trains are running and we're doing our best to land them on time.

The operating plan and budget, fiscal year operating plan and budget process is generally as follows. The strategic plan, the three-year strategic plan is updated each year in the first six months of the year, that's the current process.

After that we put together a framework for the operating plan and budget which is basically an unbaked general resources associated with the strategic plan. This years strategic plan, as you know, was much simplified, four focus areas and, I call it the one-pager strategic plan and we tried our best to follow that and (unintelligible).

And then built into our process there's been lots of community calls, lots of meetings in Nairobi and here and lots of effort (unintelligible) the feedback. The finance committee in particular assets, I know you read all the comments finance team but we'd like you to also tell the community how you're reading them.

Are you saying yes, are you saying no, are you saying maybe, are you saying it's already in there and you just didn't read it closely so to provide specific feedback so we actually have an Appendix C that provides you know, all those 70 pages of comments real briefly and how we address each one.

So then the, to continue on with the process on the 17th of May each year per the bylaws we post the draft operating plan and budget for community consultation and then there's further community consultation, more phone calls, more meetings and more synthesis of those comments.

I know that several of the groups I talked to this morning have already indicated that they were planning to post comments on the budget this week so we'll do our best to synthesize that for the board to consider when they vote on it on Friday. All right. Next slide.

This slide really captures the essence of what I've already said which is the community feedback with 20 conference call, there were 70 pages of online forum.

I think just to pass judgment on people's writing style I think the quality of the writing and the analysis of our budget is more and more sophisticated so

while we pat ourselves on the back a staff of developing a more robust budget document (unintelligible) community should pat themselves on the back twice for all the quality of comments, focused efforts and (unintelligible) brief the board twice.

This year there was also a GNSO resolution related to the budget. In my experience in the last three years that hasn't happened so that was a (unintelligible) actual have a resolution committee asking for $400,000 for who is the stock base, who is related to studies helped us with that policy development process.

The comments in real brief you can read them online if you want to, it's a 19-page analysis of those comments, but in general there was a loud outcry for more information so we've built it up to 80 some pages in here. Fortunately we don't print too many of these so it's just on the ICANN Web site.

There was also that request for specifically more resources. There was also this year for, there was some specific comments about the revenue in terms of groups contributing more or better estimates, making sure that we weren't being rosy in our budget estimates.

There was also operation suggestions and there's always the standard cost reduction suggestions on how we can reduce costs. Next slide. So the, our response is summarized in Appendix C, as I mentioned in the document itself, but essentially the request for more details was responded with yes, we're going to provide more details.

In particular there's a new view of ICANN as of last year's budget and also every month and the monthly financials on the dashboard. We affectionately internally call it the EAG report, which stands for Expense Area Group report, which organizes, it's a new kind of ICANN's budget in accordance with its organization chart so there's B, C, (ALAC), etc.

And so we've, people asked for more details on that, more views of that and we provided that. There was requests for more policy support including at large staffing, so we provided that. There was some requests for cost reductions or fee adjustments, most of those we put in the category of let's consider them in the future.

And as I mentioned, asked for revenue accuracy. And so we queried all the, those who contribute to both the, I mean including the RARs, the ccNSO community, the registries and registrars that we requested specific estimates and validation of the assumptions that we used for that.

Next slide. So from a substantive standpoint most of you know that the revenue at ICANN has increased pretty dramatically after the, over the last four years. I think about 45%, largely from the contractual increases, primarily from the .com contracts. Now the .com contract is not (unintelligible) to increase so that translates into a relatively minor growth, 3% growth we estimate for the fiscal year '11.

So that's sort of the constraint that we need to operate on, the finance committee has provided oversight to make sure that we still contribute to the reserve fund and don't use the reserve fund in the fiscal year '11 budget, so that's an assumption. So as you can imagine with all the activities and operations that ICANN performs that puts constraints, so this is the first year we really found organizations have done that that constraint effort.

I think in a way that was healthy for ICANN, although it keeps me up at night as a CFO worrying about making our budgets, I think it was really healthy. We, with the guidance of the audit committee and the finance committee we put in a procurement guidelines and a cost accounting guidelines and lots of training and staff help to make sure that we're really managing costs well and looking, even with something as simple as we discovered in mid-year that a number of people, board member staff were going to the same meeting and they didn't know it.

They were surprised when they showed up at the meeting, not an ICANN meeting but a technical you know, ITF or IGF type of meeting and so we put in a process to coordinate that effort so that we didn't duplicate that perhaps someone else can present, you know, their two slides for their presentation to shared resource.

So given that background there was also a reserve fund, most of you know that we have a fairly healthy reserve fund. We put in $44 million from operations, it's now in the $45.5 million range, I didn't check the balances until before I left from Los Angeles but we're still in the black and the investment earnings have actually been quite healthy this fiscal year even with the top turbulent market.

That's largely a result of the investment policy that we have. So the challenge is to prioritize, make sure that we're getting it right and that's where the community feedback is so important for us.

This next slide is a, is really hard to see for me even on my screen in front of me so I'm going to assume that unless you have superman vision I'll just describe it briefly. But this is really the budget balancing exercise, which shows that our fiscal year '11 budget is about 65 million, that our operating expenses, including a contingency of one and a half million is about 60.8 million.

So that contribution to the reserve fund from operations is going to be about 2.1 million and then earnings from investment income, which we don't consider as useable for normal operations is another million, so we expect our balance sheet and the financial strength of ICANN will continue to be strong.

The next slide shows another view of ICANN's expenses, which we call, internally we call the functional reporting, views of ICANN spending so this is

the way we (fund) the organizational activity, so new GTLDs, contractual compliance, FSR, etc., policy development support.

So I think the bottom line is you can read all the details in the document, but I think in overall we're still planning internal growth and we're still planning growth in the internal SSR activities, some policy development support continuing to grow a bit in that area and of course (unintelligible). That being said, with the budget constraints we felt there was a need to identify reductions and we identified that was a new GTLD program.

So the plan, just to be clear, this came up with a question this morning we didn't cut that, and with the idea that that would sacrifice the, the implementation of the new GTLD we essentially just sharpened our, two things, one is a lot of the work of the new GTLD implementation is done on many of the overarching issues are complete and so we're planning to continue that process.

In addition to that there's a separate new GTLD budget, which we're getting more and more clarity on and we've carved off some things that we believe could go into that separate budget and not have to be released in the current year.

The next chart talks about the process by which the budget and planning is done. So currently we have a six-month, six-month process where we have six months where we update the strategic plan and then once that's posted we have six months where we develop the operating plan and budget.

And alternative process is being discussed and pushed, being discussed and considered which is, would have a shorter period for the update of the strategic plan, possibly on a parallel path so it's not dependent on that, and then more time for the large dial adjustments on resources.

And I think that came out of a comment that it's great to have a long laundry list of things that you want, it really doesn't mean much until you put numbers and associate associations with it and then prioritize it, that's a harder worth and we want to have that at the community level.

So there's a strong emphasis to make sure that there's SO and AC more involvement with this alternative proposal and right now I think the finance committee has directed us to meet with the SOAC chairs in the September, October time frame so that by Cartagena that involvement is more direct as opposed to waiting until March and participating on an online community there's more direct involvement in that budget development process.

The next slide, that last slide that I wanted to cover here is the new GTLD budget documents that we've made significant progress, I'm sure you've heard (Kurt) talk about this on the new GTLD separate budget, it's described, there's a separate paper waiting community feedback.

When I got on the plane there was a few blogs of confusion in the area of you know, when we had an assumption in our model that doesn't mean that ICANN believes that assumption is right it was just an assumption of model. So we're going to fine tune that aspect and provide several assumptions and make that clear that we're using assumptions in the model to show the impact on it.

But we really would like to have community feedback on that process and then separately mid-year at the appropriate time there would be a request for a separate new GTLD budget, two parts of that.

One is deployment, which would be those activities that are critical to, that need to be approved and implemented a long lead time software, hiring, real estate, those kinds of things, long lead time type activities so that when the final applicant guide book is approved we're not causing delays in getting this operation ready. So that's one aspect.

And then the big one is the cost associated with the panelist reviews and then the revenue associated with that. So that wraps up my presentation. (Rob) there's a couple extra slides on the end that was for the (PC) community I don't really need, we don't need to (unintelligible).

Avri Doria: Thank you. Before, I'm going to come to (Wendy). One of the things I wanted to say is how much I have actually appreciated (unintelligible).

Woman: (Unintelligible).

Avri Doria: Okay sorry. It's because I keep moving my head away from the microphone so apologize, this is Avri. Is the degree to which you've been taking comments and then giving detailed answers even if the answer was no, we're not doing that.

But basically that, that showed up with the GTLD process and you've continued in this one, is something that I'm really quite impressed about and it's something that I want us to do in all of our working groups and in anything, any time we bother to ask somebody for a comment and they bother to give it that it actually gets a real response, so thank you for that. (Wendy)?

(Wendy): Thanks (Kevin). I had a couple of specific questions relating to the budget. Any explanation of why the ombudsman budget increased by nearly 25%?

Kevin Wilson: Foreign exchange, so no line item activity differences, just plain Canadian dollar relative to the U.S. dollar.

(Wendy): Wow. Thank you. And...

Kevin Wilson: And just to be clear if you were looking at the percentage numbers it's obviously a low base, the dollar amount, I mean it's a number, it affects us

and obviously the opposite with the euro this year so. Good point. Everyone asks (unintelligible).

(Wendy): Thank you. And are the, is the new GTLD program still proposed to be revenue neutral over the long run and the additional early budgeting is to get things done before the revenue from applications start coming in?

Kevin Wilson: Yeah exactly. So this is described for the, I'd say for the light readers you can read Chapter 7 of this book and it describes that process. If you'd like to dive a little deeper in a separate paper, and I'd encourage that, it describes that process by which the revenue that comes in would have three general areas (unintelligible) one is the application process and the panelist and other costs required to actually process it.

There would also be I think it's set at $26,000 per application would be used to replenish the reserve fund for the years that we've spent in developing that. And then a third section would be held aside for unanticipated costs that we, you know (unintelligible).

Avri Doria: Thank you. Mary.

Mary Wong: Hi Kevin.

Kevin Wilson: Hi Mary.

Mary Wong: And I had a specific question some of which was (unintelligible) I would start your purview which case I would appreciate if you could (unintelligible). As you may know for this specific community we've been engaged in quite a lot of outreach activities and member recruiting, particularly in non-U.S. locations, so I noticed in the budget there's a plan to hire I think regional liaisons for India and the rest of Asia.

I was wondering if you could tell us a little bit more about that and perhaps for the communities that may not have read the document more closely where else in the budget are there specific plans for community support for that kind of outreach activities.

Kevin Wilson: So your question is are we planning to hire in those regions and I think the answer is yes.

Mary Wong: Yeah.

Kevin Wilson: And that's described in the document, it sounds like you've actually read the document so you can see that.

Mary Wong: Good. I hope that helps...

Kevin Wilson: Yeah that...

Mary Wong: ...in terms of the effort that you put into it.

Kevin Wilson: No I appreciate that. It's nice to know (unintelligible) large document. Obviously that's not the main purpose. And then your question is can the community support that effort?

Mary Wong: In terms of besides that particular effort and it seems to me that's in the plan that means that in this coming year there will be additional staff that's meant to support.

Kevin Wilson: That's the plan, yes.

Mary Wong: The outreach, is there for the rest of the members here are there other points in the budget that are specifically allocated to this kind of community support?

Kevin Wilson: Oh are there, you mean like translation, interpretation, things outside, of course, yeah. There's, that's kind of riddled throughout. I don't think we have a department of community support around the world, but we do have a global partnership budget and regional liaisons and their support.

Mary Wong: But you know, I just wanted to, I know why that's part of the document and so I just wanted the rest of our members to hear that because I expect that that would be part of the report they'd be very interested in, so thank you.

Kevin Wilson: Okay. Thank you. Yeah.

Mary Wong: Avri I don't know, do you want me to talk about the (unintelligible). I was talking about the statement (unintelligible). Right. All right. Well I'll hold my next comment until Alex (unintelligible).

Alex Gakuru: Thank you very much - Alex. I think it's good she mentioned it because I've heard about the outreach, I must confess I haven't read it and (unintelligible) specifically mentions and of course elected to the presenter (unintelligible).

                  I'm mostly curious (unintelligible) locations for outreach in Africa bearing in mind like the new GTLD outreach was done in (unintelligible) in (Sidney) and then it was all done we were not involved initially and were particularly interested in make sure that the (unintelligible) brings out the message of the new GTLD.

                  So I want to know in their location (unintelligible) for Asia is there something specific for Africa? Thank you. On new GTLD.

Kevin Wilson: Yeah. There's certainly, you know, some resources for Africa and regional liaisons and as far as I think you're referring to the new GTLD communication plan, that is not in this budget so that's assumed in part of a separate new GTLD. There is communication costs in this budget but nothing like that's

required by the GNSO policy of four months of (unintelligible). That's part of the separate new GTLD budget.

Avri Doria: (Unintelligible) things that occurred to me listening to this document, this is Avri speaking again (unintelligible) that basically showed this is what's going in to outreach into various (unintelligible) even though it is spread throughout the background could actually be a very good thing.

Because very often when one talks about ICANN one of the things it brings up is its participation and outreach and the question is to what extent is it doing it and especially as we move into GTLD in those countries and money going from those countries back to an organization that (unintelligible) located in those countries.

To be able to show that there is a balance between (registrations) in Africa, outreach and money spent on that (unintelligible), whether there is or not but that is a question that often comes up is does money flow in both directions when ICANN and registrations, being able to sort of pull out an extraction that that's what it looks like (unintelligible).

Kevin Wilson: So there's, we have so many different views of ICANN's budget and we're actually it's a little known fact that we actually are required now by the form 990, the IRS Form 990 report our cost by region as defined. Of course there has to be another definition (unintelligible) the IRS definition of region, so it's an interesting point and I think we ought to address that more specifically (unintelligible) formalize that.

Could I make one point because I, it's sort of an inside joke at the end of the table just so everyone's on the same page. So when I was in the registrar group and in the registry group and in the hallway everyone always asks where is the $4.2 million on the (DNS cert)? Where are you hiding that in the budget?

So I try to make it really, really clear it's not in the budget, it wasn't in the framework, it wasn't pulled out because it was never there. There's never been a budget assumption for the (DNS cert) other than (Greg)'s time, (Ron)'s time, you know, board time talking about this and discussing the concept. But there is in the plan to set up an operation for that.

So (Adrienne) when I walked out of the room (unintelligible) she had to give that to me so I told them that I was a quiet CFO and just left (unintelligible) speak for himself and he said I should either tattoo it or wear this, so I just wanted to make that clear.

Avri Doria: Thanks.

Man: For the remote participants it says (dot DNS cert is not in the dot budget).

Avri Doria: Thank you (unintelligible). Okay. Who did I, okay thank you. Thank you.

Woman: Oh it's back to me, and I, maybe Kevin you'd prefer that I don't read the document next year because it's back to me again.

Kevin Wilson: No I appreciate it.

Mary Wong: And this again may be somewhat upset your purview so it may be more of a feedback comment rather than a question about the budget, so there's a part of it that talks about constituency support and that may be more an operating plan part or the framework other than the actual budget and allocation part.

I guess I have two observations, one is that it may be more appropriate in the general framework of things to be talking about stakeholder groups rather than constituencies. In this particular case there may well be some reason for that which is my next point, which is that even though it's titled constituency support it really is only just registries and registrars.

So I imagine you're going to hear this not just from the (NCSG) but possibly from the CSG as well. And we can take up the issue as to whether or not by constituency or SG support ICANN ought to be referring to all constituencies of stakeholder groups but for now, for what it's worth if it's talking about registries and registrars we at least think it probably just ought to say so.

Kevin Wilson: Well, let me add just one last comment and an invitation.

Woman: So Kevin were you going to respond to Mary's point?

Kevin Wilson: I think I'm not, I think yes, the answer is thank you for sharing (unintelligible).

Woman: Other comments?

Kevin Wilson: (Dennis) had a (unintelligible).

Woman: Sorry.

Woman: So speakers we can't hear you in the audio portion?

(Dennis): Okay thanks. Now can you hear me? If this came up here and came up at the commercial stakeholder group the same statement that the constituency or stakeholders support be only for the registries and registrars. Is that a true statement?

Mary Wong: This is Mary again. Thank you (Dennis). Insofar as I am personally aware of, there is community travel support for counselors from all the stakeholder groups to attend ICANN meetings, but in terms of support for specific activities within each (SDR) constituency along the lines of the specific activities they were outlined in this operating plan then my personal view is no.

I'm sorry let me go back to that, there personally is that there is no support across all constituencies therefore the answer to your question as to whether that is true is yes.

(Dennis): Kevin what's your understanding, is that correct? The only support is for registries and registrars other than travel?

Kevin Wilson: (Unintelligible) really asking that question directly like that. Yeah. The answer is no, I mean that, the ICANN model is these are different views of ICANN spending right. Well you have to understand the ICANN model of supporting the entire ecosystem of activities including this room and the meetings and expenses and the staff support doing various things and no, there's no a you know a (unintelligible) at this point there's no intention of supporting the registries and registrars because they register funds directly into the ICANN. Does that answer your question?

Woman: I know Milton had a point so let me just quickly follow. I don't know we're going to talk about the same thing, I think, don't get me wrong I think the whole community appreciates all the services that ICANN provides to the entire community and it's not just travel support, facilities lunch and so forth.

I think what we were, at least I personally like said was troubled about in the budget was just that when it talks specifically in that (unintelligible) talks about constituency support that the kinds of activities listed were only registrar and registry related.

And that's why in response to (Dennis)'s question before I got a mite confused, that that was that specific focus that intra constituency activities that concern the mission of that particular constituency of stakeholder groups there was only mention of support for those two stakeholder groups. And I'm happy to take this off line and (unintelligible).

Kevin Wilson: Okay. I now I think I understand what you're saying. You're saying in section four or five...

Woman: Whatever it was yes.

Kevin Wilson: ...or whatever it was that has constituency support as a category is one of the organizational activities that as a focus area. But no there's definitely (unintelligible) than that. So (Glen) time for example is largely allocated for that (unintelligible).

Woman: Right. And again I don't want to hog the microphone and like I said I'll take this off line but again (Glen time) is also across all stakeholder groups.

Kevin Wilson: That's right, yeah. I was just using that as an example. I don't think, I (unintelligible).

Man: Yeah I think it's purely a matter of how the words you put in the budget, in terms of actual operation experience I don't have any evidence of this discrimination (unintelligible) the same travel support. But it was very bizarre reading that budget item that you were talking exclusively about registries and registrars as constituencies and not talking about the user side at all.

                 If nothing else it was kind of bad PR. I don't know if it's a substantive complaint or not but something to just look into. It might reflect certain attitudes as to whoever is drafting that what they think the constituencies are or which constituency they think are important but it certainly couldn't have, it ticked off the commercial (unintelligible) group a lot more than it ticked off us frankly, and we're afraid that does it mean anything if it's in the budget?

Kevin Wilson: Right. And just to, clarity you're also referring to that section, one of the 15 activities, you're not talking about GTLD and contractual compliance and SSR that effect everybody, yeah. We'll work on that. I think it's not a substantive issue I think but we need to make that clear.

Avri Doria: I wanted to bring up for the record again that (unintelligible) spoken with you many times, still not quite sure what's going on with this and that is when Milton says that you get to travel the same as anyone else in the GNSO I'd actually like to point out that that's not true. That as a stakeholder group six travel slots have been allocated to (NCSG) council members.

However, since three of our council members were appointed top down by the board as opposed to bottom up by the (NCSG) the determination was made by the staff that whereas other stakeholder groups can use those funds for other participants if council member can't come, someone that shares a working group or what have you that the (NCSG) did not have access to those allocations special appointees by the board.

And therefore they weren't the same as other (NCSG) council members treated differently and that's something that I have found is incredibly problematic, it prevented us from bringing people (unintelligible) where we did have one council member not coming and did have (NCSG) participants who could have come and I expect that we may end up running into that (unintelligible) where it's not in a situation.

Because certainly to the (NCSG) whether the council members were appointed by the board or they were elected by the (NCSG) they are our council members, I mean (unintelligible) argue with them and we may whatever but they're our council members.

And so we aren't differentiating do not believe that you all shouldn't be differentiating.

Kevin Wilson: That's a really good point. I think the travel guidelines are really clear that you all help draft and are posted each year that there is a slot, a travel slot supported and yes it happens to be the same number as say the counselors,

but that doesn't mean if that travel group decides that the (unintelligible) shouldn't be funded it should be someone from the working group.

And the, that's the purpose is to obligate the work of ICANN, the purpose is to have a travel club for a counselor, you know, in general it happens to be the counselor usually go but, or are usually supported. But I hear your point loud and clear and I have no basis for that so I will push that forward I think it's been clear, and I'm going to go on the record in saying that I think it was probably in this application of the guidelines but I'll have to confirm that.

Avri Doria: Thank you. Any last questions? No I don't have Robin, I can't, that's too far away from me to read. So can someone actually who is reading the chat read Robin's question?

Woman: Robin asked in the chat that ICANN is supposed to serve the public interest, doesn't that put some obligation on it to encourage participation other than commercial participation. So is there something or how can we get something into the budget to encourage non-commercial participation?

Kevin Wilson: That's a great question and we've you know, we've gone as far as this now and hopefully (unintelligible) have specific comments and suggestions or post them and communicate that, I think that's a great point (unintelligible).

Could I just make a closing comment?

Avri Doria: Please do. Yeah thank you very much. It really is (in our), we ICANN community much more than any other organization I've certainly worked for and I really appreciate that. Although we're the scorekeeper and you know, sometimes even acknowledge that we write words not just numbers, but really appreciate everybody's participation. I'm really glad you invited me to this meeting and next time I'll get the time right and really appreciate that.

I also invite you come on Thursday, I present the same similar presentation to the overall community. I find it really helpful to have the different groups, the questions I received in the registrar group and the questions I receive here and the questions I received with the ccNSO were very different.

And I think it's really helpful to have each of you hear what the other groups are (unintelligible) the whole ICANN experience, not just staff synthesizing those silos. But actually I'd encourage you, I know it's after the gala day I know I'd like to have it in the morning after the gala but really encourage you to come if you can.

Okay. Thank you very much for all your help and thank you for inviting me.

Avri Doria: Thank you for coming and yeah.

(Debbie Hughes): Avri, I'm sorry, (Debbie Hughes). I just had a quick question, where did he want us to send comments, directly to him or? To follow-up for the written comments if we had some do you want us to send them directly to you or?

Avri Doria: Is there a comment period for the budget?

(Debbie Hughes): Yeah so, okay.

Kevin Wilson: I think I'm on, there. There actually is a comment period, it goes through the 25th, that's a little bit torturous because we have the board vote that same day, so obviously the earlier the better. Several of the groups said they're going to comment and so we'll be up late synthesizing those comments as best we can.

And then obviously, you know, I'm very available and I hear lots of comments and I just, you know, oftentimes it starts with a, like with Avri just, as we mentioned, starts with an oral comment in the hallway or with a board member and then it eventually formalizes this for all people to see. So yes

definitely open to that, really appreciate the comments, it makes it stronger. Okay. Thank you.

Avri Doria: Thank you. One last thing I'd like to mention to us on the budget and we're five minutes away from starting with the board is that we have not been active at the time of the strategic planning which is when you start getting the, not the financial allocations but the items into it.

And so one of the things that I've noticed we've done, I mean I haven't been active either, I'm not saying that it's that we get to the end, we get the budget, we'd say but, this should be in the budget.

But what we really needed to do was get it into the strategic plan so that when it came time to make the budget if they left it out at least we'd have a leg to argue on and say but wait a second, you know, we discussed this, we gave good reasons, etc.

So if we think that there should be greater you know, outreach to various regions for various reasons it would be really good for us to do it. I would suggest we take a three to four minute just wait for. Yes (Dennis), you've been here for awhile.

(Dennis): Can I follow-up that comment because it's a very important comment. Getting involved in the strategic planning? When we discussed it in the finance committee, and I'm not on the finance committee but I'm an observer, we are thinking that the strategic plan is pretty well crafted.

And we'll be moving more towards, and this is not agreed but this is a discussion, more towards a three-year view of the strategic plan, not an update every year, there may be an increment every year, so it's increasingly important that you get involved in the next cycle of strategic planning, okay.

Avri Doria: Thank you.

Bill Drake: This is Bill. Can I just ask since we have board members who have bothered to take the time to come to here do you have any other issues that you might like to get some views from us on?

Man/Woman: (Unintelligible).

Bill Drake: I know but they're here now and they've been sitting here so I was just wondering.

Man: Can you narrow that scope? I've lots of issues but.

Bill Drake: Well since you've taken the time to sit with us I'm wondering if there are particular points that you are curious, especially curious about that we could help to address now. If not, fine.

Man: Thank you. I think let's wait until the other board members here and I think that's the time to have those discussions.

Woman: (Unintelligible).

Man: But more generally (unintelligible).

Woman: Any final remarks on the audio?

Man/Woman: (Unintelligible).

END