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BUENOS AIRES - ICG Working Session 2

Friday, June 19, 2015 – 09:00 to 17:00

ICANN – Buenos Aires, Argentina

ALISSA COOPER:

Hi, everyone, this is Alissa. Let's give people a few more minutes.

Good morning, everyone. Thanks for --- -- at 1615, they will be having a discussion about time lines, and I think some of us -- at least us chairs -- would like to go sit in on that discussion.

So we're aiming to end at 1600. The material that we had for the end of the agenda, originally planned, was about future call planning and things that we can discuss next Thursday if we need to.

So this morning we'll have a discussion -- there was one item from yesterday that I wanted to confirm or see if we had consensus on that we didn't actually discuss at the end of the day yesterday.

Then we'll talk about public outreach, both related to the public comment period and beyond. We'll have a break. We'll discuss the draft text that Patrik sent around for our response to the letter from NTIA. Very -- very drafty text, but we got something together. It's been sent to the mailing list.

We have lunch at 12:30 in this room again.

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Then we'll talk about the question to the CWG concerning the IANA trademark and domain name that has also -- there's draft text on the mailing list about that.

And then talking points for this week, which Patrik sent to the list.

We'll have a break, and then if we have any wrap-up items, we'll wrap up after that.

So comments or questions about the agenda or general comments and questions?

Okay. So with that, can we move on to the one decision item, if we could get that projected?

Great. Thank you.

So we talked about this just briefly yesterday, but I wanted to see if we just can confirm that we have consensus to do this because I think it will help clarify things for the upcoming ICANN week.

So we had this discussion about once the CCWG Work Stream 1 work is finalized, it will be sent to the SOs and ACs for approval. Currently that is slated to occur something like 10 days before the next ICANN meeting in Dublin.

And so because there are linkages between the CWG proposal and the CCWG work, I think I had suggested that we, as the ICG, at that point could just inquire with the CWG to find out whether the CWG feels that all of their requirements are met by the CCWG proposal.

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I think this is an important step because for us to advance our proposal on to the ICANN board and on to NTIA, we should have, I think, confirmation from the CWG that the items that their proposal is conditioned on actually came to fruition in the CCWG's work.

So I wanted to see if we have consensus around that and I see Jean-Jacques. Go ahead.

JEAN-JACQUES SUBRENAT: Thank you, Alissa. This is Jean-Jacques.

Good morning, all.

Maybe it's because I don't have enough caffeine in my bloodstream yet, but as I read the sentence, it seems that ICG will give instructions to someone. I'm sure that's not what you meant, Alissa.

May I suggest that it reads, "Once the CCWG Work Stream 1 output has been sent to SOs/ACs for approval, the ICG will seek confirmation from the CWG that the CCWG's work meets the CWG's requirements."

Thank you.

ALISSA COOPER: Yes. That was the intent. Thank you.

Other comments on this? Does anyone object or support? Usually you just ask for objections, but if people want to nod in support, that would be good, too.

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Narelle, go ahead.

NARELLE CLARK: I support it. Narelle, Clark for the record. I support it, Alissa.

ALISSA COOPER: Okay. Good. Then I think we can consider this as a decision taken from today and we will plan to do this in the fall.

Thank you.

So the next topic is public outreach, and Mohamed, were you going to lead?

Okay. We don't have anything. We're not projecting for public outreach. Yeah. Okay.

So we wanted to talk about public outreach in advance of the public comment period because, you know, to date we've had a few junctures in our work where we put out documents where we were, you know, seeking things from the communities and so forth, but really the bulk of our work of a substantive nature is coming to us over the summer and fall, and so it's likely that -- I mean, we -- because we'll be seeking public comment, we want to draw the public's attention to what we're doing, and it's also likely that the press and other members of the public will be reaching out to us and to ICANN and to the various -- our various constituent groups to get information about the process and the substance of the proposal and what they

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should be doing and what we're seeking comment on and what it all means, what the meaning of life is and so forth.

And so I think it's important for us, in advance of that, to all -- you know, all to really have a coherent strategy around how -- both how we proactively do outreach to seek public comment and to make sure that different kinds of audiences understand what we're doing, and also what our plan is for when people come to us and seek information. If we get press inquiries, if we get, you know, requests from other members of the public to speak about the transition or the proposal or what have you, that we have a strategy as a group as to how we're going to respond to those things.

We talked about some of this way back when we met, I think for the very first time a year ago, but at that time it wasn't really ripe because we didn't -- you know, we hadn't done any work yet.

But now it really is.

And so I think there's -- there's really a couple of items to discuss and potentially agree on as a group.

One is how we will do proactive public outreach around the public comment period. We want to make sure that as wide of an audience as possible is aware of what's going on. We obviously all represent different kinds of groups. We have different audiences that we can reach. And I think we should really leverage that.

That would be my recommendation in terms of the public outreach that --

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You know, the ICG can do some things. We could do a Webinar. We have the Twitter account set up. We can tweet about it. But really the strength of this group is that we can each go out to our own communities and ensure that they understand what's going on, that the public comment period is available to them.

But would be certainly interested in people's thoughts about how we should -- how we should manage the outreach around seeking public comment.

We also need to figure out if there are some materials that are needed. Again, if we -- you know, we will have the transition proposal. Do we also need some graphics? Do we need a slide deck? Do we need talking points? Do we need press releases? These are all kinds of things that we need to decide as a group if we want to have to help inform the public about the proposal and the comment period.

And then lastly, I think we need to decide what we will do when requests come to us.

So thus far, we haven't really been, you know, seeking out the press, but I am fairly confident that we will receive some press inquiries. I know that ICANN is receiving press inquiries all the time about the transition, but as the coordination group, we have a special role and I think it's important for us to have a voice in explaining this to people who are far, far outside of ICANN land who may be reading about it in the popular press.

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So we need to decide, you know, if we're -- if we all feel confident speaking on behalf of the ICG, again if we need some talking points that we all share to do that, or if we want to delegate that responsibility to some subset of people within the group.

Those are the kinds of things that we really need to -- need to figure out and need to figure out fairly soon, because it's going to kick into high gear in July, I think.

So that's what we have this time reserved to discuss. All of those things.

And I will open the floor. Martin, go ahead.

MARTIN BOYLE:

Thanks so much, Alissa.

Yes, I think I'd sort of just say "yes" to all of the above, that we do have quite a serious communication issue in front of us that's partly by the fact that the communities have already started doing some of that work, but when it comes to providing material that gives us the baseline on which to work, I think that then allows us to concentrate very much more directly on the specific interests of the communities that we represent and also the networks in which we work, and then using the base material, tailor that in such a way that they understand what the challenges, what the opportunities of this process actually are.

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Certainly I'm involved in the U.K. Internet Governance Forum, and we have discussed the IANA transition and it is quite a difficult subject to get over. In other words, to put it a different way, it's always the same people in the room. And I think we need to just try and find some way of writing the words in such a way that our local politicians, our local government, and our local press can all start understanding what those issues are and why we've been sitting in darkened rooms for quite so long talking about this arcane subject, as they see it.

So I sort of then turn and say, well, with the CWG and the CCWG, they have both, at various stages, developed slide packs and done it with, you know, sort of -- depending on your own taste -- good or sort of adequate graphics to try and brighten up an otherwise dull afternoon, and I think we perhaps could also look to the team that's been doing that work and see whether we can get them to produce a similar sort of slightly more popular version that could be used to help us underpin the outreach we do in our regions, in our communities, and in our wider networks. Thank you.

ALISSA COOPER: Thank you. Other thoughts on this topic? Mohamed?

MOHAMED EL BASHIR: Thank you very much, Alissa.

I'd like just to echo what Martin said and -- but add more, maybe, emphasis on the importance of -- okay. Sorry.

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I think Patrik advised regarding how that actual list might exist.

I just want to agree with what Martin said. I think we need to acknowledge that there is interest outside this room for the outcome of the process, and if you remember, when the NTIA announcement happened, there was huge media and also support that has been shown and expressed by a range of stakeholders from government, regional organizations, international organizations, media, and others.

So it's very important work, and I think we will face the same focus on our work when we develop the final proposal, and we should acknowledge that, that we need to ensure that we are already sending updates to the community, we're ensuring that our status is already clearly articulated, and we should not be shy that we should be approached by media and this will be a subject that -- in the headlines.

So there will be lots of focus on this process at the end, so we need really to start organizing ourself.

We have agreed, I think in a previous teleconference, to utilize our secretariat to develop the infographs. That's one part of the work, simplifying our messaging and ensuring that things are simple, but I think we need to maybe get more professional advice maybe from ICANN communications or others as well about, for example, how we communicate with print media statements, how we're going to submit our updates, and we need to agree and decide about who are our spokespersons. Are we all speaking on behalf of ICG or we dedicate

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someone to be our spokesperson. Those issues need to be discussed and I think need to be agreed. Thank you.

ALISSA COOPER: Thank you, Mohamed. I have Keith, Lynn, and then Jean-Jacques.

Go ahead, Keith.

KEITH DAVIDSON: Thank you. Just a +1 to Martin's comments, and general agreement that, yes, we need to do a lot. But just a comment for the record in terms of the ccTLD world.

There are some hundred ccTLDs who are not members of the ccNSO and that are outside of ICANN, and the ccNSO recognizes that and will be doing a deliberative mail-out, a hard-copy mail-out to each and every one of those ccTLDs who wouldn't necessarily otherwise be able to be engaged with ICANN, and is developing some collateral for that as well.

So I think it's probably important to avoid duplication of effort along the way. And while letters are communication that will be surrounding the names proposal specifically, I think if there is more that we can add to that to make it a more complete package, we should look to do that as well.

But I think our fear as a ccTLD community is that some ccTLDs could stand up at the 11th hour and say "We weren't properly consulted, we

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didn't really know, we didn't really understand, and we don't want the transition to proceed."

So we're doing everything in our power to ensure that they have been communicated with along the way, but, again, the more we do individually and collectively, the less chance there is for that to occur. Thank you.

ALISSA COOPER:

Thanks, Keith. So just a couple -- a question and -- well, two questions.

One question is, you said that you have that plan for the names proposal specifically, so would it also be possible for you to do that same hard-copy mailing, I guess, for the full transition proposal when it goes out for public comment?

KEITH DAVIDSON:

I think on -- you know, we will be discussing what the ccNSO will be doing, so I will add to it the idea that we might have a more complete package to go out.

ALISSA COOPER:

Okay. The other point that you bring up and that Martin pointed to as well is that many of us in our communities have already developed or will be developing materials for those communities, and what I wonder is if we want to have some kind of baseline materials from the ICG, if we -- if we could get all of those things as inputs, I think that

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would be good and, you know, kind of just see how everyone is talking to their own communities and try to develop some synthesis of that as something that we share in the ICG.

Even if we just share them just so that we have them to look at, I think that would be useful, because I know, you know, in addition, folks in some of the other communities have been asked to go and speak at various events and we now have, you know, a variety of different slide decks that people have used in different contexts. So to the extent that people feel comfortable sharing those things just with the other ICG members for their information so that we can understand how things are being communicated, I think that that might be helpful.

And I see that I -- that inspired a lot of hands to go up, so Lynn was next and I will add people to the queue.

LYNN ST. AMOUR:

Thank you. And I'd like to thank the chairs for bringing this topic to the table and for the work you've done in the -- you know, in the past, too, with respect to trying to advance these issues.

I'd like to support Martin's points as well and I think this is a critical time for this transition, and at one level we're moving from getting the work done within the communities to selling it, for lack of a better word, to audiences that haven't been so deeply engaged. And that does require a different set of skills, I think, or certainly a different set of focus for a lot of us.

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This is an opportunity for us to really help the world understand the strength of the processes, the strength of the processes in names, numbers, and protocol parameters, and at the same time I think help correct some of the misunderstandings that have led to, I would say, an over-politicalization of the IANA function.

So if we can really put effort and time into this, we can actually help set, I think, the -- not to overemphasize it, the world's understanding of this space as we actually move to the next phase of Internet governance. Particularly the IANA transition and functions.

So if we could perhaps think about some -- maybe being a little more formal in roles and responsibilities and guidelines across all the communities that are involved in this process and really try and talk about the points of integration, who takes point or who takes the lead in a particular topic and, you know, a really formal communications plan, I actually think that will help us hold all the efforts across all the communities and ourself and related organizations -- whether it's an RIR or ICANN or an ISOC, it will help us hold that whole process together much, much more clearly and I think will prevent some misunderstanding and points attention downstream, and most important would be really consistent in all our messaging, because we don't need messages that aren't emphasizing really strongly, you know, what we're actually striving for here and I think we've seen in the past, just because of the context in which organizations or individuals live, things get stated which don't necessarily emphasize what it is we're all trying to do. I wouldn't go so far as to say they counter it.

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But I don't think they do as much as they can to actually strengthen those messages. So I would just like to make, I guess, a strong plea for putting some effort into being really thoughtful about how we structure all this outreach activity across all of the communities. I think it's just a great opportunity for us to help set us all on the right course for the future.

ALISSA COOPER: Thank you, Lynn. That's a good suggestion.

Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thank you, Alissa. This is Jean-Jacques.

A couple of remarks. I think that there are basically two formulas or two situations which we face. One is the official statement type. For instance, when the chair of ICG speaks in front of the ICANN board or in the public forum, this is a statement of the current positions taken by ICG on any of its pieces of work.

And the other situation is much more broadly one of information. So I think this points out the following, that we have different needs or partly different needs.

In the first case, that of an official statement, we have a normative role. In other words, it is the formulation of the official position of the ICG on any given topic, what Lynn correctly called the formal approach.

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But I think that there is also a need for a second type, which is to meet the needs -- much wider needs of our different publics or our different constituencies for educational or informative purposes.

So I would say that in both cases, yes, we do need materials which are standardized which are approved by all of us and which can constitute the basis of our presentations, whether in a formal setting or an informal setting.

But at the same time, I would like to point out that as a group, we have evolved very much. In fact, I remember at the very first session, the very first meeting we had in London, I for one had advocated that we needed a point person for all communication purposes. It could have been the chair or one of the vice chairs or anyone else for that matter.

But I think we have evolved quite a bit. And today we are no longer there. For the purposes of trustworthiness, yes. In official situations when there needs to be a formal declaration by the ICG, naturally it should be the chair or if the chair so desires one of the vice chairs or co-chairs.

But in all other conditions, I think that the challenge today is no longer -- or no longer only in official situations. We, all of us, are invited to various fora, you know, to come up with remarks in various contexts with more or less knowledgeable people about the Internet or about ICANN and transition.

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So I think that some liberty should be given to the common sense of all the ICG members on how to react and how to highlight this or that feature in answering a question.

So my conclusion is, yes, we need a set of homogenous material as you have suggested, Alissa, that can be in the form of texts which are sent around to us which we have discussed. And it would be very useful also to have a set of slides which we can use in all these various situations. Thank you.

ALISSA COOPER:

Thank you.

Narelle?

NARELLE CLARK:

Narelle Clark for the record. I have very little to add there. Those two interventions were spot on, and Alissa's as well.

I wanted to go back, though, to Lynn's point about having a consolidated communications plan. I think that's an exceptionally good idea and that we should perhaps get on to doing that. I'm not quite sure exactly how and who and where and precisely what, but it sounds like a really good thing to do. Particularly also if we can bring together all the different materials from the different groups, I think we would have a tremendous amount of benefit from that, too. So thank you.

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ALISSA COOPER: Thank you. Russ?

RUSS MUNDY: Russ Mundy for the record. I wanted to just make a short comment about the material that the various groups are putting out that the ICG is associated with. Alissa's comment earlier to share that was -- I strongly support that but would also ask that the members that are interacting with the other groups that might bring material into share with the ICG also request that we can at least include pointers to where other people can find that material.

So in a way, the ICG can become not necessarily the repository for this information but a place that people can go to to find out at least the thing -- organizations that make up the ICG, if they have put out materials, be able to see those materials or know where to go get those materials in addition to what the ICG itself puts out because one of the complexities of this whole process is there are so many pieces involved. And if we can become somewhat of a central -- not library but sort of like a library that people could come to to see what others have said about that, especially other ICG participant groups, that would be very helpful, I think.

ALISSA COOPER: Thank you. Jean-Jacques, are you back in the queue or are you off the queue?

Thoughts from -- go ahead, Michael.

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MICHAEL NIEBEL: Michael Niebel for the record. I want to basically back everything that's been said and just point out one thing -- or stress one thing, that is that -- there's a multitude of expectations. And Lynn used the word "global." So a narrative that might be fit for one audience in one process might be correct but not useful in another audience because it's not targeting the point that they're concerned about or the expectations. So I think that is -- I think we should leverage the multitude of people around the table to kind of target these different expectations.

ALISSA COOPER: Thank you.

Joe.

JOSEPH ALHADEFF: Thanks. And apologies for joining late.

The one thing I would just say as a caveat to the concept of the clearinghouse model is that we are very clear to distinguish materials we've produced to pointers to material from specific communities or outside entities to indicate that it is not an official element that came out of ICG but somebody's opinion or something related. But I think we want to be very clear what we've produced versus what we're pointing people to because that line of demarcation is important.

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ALISSA COOPER:

Yes. Thanks, Joe.

And just to clarify, my thinking was really that it was not -- I mean, we can certainly serve as a clearinghouse and point people to the various materials but more that just in thinking about developing specific materials for the ICG that we can all use, that it might be helpful to see all of these other materials that people have been developing. And so they would really be inputs into the ICG more than anything else.

So it sounds like to me that we have some tasks that people have suggested. Lynn suggested the formal communications plan development. There certainly seems to be a need to develop materials for a lay audience at the very -- at the very minimum. You know, it would be nice to have someone set of materials.

I would also suggest that -- I mean, we might want to plan some times where we know we will use those materials. So perhaps doing something like a Webinar around the launch of the public comment period. And we will need, you know, people to participate in that kind of thing.

And then while I agree with Jean-Jacques, that there's certainly a distinction to be made between when we are making official statements and who makes those as compared to all of us being empowered to show up and talk about the work of the ICG, I think there's also some benefit to defining a role in terms of who is triaging requests that come in and have a short turnaround.

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So, for example, you know, we're going to have a discussion later today about talking points for the ICANN meeting which Patrik put together. Another example is when we do get requests for the press, who's going to deal with that? How are we going to triage that? Who's going to be empowered to speak in that kind of situation?

The other side of that coin is if we want to do specific outreach to press, that's another question, if we want to do that. And if so, who is going to do that?

So I would like to hear people's thoughts a little bit about how we organize this work. We could potentially form another volunteer subgroup to manage all of those tasks. We could have people working on a communications plan and materials and so forth and have them coordinate with people who are empowered to do the press triage. But would be interested in people's thoughts about how we organize the work.

Xiaodong, did you want to get in the queue?

XIAODONG LEE:

I think we have a very standard process to have public comment and to get input from the community.

I just want to give some opinion that maybe we can ask the volunteer - or ask the support from the secretary to improve the interaction with the community because we can use the social networks, so many mechanisms to get the input from the community and have

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interaction. It is better for us to get more input and get more comment from the community. It would be better.

ALISSA COOPER:

That's a good point. That's a piece we haven't leveraged too much so far. But we certainly can going forward.

Jean-Jacques?

JEAN-JACQUES SUBRENAT:

Thank you, Chair. This is Jean-Jacques. I fully support Lynn's suggestions about a communications plan. And, in fact, at our very first meeting in London, I had put forward this idea; and I recognize at that time it was premature. I think this is really the right time, as Lynn pointed out.

So before going into all the detail of that, I would take up your suggestion, Alissa, that we form a little group of volunteers within ICG to look at all the aspects which are being discussed this morning here and to make a resume' with the help of the secretariat from the notes of our discussion here and work on that and perhaps give ourselves a time line, maybe a few weeks, maybe a month, to submit to the full ICG at one of its next meetings our findings, and perhaps our recommendations, on what the communications plan should include.

And that should also deal with the aspect you just brought up, Alissa, in the form of a question, which is: Who should be enabled or entitled

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to respond in which case? For instance, a request from a news agency or newspaper, et cetera.

Just a word perhaps not of caution but to enlarge the debate, I think that there are also -- there are two types of situations. One is that BBC or CNN will ask: Who amongst the ICG can tell us what is the current status on this or that topic you're dealing with? I think that quite naturally in that case because of the sheer size of the potential audience, chair structure, meaning yourself or your co-chairs, should reply unless you designate someone else.

But there are many other cases, Alissa, where it is not that obvious. For instance, we may have the opportunity simply on a radio program in one of our countries or in the margins of a conference in a university or somewhere else to be asked a couple of questions about the ICG's work. And I think we should all trust each other to use the common platform, which I called for earlier, and be able to deal with that in order to reply to a real request.

So the suggestion is really to set up a little working group. And I'd be a volunteer for that, to set up a communications policy or strategy for the ICG. Thank you.

ALISSA COOPER:

Thank you.

Mohamed?

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MOHAMED EL BASHIR: Just maybe to second Jean-Jacques' proposal. I think we need that group to work on the communications plan and answer the question that we have been discussing.

ALISSA COOPER: Patrik?

PATRIK FALTSTROM: Thank you. So let me try to summarize what I heard. To start with, we are putting a group together that is working on communication plan issues, which is the overall sort of architecture we're going to use for communication.

The second thing we're going to have is that we will create in cooperation with the secretariat a repository of materials that we in SSAC are looking at, have approved, what we have created, and what other people have created. Different categories. And it's up to this group that works on a communication plan to come up with appropriate categories that -- so that everyone looking at this repository know what kind of material it is.

The third thing that I hear, which I also strongly agree with personally, is that if it is the case that someone is requesting information from the ICG as a group, it is our chair that is the one that is the spokesperson. Or as Jean-Jacques said, whoever the chair is then sort of referring to which by default could be one of us co-chairs simply because the three of us do communicate, like, almost on a daily basis. So we are pretty

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much up to speed on what's happening. But ICG communication is coming from our chair.

The fourth thing is that what I also hear at the same time as we are very strict with the chair speaking on behalf of the ICG, I think that all ICG members, given that we do have this the repository of material, should not be told to keep -- to stay silent. The contrary. We should use the fact that we have -- I think it was Martin or Michael that said we should use the fact that we have ICG members spread all over the planet in different cultures, in different constituencies, different communities that should try to actually speak up and spread the material as much as they can.

Now, of course, exactly how that can be done, what kind of help they can get, and how they can do that, of course, it is up to the communications group to sort of work out how the material should be used.

On the other hand, when ICG members are speaking, we are not speaking on behalf of the ICG. We're explaining where the ICG is, what the status is, et cetera, which to me at least is a difference.

So that is what I -- what I hear. And that's what I suggest how we should move forward. So this group of volunteers is key. The repository material in different categories is key. Thank you.

ALISSA COOPER:

Thank you. That was a very good summary. Thanks for helping us out with that.

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Joe.

JOSEPH ALHADEFF:

Thanks. I just wanted to support what had been said, also volunteer to participate in the communications strategy, and also suggest that we might use some of the businesses who don't follow this issue very closely as a focus group to figure out if our communications strategy actually makes sense to people who may be air dropping into the process as opposed to people who have been in the process.

ALISSA COOPER:

Thanks, Joe, and we will trust you to relay that information back to us from your community and I'm sure we'll hear it loud and clear.

Martin.

MARTIN BOYLE:

Thank you, Alissa. Martin Boyle here.

With a communications subgroup, I wonder whether a useful input for that group to try and assess what we have already got in place would be if all members of the ICG were to provide the group with the networks that they have already engaged with or can easily engage with, so that we know what the general outreach can be, and then we can, by extension, identify what are the big areas that we are missing, whether it be on a regional basis or a particular stakeholder group that we're missing entirely.

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Thank you.

ALISSA COOPER:

Thank you.

So I wanted to respond to a couple of points raised by Jean-Jacques and just talk through some other facets of this issue.

So one -- I think, Jean-Jacques, you sort of mentioned we get this subgroup together and they come back in maybe a month and provide us with a strategic plan for communications.

I think we probably actually need to have the materials that we are going to use -- it would be ideal to have the materials we would use for public outreach around the public comment period by the time the public comment period starts, which is due to be end of July or beginning of August. So I actually think we would need all of this to come together on quite -- on short order, that we would want to have the plan, you know, sometime in the middle of July or sooner, potentially, because the development of the materials needs to happen very soon.

So that's just one thing to keep in mind that if you are signing up for this group, you are signing up for a lot of work very soon.

The second item is that I think we need to have a -- have an understanding in the group of how we are going to interact with -- both with our secretariat and how we can leverage our secretariat for

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this purpose, and also how we interact with the communications staffs of the other organizations, most importantly ICANN.

So ICANN has a large communications staff and has already been doing a lot of communications around the transition, obviously, in a variety of different ways. Social media and graphics and press and video and all of these different things.

And I think from my perspective, we want -- as Lynn said, we don't want to end up in a situation where we have divergent messaging from different organizations and so I would want our group in the ICG to be in close touch with the folks at ICANN who are doing communications, just to make sure that we stay in sync.

Obviously, we have our secretariat that we can leverage to produce materials and to, you know, liaise with -- to, you know, help us liaise with the public, but I think we can't ignore the fact that ICANN is also doing a lot of communications work and so the important thing is for us to stay in sync and keep each other informed, and I think that would be a very important duty of this group and to bring things back to the ICG as a whole as necessary.

But would be interested in people's thoughts about how we do that. That's a -- it's kind of a sensitive part of this.

And then lastly, I think I -- I completely agree with what people are saying in terms of, again, distinguishing between, you know, who is a spokesperson for the ICG and when we're saying something official versus everyone being empowered to speak about our work, but I

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think there's kind of one rule of engagement that is always very important, and that I would like to confirm that we agree on, which is that whenever any of us is speaking to the public, we're always very clear about which hat we are wearing.

If we are speaking as an ICG member about the ICG, to make that very clear. If I'm speaking as an area director in the IETF, which I never do really in public but maybe I will, then I need to make that very clear that there's -- we all wear different hats and I know there's -- you know, there's been some -- a little bit of confusion, perhaps, in the past about when people are going and saying things about the ICG's work. Well, is that your personal view? Is that your view as a member of an AC or a SO, or is that -- is that the ICG's consensus view? And I think we all need to be very careful to always be clear about that. But again, would like to hear from people if they agree or not on that point.

So Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thanks, Alissa. This is Jean-Jacques.

In response to your various points, Alissa, I agree with everything you said.

Just one point about the relationship with others, and especially with ICANN communications group, which is led by a senior advisor to the CEO of ICANN.

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And they're very confident and competent people.

I just want to underline the fact that even though we need to be in constant relation with them, I think because of our charter, we should remain independent but also be seen to be independent from any other group, including ICANN.

So whereas we can use their facilities, I think that we should do our utmost to come out, as it were, on the Internet or wherever it is, as an independent unit under the heading of ICG, et cetera.

I don't think that's very difficult to do. We simply have to keep it in mind. Thanks.

ALISSA COOPER: Thank you. Kuo-Wei.

KUO-WEI WU: Thanks. I try to remind one thing. Although we -- eventually we are going to get three proposals from the IETF and CRISP, also the CWG and in ICG eventually we try to merge three proposals into one single proposal and send it to ICANN, my question actually is, is there any time frame or in what kind of circumstance are we going to evaluate or do the assessment eventually the proposal we are sending to ICANN, and what is the impact to the IANA operations compared with currently, you know. And how we can make sure this proposal eventually, the -- whatever the PTI, what is the impact to the public interest for stable and secure Internet operations.

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I think in my view, we need to really take seriously thinking about what is the proposal that will be the impact to those situations. Thanks.

ALISSA COOPER:

And that's one of the -- one of the NTIA criteria, so we have to evaluate for it, in any event.

Patrik was next.

PATRIK FALTSTROM:

Yes. I would like to point out another sort of important piece of the puzzle of communication that we already are working on and specifically I have spent quite a lot of time on, and that is the fact that ICANN as an organization -- for example, ICANN is producing quite a lot of material on their own and that includes description of, for example, what we're doing in ICG, which means that we -- it's not only information that we decide to produce that we have to look at to see whether it's correct. We also have to keep our eyes on what other organizations produce and try to correct them and -- if needed, and also help other organizations that produce information based on their time line.

And, so for example, I will spend the coffee break together with ICANN to correct one of the infographics that are used internally to inform the information inside -- inside of ICANN.

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So that is something that we also have to spend time on that I would encourage this volunteer group on communication to not forget. Thank you.

ALISSA COOPER: Milton?

MILTON MUELLER: Yeah. I'm picking up the topic that you kind of broached, Alissa, which is the relationship to the ICANN public relations juggernaut, which it is, and we have to recognize that.

For example, if you search on Google for our group, the ICANN Web site related to it comes up four spaces above our own Web site. And that's just one indication of, you know, ICANN can produce videos of fairly well-known people talking about issues, they can produce blogs and so on. So I -- if we want to be in control of the narrative, as they say in Washington, we need to work out some kind of an arrangement here where we understand how we relate to ICANN's PR capabilities. Do we use them? Do we avoid them?

I really don't have any great ideas about how to handle that relationship, but I do think it's something we need to figure out.

ALISSA COOPER: Yeah. Agreed. And Mohamed has been sort of informally serving as our point person who relates to ICANN coms and coordinates with the secretariat and should certainly continue to do that, I think, but there

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is -- that doesn't answer the question of how -- how should we structure the relationship.

So good luck, Mohamed.

[ Laughter ]

Just kidding.

[ Laughter ]

Jari?

JARI ARKKO:

Yes. So I think I agree with everything that has been said, and with Milton also, what you just said.

But much of the discussion has been focusing on how we collect materials and how we're ensuring that we're careful about what we say and that we are in sync, and that -- that is absolutely important, of course, and I'm not disagreeing with that. I just wanted to highlight that the communication piece is really, really important. The message will be said by somebody out there in the world. You know, we can be out of it, or in the game or not. I think we should be there and our message should be heard, and I think this group has a lot of opportunity to provide an impartial, trustworthy community message and we really need to do that.

This is very, very important.

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ALISSA COOPER: Thanks. Manal?

MANAL ISMAIL: Thank you, Alissa, and thanks, everyone.

I also agree with all what has been suggested before, and I'm just wondering whether this is also a good point in time to review our FAQ, to make sure it's up-to-date and maybe to add to it any frequently asked questions that we feel has been repeated and is worth adding to our central repository material.

I personally think it is not only useful to those who read it, but also useful to us to make sure we have the same answers to the questions that are asked, so thank you.

ALISSA COOPER: Thanks. Milton, are you back in the queue?

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: No. Okay. Joe?

JOSEPH ALHADEFF: Yeah. Thank you. Just a point to the suggestion Manal made, which I think is a good suggestion, but that we -- just so that we have a correct archive of what was there at what time, if we do a refresh on the FAQ,

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we might want to make sure that it doesn't -- that the previous FAQ is available for people to see at a certain point in time, because I think it's useful to make sure that if people look back at our process to say what was transparent and what was useful in our process, that they can find the material that was available at the point in time in our process.

So just from a correctness perspective, that we keep an archive of where things were at what time.

ALISSA COOPER:

Yes. I think it has -- does it have a version number on it? I thought it did at one point, but I don't know if the published -- it has a date, anyway, but yeah. Okay. Thank you for taking that action, Manal.

[ Laughter ]

Jean-Jacques?

JEAN-JACQUES SUBRENAT:

Thanks, Alissa. This is Jean-Jacques.

May I suggest that we ask the secretariat to get in touch with senior ICANN staff in charge of communications to try to organize an informal meeting between yourself, our secretariat, and those of us who are willing to contribute to the work of this group -- with, of course, Mohamed, whom you have designated -- so that we can already sort out the work, to make sure that we have all the items which have been

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mentioned so far this morning as being of importance for our future communications strategy.

And starting with that, then we can see what can decently be requested from ICANN communications staff without compromising our image as ICG, an independent body.

I'm sure we can find an arrangement which would be satisfactory, both for ICANN and for us.

ALISSA COOPER:

Thank you, Jean-Jacques. I was thinking the same thing, that perhaps we could do the call for volunteers here for the communications subgroup and then that that group could attempt to meet perhaps on its own but also together with the secretariat and the ICANN coms staff who are here this week, try to leverage the time we have, all being in the same place. That's a good idea.

Any other hands, comments, questions? Okay. So why don't we do that call for volunteers for people who are interested in joining the communications subgroup, I know that Mohamed is already in it.

[ Laughter ]

Jean-Jacques. Patrik. I was also going to put myself in it so we have all of the chairs in it, which is probably a good idea, I will say.

Joe, did you volunteer before?

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JOSEPH ALHADEFF: Yes, that was a volunteering.

ALISSA COOPER: Okay. Joe.

I see Jari, Jandyr, Xiaodong. Good. That's a good sized group, I think. Okay. So the secretariat has our names written down, and if you could also take an action to email us and try to find -- start coordinating to find a time for us to meet early in the week, probably, that would be great. Thank you. And the secretariat is certainly in the -- in the subgroup.

[ Laughter ]

Obviously. You're in every group.

So great. So that's kind of -- that's the action we took. And just to, I think, summarize the points of agreement, that the -- for formal communications, the chair will be the spokesperson but can delegate to other folks as necessary, including the chair, the co-chairs or others. Informal communications, everyone is empowered and encouraged to speak. The communications subgroup will develop a communications plan, hopefully including homogenous materials that we can all use, and will request input materials from everyone I think when the time is right. And we will create a repository of those materials as well, so that the public can access them in a single place. And the subgroup will also work on this interaction with ICANN communications.

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And that we should all be clear on what hat we're wearing when we speak.

Those were the items that I had. Did I miss anything?

Okay. Great. So what I would suggest, as far as agenda, is that we take the IANA trademark issue now, because we have -- we're done with this topic about 40 minutes early and we had 30 minutes scheduled for that. Any objections to that little rearrangement?

Okay. So let's do that.

We will -- can we get the text for the IANA trademark up? Thank you.

Have people have a chance to read this? No? Do you want three minutes to read the text maybe? Yeah, okay. Good.

Okay. Let's take five minutes. People who need a bio break or read the text or if you can do both in five minutes, congratulations.

[ Break ]

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ALISSA COOPER: I see people staring intently at their screens. Does that mean they are still processing this text or they have moved on -- are you ready to go? Does anybody need more time? Yes? Go ahead. Take more time.

NARELLE CLARK: Much was just actually a couple of nits actually. You've got -- in that second paragraph, last sentence, "an exclusive license is not compatible with all three." I would suggest to revise that to "an exclusive license may not be compatible with all three communities making continued use of the term." Given that -- well, I won't give you the argument as to why at this stage. But there is one and it's very solid.

And there was another one. I think you have got the word extent where you mean extend later on somewhere. I think it was the third paragraph.

ALISSA COOPER: Okay. Are you okay to live edit?

MILTON MUELLER: I already did some editing. Did you see that? I don't know what you thought of those edits. But it might save us a step or two if we started with that, unless you think there's some major substantive change.

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ALISSA COOPER: I just see the one -- you just have one place where you suggested an edit, right?

MILTON MUELLER: There was five or six.

ALISSA COOPER: Oh, I see. Okay. No, it's on the list. It's on the list. Okay. But I just -- are we able to get Narelle's suggestions there incorporated? Unless -- is someone going to -- Jari -- debate one of Narelle's or not?

MILTON MUELLER: I would want to hear this solid reason.

ALISSA COOPER: Okay. So let's not -- here's my suggestion. Pure grammar, like, we spelled something wrong, we will -- we'll do another pass and we'll fix that. So no need to discuss those in the group. But anything larger than that, let's raise it. If you have a suggestion, we'll discuss it. And then at the end, we'll make the edits. So don't worry about editing right now. Is that okay? Great.

So we have Narelle's suggestion which is that the last sentence of the second paragraph, what would change would be "is not" would become "may not be." Let's not make the change yet, sorry, because there are people who want to discuss that, I think. And then we'll run the queue.

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So the queue that I saw was Milton, Jari, Lynn. So go ahead, Milton.

MILTON MUELLER:

So we're just discussing in general the letter? So I thought some of the language was a bit awkward, and it wasn't just editing or misspellings, but it was maybe the meaning or the statement was unclear.

So, for example, I simplified some of the language and just said that this text was not a product of full CWG deliberation and consensus and was flagged as subject to further negotiations.

I added, I thought if moderately important, emendation to this statement about the IETF and RIR communities have been using and continue to use the term IANA without permission -- I think that's significant.

ALISSA COOPER:

Let Milton finish and we'll discuss.

MILTON MUELLER:

I think you are thinking you need permission. And what I'm pointing out is that you don't. You have been using it without asking anybody for permission. Is that correct?

All right. Anyway, that's something to be paid attention to.

And I put a stronger statement in at the end. The ICG would like to request not just that you work together with the two communities but that they reconsider this aspect of their proposal given the fact that, A,

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it wasn't really fully baked and that it does seem to conflict with things that have been agreed upon.

So I think the onus is on them to think about how they actually want to do this. And we might even want to add more language in there about, you know, asking them to look at what has actually been proposed by the other communities. So that would be my overview.

ALISSA COOPER:

Thank you. So we have a queue. But just to respond on your first point in the first paragraph, the language that was in there was sort of taken from the email from Jonathan Robinson concerning that. But I'm completely happy to make it more accurate and defer to you as to how we should characterize that. So that makes sense to me.

Other people will respond to the other points but just wanted to respond to that one.

Jari.

JARI ARKKO:

Jari Arkko. I like Milton's suggestions maybe with the exception of the specific wording around "no permission." But we can work on that. Russ probably has a proposal.

And I in particular liked your idea of adding some strong words at the end. So that's my substantive comment. I will leave all the other wordsmithing aside.

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The text that Alissa sent basically says, hey, guys, you should coordinate. Well, to be honest, they already know that. I'm not sure how much they have taken that into account, but they do know that. I mean, it has been discussed on the list.

And I think given the history of this and the several months of process that have gone on already, it would be better to say something along the lines of is there a reason why -- please consider using the already-agreed approach with the other communities or otherwise work some mutually acceptable solution with the other communities. Something along those lines. We can work on the text.

ALISSA COOPER:

Thanks.

Lynn?

LYNN ST. AMOUR:

I wanted to comment -- Lynn St. Amour for the record. I wanted to comment on the last paragraph as well. I actually don't think we need to comment on the status of their process either, as Milton suggested, or what's in but just ask them very specifically to revisit.

So I think if you take out that sentence that starts with "given that the text has not been thoroughly discussed and is in initial draft," it makes the sentence much stronger and doesn't put us in the position of commenting on how much they have or haven't discussed it.

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ALISSA COOPER: Thank you.

Russ?

RUSS HOUSLEY: So as the ICG, I don't think we want to get into a discussion of whether other communities have permission to use the term "IANA" or not. And I would just avoid opening that can of worms. IETF has been using it since before ICANN was formed.

ALISSA COOPER: Narelle?

NARELLE CLARK: Narelle for the record. I understand that Jari has an update on his numbers of RFCs to which the term "IANA" has been referred to. You just done it. I'm sorry. My apologies. Thank you.

ALISSA COOPER: We're going to have to keep changing it until we send the note out.

[ Laughter ]

Go ahead, Milton.

MILTON MUELLER: Yeah. I'm still not sure I understand the concern about that Russ is expressing. So I'd just like a better explanation.

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Yes, we recognize that the term is in 3,000 -- more than 3,000 RFCs. We recognize that you have been using it. What is wrong with saying you have been using it without permission, which in a legal sense indicates that you haven't needed permission and that, therefore, somebody else doesn't own the trademark or prevent you from using it? And that the proposal of the -- the CWG is suggesting that you would need permission. That was my point mainly. So I have no objection or insistence on putting those words in there. I just don't understand what your concern is.

ALISSA COOPER: Russ?

RUSS HOUSLEY: So, Milton, my concern is that we are opening an issue that has a very long history going back to the creation of the IETF Trust and whether that trademark was moved there or to ICANN. And it will pick the scab off a very deep wound, and I'd just rather avoid that whole topic because it isn't going to help us with the transition.

ALISSA COOPER: All right. No scab picking.

[ Laughter ]

We'll make that the wrap-up video for tonight. We decided not to pick scabs.

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Okay. Daniel next.

DANIEL KARREBERG: I put down my hand because Russ said what I was going to say roughly.

ALISSA COOPER: Narelle? He did it. Okay.

Did people want to respond to Narelle's suggestion?

Or did you want to provide more information about the "exclusive license may not be compatible" part? Yeah.

NARELLE CLARK: We've kind of been inferring around my substantive reason for "may not be" as opposed to "is not." So I would like to stick with the text -- sorry, I would like to have the text "may not be" for what we've been referring to.

I don't -- for the record, I don't recognize -- no, I'll stop.

ALISSA COOPER: So Narelle's suggestion is that in the last sentence of the second paragraph, it would read: "An exclusive license may not be compatible with all three communities making continued use with the term" rather than saying that it definitively is not compatible. Perhaps because it may currently exist under an exclusive license and lots of

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people use it anyway is my understanding of potentially the issue, something along these lines.

MILTON MUELLER: Are we avoiding scab picking again or is there some -- I still haven't heard a reason.

ALISSA COOPER: I think we are avoiding scab picking, yes.

NARELLE CLARK: Milton -- Narelle Clark for the record. I would assert that there is an implied right of usage given the fact that there are 3,353 -- am I remembering correctly -- IETF RFCs published making specific reference to IANA and that there has been a very close association with IANA from the IETF and also the RIRs since the inception of all.

ALISSA COOPER: Russ Mundy.

RUSS MUNDY: Thanks. Russ Mundy here. I don't know if its important to this discussion or not. But if it is necessary, I think I can locate documentation that says the term "IANA" was in use prior to even the IETF existing and has been used consistently throughout the life of the IETF and in other associated organizations. So it even predates the IETF itself.

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ALISSA COOPER: Daniel.

DANIEL KARRENBERG: This is Daniel. Thank you, Alissa. And now I have an echo again.

Somebody switch off their microphone. Thank you.

I think we can -- I agree with both what Russ has said and what Narelle has said. But I think we can leave it to the communities to figure that out. I think it would be a bad thing if we were to predicate how they could agree. I think the formulation may not be as good, and we should keep it and we should use it. But we should not be really seen or perceived as engineering the solution.

ALISSA COOPER: Thanks, Daniel.

Milton.

MILTON MUELLER: Yes. So you're taking this term "an exclusive license" kind of out of context. If you look at the very first sentence of this statement, it says, "The CWG transition proposal suggests that 'ICANN will grant PTI an exclusive, royalty-free, fully-paid,'" blah, blah. So that is the reference which that sentence is making. So it's referring specifically to the CWG proposal, not to an exclusive license in general. So if you want to make it more specific, I'd be happy to do that, to say the CWG proposal

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as currently drafted may not be compatible with all three communities making continued use of the term.

Is that -- that's what we want to say, right?

ALISSA COOPER: Narelle, did you want to respond to that?

NARELLE CLARK: So I'm still processing what -- Narelle here. I'm still trying to process what Milton has just said. I might need to see that piece of text written down as a substitute for here, but I think you're again making it all sound too definite. What I wanted to point out was that I think that we're getting involved in the problem again. Our problem is not -- our task is not the implementation. Our problem is the meta problem. You know, the overarching stewardship. Our problem is not how things get implemented and what things -- how things are done. We need to stick to our layer of the problem here and we're getting involved in the layer underneath.

This is what happened yesterday. I think we need to pull back.

MILTON MUELLER: I'm just using more precise language as to what we're referring to in that sentence. We're not getting involved in anything that we weren't involved with -- I even proposed to use the word "may," which is what you wanted, right? So I don't understand what's going on here. There's --

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NARELLE CLARK: So Milton, can I have it again? It did sound pretty good but I just wasn't quite clear.

MILTON MUELLER: So instead of saying "an exclusive license is not compatible with all three communities," blah, blah, I'm just saying, "The CWG transition proposal may not be compatible with all three communities making continued use of the term."

ALISSA COOPER: I put the edit in the Adobe Connect projection.  
Is that okay? Can you see it?

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: No? Can people see it in Adobe Connect?

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: Okay. So the people who were just discussing this, everyone is happy with this? Milton and Narelle? Jari? Russ?

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Okay. Patrik, you had your flag up.

PATRIK FALTSTROM:

Patrik Faltstrom here.

My comment is not on the text.

I'm thinking a little bit about the process we are using here. It seems to be the case that our goal here is to send off this question to the CW names within the near future before we really are doing any kind of other kind of evaluation, right?

If it is the case that we are going to do that, I really would like to support what Narelle said and what I talked about yesterday, that we are staying really clear and focused on our layer in this architecture, because we have to remember that the chartering organizations, they are looking very carefully at what's happening, including what's happening in this room, and they're going to approve or disapprove this proposal no later than Thursday next week. So I would say that either we try to get something together that we can send today, more or less -- of course like we can -- have to let all the ICG members not being here to be able to see it so let's say 24 hours after we sort of agree in this room what it is, but more or less today, or we should sort of be careful and postpone it, because if we drop something like this to the ICG on let's say Tuesday or Wednesday, there might be secondary effects regarding the actual -- the reaction in the chartering organizations.

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So we should be a little bit careful with what kind of process we are using here.

I would, though -- I'm not saying that we should not try to get something out today. To the contrary. I think that actually would be a good thing. But if that is our goal, that is what we should have as a goal. Thank you. Jari?

JARI ARKKO:

Jari Arkkio.

Just a comment on that. I think I agree with that, but I also think that the text is very clear that this is more about the, you know, steps beyond the proposal rather than a comment on the proposal itself. And we've been trying to be careful about that, right?

So we should continue to be careful about that even if we make edits to the end of the message where we make the actual request, that it's really about, you know, "Hey, please take this into account and deal with it in this and this manner, and, you know, as you go through, you know, the future steps of your proposal's development of details and implementation" or, you know, whatever the right words are, but I think we can deal with that.

ALISSA COOPER:

Milton, are you back in the queue? No.

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Okay. So indeed, this -- this is the sentence, then -- I think this is the only one that we have left to talk about. I have deleted the portion that Lynn suggested to delete, so you can see how it reads now.

"The ICG would like to request that the CWG reconsider this aspect of its proposal and work together with the other communities to reconcile the incompatibilities that have been identified."

Did you want it to say more?

I know you've already suggested it twice, but it didn't manage to make it in yet, so can you repeat your suggestion?

JARI ARKKO:

So I actually have two comments now.

One is based on Patrik's comment that we should actually not say "reconsider this aspect of the proposal" but something around the next steps, because it's really -- this is not part of the proposal. It's an, you know, initial draft for some language to be further negotiated, so that has to change somehow, I think.

And the other part is that I would like to say something along the lines of "The CWG either employs the approach already discussed between the IETF and RIRs or otherwise works a mutually acceptable proposal with the other communities."

ALISSA COOPER:

Okay. Daniel? Daniel, go ahead.

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DANIEL KARRENBERG: Thank you, Alissa. This -- yeah. This is in the chatroom. I suggest just to delete the words "reconsider this aspect of this proposal and," and just so that it reads "The ICG would like to request that the CWG work together with the protocol parameters," ta-dah, ta-dah, ta-dah, ta-dah, and that that takes care of Patrik's valid concern.

ALISSA COOPER: Okay. That's a suggestion.  
Jon?

JON NEVETT: That was the exact suggestion I was going to make, but to Jari's point, if you want to also add, instead of just "work together with the protocol parameters and number communities to reconcile the incompatibilities," you could say, "to review the other proposals."  
So the CWG, in effect, would review the proposals from the other two communities and then work together to reconcile them.

ALISSA COOPER: Okay. Milton? I'm going to do edits but I just want to hear everyone's first, so go ahead, Milton.

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MILTON MUELLER:

Yeah. So if you're not going to ask them to reconsider, I really think you have to be -- you know, I'm -- I'm very involved in the CWG and I know, I think, fairly well what kind of a message is going to get the kind of results that we're looking for, which is a -- you know, a compatible approach, and I think you have to say more than just "go work with those other guys and make things reconciled."

I think you need to say either what I said or what Jari said, which is something like, "In completing its proposal, the CWG either employs the approach already agreed between the IETF and the RIRs or reviews their -- the other operational community proposals and finds a way to reconcile its proposal with those."

In other words, I think we need to give much more specific instructions, rather than just a general wave of the hand and say, "Go. Go reconcile this."

I think that's what's needed in that context.

ALISSA COOPER:

I'm just editing, so manage the queue.

PATRIK FALTSTROM:

Yeah. This is Patrik. I'm actually looking at what the editor is currently editing to make up my own mind what I think about it, so...

[ Laughter ]

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I see in the chatroom that some people are -- that people are, in general, happy with what Milton suggested.

I would like to just note here that the wording we're using with these more specific instructions, that personally -- I completely understand Milton and agree personally with your suggestion. It is quite different from what we did send to the other two operational communities where we -- we're more in general talking about "Please reconcile and be" -- we were waving our hands a little bit more when talking to the two of them.

On the other hand, I personally don't see any problem being a little bit more specific here as we do have an agreement with -- between the other two.

Okay. So if people are happy with that, anything else?

ALISSA COOPER:

Well, I'm not sure that I've quite captured it, but I tried.

So speak up about the edit on -- in the chatroom. In the Adobe Connect room.

PATRIK FALTSTROM:

This is Patrik Faltstrom. I see in the chatroom that Daniel points out that we should -- he thinks that we do not need to be specific. Oh, okay.

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DANIEL KARRENBERG: Good enough. Move on.

PATRIK FALTSTROM: Okay. Yes. I just saw that Daniel -- in the chatroom that Daniel Karrenberg -- let me put that on the record. Daniel writes in the chatroom, "What is on the screen is okay. Let's move on." Thank you.

And then Alissa, over to you.

ALISSA COOPER: The only reservation I have about this is that it says "the approach," and the two communities didn't really take the same approach. It's just that the approaches of the other two communities are compatible. So people can think about that.

Lynn?

LYNN ST. AMOUR: My comment was actually going to go to something Patrik said earlier, which I thought he said we were going to let this sit for 24 hours for those ICG members that aren't here today to do it, and I was going to make a suggestion that we look around the room and see if there's support for sending it out today.

It's been pretty thoroughly vetted now by, I don't know, 25 people in this room or so. It's -- based on our discussion we had yesterday, at some point I think enough is enough, and we need to get it out earlier

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rather than later, but again, that wasn't to your last point, Alissa. It was to Patrik's earlier point.

ALISSA COOPER: Yeah. Go ahead.

PATRIK FALTSTROM: If it is the case that the ICG members do believe that we already have vetted it enough, of course that is something that we can do.

The earlier we can get this statement to the CWG names, the better, of course, but I just want everyone to feel comfortable about that.

ALISSA COOPER: Okay. Should I try to fix this singular approach thing or are we done?

Well, I want --

Oh, Russ. I'm sorry. I'm sorry. Russ was in the -- Russ Mundy was in the queue. Go ahead.

RUSS MUNDY: Thanks, Alissa. Just one comment about your concern that you expressed that it was not a single approach.

I think if you change where it says "adopt the approach" to "adopt an approach," that will remove the specifics of inferring it's one.

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ALISSA COOPER:

Okay. "If it can adopt an approach taken by" -- that's a little awkward. But I can live with it. That's fine.

Okay. So any -- we will fix the grammar edits, so I know people sent some of those and we'll do a read for English, but other than --

So any objections to fixing grammar and spelling and then sending this out?

No. Okay. Great. So we will do that, and that is decided, and let us take our break until 11:15. Yeah.

So we'll reconvene at 11:15.

[ Break ]

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ALISSA COOPER: We're going to get started again in a couple minutes, so please take your seats.

Thanks for coming back from the break. And we are going to start with -- actually, right before the break, we had this question from Daniel. And I'm unable to get into Adobe Connect so I can't see if he's back. He subsequently, I think, sent mail to the mailing list about his question. And I was just curious, Daniel, if you're there, if the mail is sufficient or if you wanted to have a discussion of your point.

DANIEL KARRENBERG: Hi, Alissa. Thank you. I'm -- from the discussion we just had about the communication to the CWG, it appeared to me that we should take a step back and look at how we communicate with the operational communities as a matter of principle.

And my point is that it's clearly our job to point out any issues of incompatibilities or alignment that are necessary to those communities.

But it's not in our mandate to solve these issues and to implement one or another solution to them. So I think we agree on that, and we've discussed this before.

Suggesting solutions like we just did or an approach on how to go about it is kind of a gray area. And we should take really great care to separate the pointing out that something needs to happen from the suggested solutions. And I'm not saying we can't suggest solutions. I'm saying we should keep those things separate. We should say, this

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problem, i.e., for instance, IANA -- rights to the IANA name needs to be solved. And then say -- and then take a break and say, And here a number of possible solutions to that or here's one possible solution to that and be very clear about that so that we don't appear to take sides in an argument or push a particular solution.

And I thought we had agreed on that previously. And it's a consequence of the modus operandi we agreed on. And if there are no objections to the principle, then we're done. But if there are objections, then I think we should schedule a discussion about this. Thank you.

ALISSA COOPER:

Thank you, Daniel.

I still think we have that agreement. But if anyone thinks otherwise, then raise your hand. I see no hands raised. So I think we are still agreed.

DANIEL KARREBERG:

Thank you.

ALISSA COOPER:

Okay. Good. Good. Thanks.

So moving on to our response to NTIA, if we can get that -- the next circulated last night projected, that would be good.

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So, Patrik and I sat down last night to try to get some text together for the response to NTIA. And as he said in his mail and as is frequent the case, when you actually have to write something down, you discover all kinds of issues that you hadn't thought of ahead of time. And so there were a few of those that we encountered, I will say, just in drafting this.

One is that we don't yet have the names proposal, and our time line for finalization is dependent on when we receive it. So if we had to send this letter today, it would all be phrased as we haven't yet received the names proposal. But when we do, here's what the time line will look like. It is possible we will receive the proposal before we have to send this response back to NTIA.

So we decided to frame this as if we had received the proposal and hope that we do and then we can send the letter afterward. So there's a little bit of forward-looking text in here.

The other issue is that clearly in particular the implementation piece of this is tied up with the time line for the CCWG accountability. And so we can say a lot. We received a lot of input from the communities and the board in response to our question. But it might make sense for us to really try to coordinate responses with the CCWG accountability because a good deal of the information about implementation is reliant on the time line that they set up. So that's kind of an open question that we had at the end of our little meeting last night. We can have this discussion today, but we might want to

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just convene with the CCWG folks and have that discussion with them about whether we want to really thoroughly coordinate the responses.

So with that, we can maybe scroll down and look at the text itself. Okay.

Have people read this? Or do we need minutes to read it again? Does anybody need time to read? Yes, I see a few heads nodding. So we'll take our two minutes to read this text and we'll come back.

[Silence]

Okay. I hope folks have had a chance to read. The one last point I should make, not only about -- we didn't only discuss coordinating the responses but actually possibly sending a single response, which Patrik had put in the mail and I had failed to realize.

So definitely want opinions about that but also about the text in general, the direction that we're going with it.

I have Daniel in the queue and the floor is open.

Go ahead, Daniel.

DANIEL KARREBERG:

Thank you, Alissa. I have three points to make on the draft. First of all, thank you very much to Patrik and yourself and whoever else helped with this. I think this is a good example of the chairs taking the initiative and actually doing excellent work. And that's not just something I say as a usual preamble.

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My first point to answer your question, I see coordination with the CCWG accountability as absolutely necessary for the responses to be valid and to look good and coordinated, like we're all doing. If we just by coincidence would have some contradictory or some stuff in there that could be spun to be contradictory, I think we would do everybody a disservice. So I'm vehemently in favor of coordinating the two responses.

I think it could take the form of two responses because the question was asked to two groups. But it would look even better if it was a -- if it was just one text that was sent by both or something like that.

So as to the draft in particular, I think there's one short sort of ordering thing. I think it reads better if the summaries you give about the responses you received from the operational communities and the ICANN board precede our analysis of it.

As it's written, it starts with the analysis and then gives the summary. So in concrete, I think it should be split after the word "letter" and then have the summaries and then continue with "taken together." But that's only a minor point. But I think it flows better that way.

My major point is about the last paragraph where it talks about the load on the IANA department and the need for parallelization. I think this should be put in more general, not so specific to the IANA team. I realize how it came about, from an intervention from Elise. But I think it's more general.

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I think we should say not IANA staff but something like ICANN staff or ICANN resources and also mention the resources by the other parties to this, like the RIRs, the IETF, and the various parts of the naming community.

And I think also the language in that last paragraph should be stronger in saying that it is necessary to parallelize and take the steps that can already be taken as soon as they can be taken, that it is necessary for this time line to actually be realistic.

And I personally would even add some language to the extent that we would welcome if the NTIA would acknowledge that and urge all concerned -- or encourage all concerned to work in this way.

Thank you.

ALISSA COOPER:

Thank you.

I have Wolf-Ulrich next.

WOLF-ULRICH KNOBEN:

Thanks, Alissa. Wolf-Ulrich speaking.

I enjoy your analysis of the answers which were given by the operational communities and the board.

ALISSA COOPER:

Could you speak a little closer to the microphone. Sorry. Thank you.

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WOLF-ULRICH KNOBEN: So the critical point is as you are saying the input of the CCWG and also as I see -- as I -- persuading from the board's answer that there is some uncertainty with regards to the implementation because of the utilization of the normal ICANN processes for that.

So these are the two items which are really critical and I wonder whether -- and during the ICANN meeting and throughout the different meetings we shall have and also the communities shall have cross over with the board. Internally, we could get a more clearer view on that so that we have to have a more clearer picture on that at the end of the ICANN meeting before we send out this letter.

So this is my question here. I understand that we are just talking about a first draft and that the question is when are we going to be ready. I would say we shouldn't be ready before the end of this ICANN meeting because I expect more clarity on these two points. Thank you.

ALISSA COOPER: Thank you, Wolf-Ulrich. That's a good point. We have, as discussed yesterday -- the liaisons are discussing this with the CCWG today. The chairs had a conversation with a couple of the board members this morning. And my understanding is that it is on the board's agenda to discuss as well. And we are also -- the Chair is meeting with the CCWG chairs tomorrow evening. So I expect that after all these people have talked to each other about this topic, we will be able to come to a

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shared understanding of what the board process will or will not be. So I think everyone knows that we need to have that hammered out hopefully early in the ICANN week. So that's ongoing.

Jari.

JARI ARKKO:

Jari Arkko. First, I'd like to agree with what Daniel was saying earlier. And then I have sort of a minor comment. At the end of the text, it says something about -- where is it -- that all the implementation tasks have an impact in the IANA department. I think that's -- that's just -- that's a true statement, but it hides quite a lot of actual complexity and significant difference.

As an example, I think the IETF proposal -- given that we already have, you know, had the SLA discussions with the IANA department and they were fine, all that needed is that the head of the IANA department signs the SLA. So one signature versus some of the other things that actually require fairly major reorganizations.

So maybe some other wording could be used here, some of the implementation tasks require significant resources from the IANA department or something like that, that I think would reflect the reality better.

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ALISSA COOPER: Thank you. And I note that Elise is not here with us today which is unfortunate because I would like to get her input about this. But obviously we have time to work it out.

So, Martin.

MARTIN BOYLE: Thank you, Alissa. Martin Boyle here.

Yes, I certainly think I can follow the things that people have been saying about this. And in particular I think the critical path -- I think we can see two critical paths sitting in place.

The main one is as referred to in the draft the CCWG because that's going to have quite serious implications on drafting and implementing of fundamental bylaws and putting in place new mechanisms.

The other one really is making sure you have in place the other things that come up in particular from the CWG in the names proposal. And I felt quite concerned that the only message particularly we have from CWG on time scale is how long it would take to set up the PTI.

I think there are a whole lot of other things that will need to take place in addition to setting up the PTI with the legal structure necessary. And that includes setting up in some way presumably through bylaws the customer standing committee. There will be potential impact on the bylaws that establish the GNSO and the ccNSO. And there will also be some requirement for the IANA functions review.

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And then there will also be some stuff about making sure that we've embedded some potential for reviewing and updating the service level commitments, the service level expectations that are yet to be finalized in the CWG proposal.

So the conclusion I have here is that not only do we need to have the discussion with the CCWG over time scale, I think it would also be useful to have a discussion with the CWG and to go through and say, Okay, well, when can these various things start? When do you -- would you be comfortable starting them? Bearing in mind that a number of those things are, again, going to require the attention of the same little group of people and, therefore, cannot and will not be done at the same time.

So I think we just do need to have that conversation that says can we try and be realistic about the things that are sitting here. Thank you.

ALISSA COOPER:

Thank you. So the response that we got from the CWG does discuss some of those things. So I'm not sure what we would achieve by having a further discourse with them. I mean, I'm just -- just to point it out to people because it didn't make it into this and maybe that's the issue.

What we got from the CWG says that other elements for implementation such as the CSC and the IFR exist and these elements are expected to be incorporated into the ICANN bylaws as part of the CCWG accountability's work. The time line for the implementation of

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new bylaws has not been confirmed but is actively being considered by the CCWG.

So that's where the bit in here came from about the fact that it's tied to the CCWG and that hasn't been specified yet. But my reading of that was -- essentially the message from the CWG is that the creation of the CSC and the IFR are all subsumed into the time line for the completion of the implementation of the CCWG's work.

If that is not correct or if there's some further elaboration necessary, then we should have that. But that was my reading of what we got from them. So go ahead.

MARTIN BOYLE:

My point there is that the CSC -- possible changes to the ccNSO and GNSO bylaws are things that are very specifically part of the CWG proposal while the time scale for the CCWG proposals, when it comes, might be the same.

My flag is that, yes, but we should also be thinking about making sure that we recognize there were two sets of recommendations that will be coming through that as far as I can assess are going to both require bylaw changes.

And so just looking at the CWG for that, while that might set and help us understand what the time scale for doing the process is, it does need to take into account that's not the only one. And then you have the parallel processes and the difficulty of making sure you have got the time to do those. Thanks.

ALISSA COOPER:

Okay. I understand now, and I think maybe we can roll that in with the edits suggested by Daniel, which is to sort of elaborate the issues around parallelization and also that there -- some of these entities will be dealing with multiple different changes that they have to make at the same time and include the GNSO and the ccNSO in that list of entities.

Okay. So I have --

Jari, are you still in the queue?

Wolf-Ulrich, are you still in the queue? No.

Okay. Russ and then Patrik.

RUSS MUNDY:

Thank you. Thank you, Alissa.

One of the concerns that I have, after hearing our excellent status report we got from our liaisons to the CCWG and CWG, is the issue of the chartering organizations' responses to each of those groups, and I know for the CWG, SSAC is a chartering organization and so we have to have our response completed in this coming week, but I'm not sure that -- I don't know what the responses of the charting organizations are going to be and how do we factor those into our response, because they clearly could have an impact on the time line and the -- you know, the viability of the proposals from each of the groups as they sit.

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Am I being overly paranoid here or is this something that somebody else's fear had a solution to and it's just escaped my brain?

ALISSA COOPER:

So I think for the CWG names proposal approval part, the idea would be that we would send this -- excuse me -- we would send this after we received the names proposal, which means that the SOs and ACs would have already approved it.

So for that part, I think we have -- we understand what the plan is.

For the CCWG approval part, I agree this is like an open contingency that if it doesn't get approved, then we are into a gray area, as far as I can tell.

RUSS MUNDY:

But we also have the somewhat cyclical dependency of the content of the CCWG output meeting the criterion that is identified in the CWG proposal that says, you know, "You must do this set of things in a satisfactory manner."

So are we just going to note what --

I mean, I would guess that the approvals of the chartering organizations would say something on the order, for the CWG proposal, that "It is okay as we know now but we reserve the right to change this approval based upon the CCWG output" and then we'll move forward with the similar condition? Is that the idea?

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ALISSA COOPER: Yeah, I think that is the idea, and furthermore, to the point that we discussed at the top of today, that the SO and AC consideration of the CCWG proposal may be helped by the fact that if the ICG inquires with the CWG, once the CCWG work is finalized, and we say "Does this meet your requirements," and they say back to us "Yes, it does," that is input that can go into the SO and AC consideration. So hopefully that will help as well.

Go ahead. I just said a lot of acronyms that I have no business saying, so correct me.

[ Laughter ]

PATRIK FALTSTROM: So Patrik Faltstrom.

I think we -- I think -- let me start over.

One thing I found out yesterday when Alissa and myself sat down writing the text was that I ended up -- I felt that I ended up being trapped, and I do see we as a group today sort of end up in the same kind of sort of issue. And that is that we are trying to define a time line for the whole process. That is not what the answer to this letter is.

The question we got is, "How much time do you need to be done?"

To be able to answer that, we need two things, I claim.

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The first one is to identify which one of all the various things that has to happen will take the longest, and we need to sort of estimate how long a time that will take.

And the second thing is that we just need to show, by gathering data, that we really do believe that everything else will be faster. We don't have to sort of look at all the details. So just by --

I felt after writing all of this -- and that's together with Alissa and you see that sort of suddenly we stopped writing. That was when sort of my brain told me, "Wait a second. What am I doing?"

We have got responses for so many things about so many things that will take much, much shorter time than the things that take longer, and that means that we can just ignore those because it's not a time line we are creating.

So I think yes, Russ, I think you're right on this part here. The actual what will take the longest time might be the CCWG accountability, which is, to me, an indication that if we do believe that whatever we are doing, apart from the dependency, we will be faster than the CCWG accountability, our response can be pretty easy. Like, "We already won," right?

[ Laughter ]

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PATRIK FALTSTROM: So which means that in reality, maybe we should just go and talk to them and say, "Okay, what date do you think," and then, "Okay, we trust you guys." Done.

So I think -- so once again, we don't have to do a time line, okay?  
Thank you.

ALISSA COOPER: Milton, go ahead.

MILTON MUELLER: So this is what I interpreted as Alternative 2 in your first message, Patrik, that basically we should be looking at -- responding to the NTIA in terms of a global overview of the entire process because we're the final gateway to the -- submitting a proposal to the NTIA.

And so we need to have a sense --

If you have correctly identified the CCWG as the slowest part, which I would agree with, then we are essentially saying to Larry, "We're estimating (a) that all this other stuff can be done before the CCWG is and (b) the CCWG is the slowest part and we have to get verification that that -- that their work is acceptable to CWG before we submit our final proposal and we estimate that that will be in" -- what did you say? October. Or July of 2016 or whatever it was. Okay?

So that seems to be an acceptable approach to me, and that is not so much what you currently say in this letter exactly.

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So does that mean we have to redraft this now or that we're going to go huddle and do this on the list or what?

PATRIK FALTSTROM:

So let me try to respond to that.

No, that's absolutely true. The text you see was Alternative 1. Alternative 2 was not written because I did fall asleep, okay?

[ Laughter ]

On the other hand, as people said, which I think is absolutely correct, there will be lots of discussion during this week. All of you talk within your communities. We'll know much, much better on Thursday, next week, including, for example, what the response is from the chartering organizations to CWG names will be, which means that in a week from now, we'll be in a much better situation, which means that I don't feel that we have to draft Version -- Alternative 2 now.

We need to have a discussion of whether Alternative 2 is the path forward, and it seems to be to be the case that -- I haven't heard anyone else say anything else. Then we, as chairs, can take on an action to at the end of next week -- we will discuss it on Thursday of next week. We have a meeting there, like a working meeting next Thursday, to talk about the same thing again, and then draft something.

That's one path forward.

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One thing I forgot to say the last time is that in the meeting we had this morning, there was one detail that came up in discussions with NTIA, and that is that there are some legal implications of having the contract in place between NTIA and ICANN, and certain things that must be done as part of the transition can be done already before the actual sort of current contract is expiring, but certain things that have legal implications cannot. Okay?

So each one of the communities which are thinking about when they are implementing sort of the list of things they have to implement, some of those can probably be implemented already before the con- -- while the contract is in place, while other things which have legal implication might have to wait until the transition is actually happening, because if it is the case that whatever is implemented would violate the current contract between NTIA and ICANN, that would require lots of -- lots of legal work and we don't really want to spend time on that, right? We want, instead, to do the transition as soon as possible.

So once again, that's another reason why I think it's the best thing we can do in ICG is just try to identify and remove from -- sorry. We have to try to identify what things we have in our list will be significantly faster than the slowest path, and just ignore that, because we don't have to dive into the details.

Creating an overarching time line for the whole project of transition, that's not our problem.

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ALISSA COOPER: Lynn?

LYNN ST. AMOUR: I would like to support Patrik's proposal that we move forward and can conclude on this letter following the Alternative 2 track at our Thursday meeting.

I'd also like to support his last comment and also ask that we actually try and separate out sort of business arrangements from more maybe onerous contractual arrangements.

I mean, if the RIRs are prepared to move forward and start getting service level agreements in place, then those are the sorts of things that I think are just part of a natural evolutionary business track, and certainly support increasing the -- the -- "professionalization" is not the right word, but the professionalization of some of the key arrangements between the communities, and I think those are the sorts of things we should support.

So maybe just try and make a distinction between what is a business-level arrangement and what is something that looks much more like a contractual component of the NTIA/ICANN current contract.

So make a distinction between those two.

ALISSA COOPER: Daniel?

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DANIEL KARREBERG: Thank you, Alissa.

Two comments.

One is on what Lynn and Patrik just referred to. I tried to capture that in some language I just suggested on the mailing list and I'm not going to reiterate it here since apparently the drafting is on next week, Thursday, but you could take that into account, and it speaks exactly to the point that Patrik and Lynn just raised and I agree with them.

Second, I think if we go to a response that says we analyzed it and CCWG accountability is the critical path -- I mean, the longest -- you know, in the critical path of the planning, then I think we should still not make that overly short but include the language that's in there that analyzes our part of it.

Just to -- for two purposes. First of all is to appear serious about it. I mean, having done our homework. And the second is to acknowledge the work that the operational communities and the ICANN board put into this by answering us.

You know, if we -- if we just neglect that, I think that would be bad.

So that language should stay. Thank you.

ALISSA COOPER: Thank you. And thank you for sending that text.

I think the idea with Alternative 2 is not that we would remove, necessarily, the explanation of what we got from the other

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communities but just I think at the very outset of the letter make it -- give -- provide this framing and make it more clear that, you know, the steps that will take the longest are the ones related to the CCWG's work, provide whatever the expectation is of when those will complete, which at the moment is, you know, June or July of 2016, and then reference what we got from all the communities as a means of explaining why we think all the other steps will be -- will happen sooner, and in parallel, and then use the text provided about parallelization and time constraints on groups that are affected. That's kind of the vision that I have for the rewrite. So the middle part, with the -- the details from the communities, would still be in the letter.

Russ Mundy.

RUSS MUNDY:

Thank you, Alissa. Russ Mundy here, for the record.

One of the things that has struck me about the --

The existing contract has two two-year standard options as part of it that can be exercised, and I don't know that we know enough yet to really know when an expected end date of all of the activities would be in order, but two-year chunks of time for extensions seems to be pretty big, and dividing up the individual pieces out of that contract, as I said yesterday in our discussion with Paul is almost an undoable task, but it might be useful for the ICG to suggest that perhaps shorter contract extensions might be appropriate -- an appropriate way to

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speed the transition, because two years at a time is a pretty good chunk of time.

Just I put that out there for folks to just think about as a consideration.

ALISSA COOPER: Michael, do you have a thought?

MICHAEL NIEBEL: Well, I fully agree, and I think even if at the moment it reads as if two years is the only option, I think contracting parties can change that.

So I think the shorter periods would kind of keep the pressure and I fully agree with what you said.

ALISSA COOPER: So Milton said something in the chat that -- that I agree with.

So I -- I mean, I certainly agree about the logic of having shorter contract extension time periods, but my issue with having that in this letter is that we were not asked about that and it's not really our prerogative.

So I think we should not include that in this letter, even if we all agree that it's a good idea. Go ahead.

MICHAEL NIEBEL: I fully agree with that.

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ALISSA COOPER:                    Okay, okay. And Keith, were you -- you were on the same page as well, I think.

Okay. Any other thoughts about this?

Basically what we're going to do is reconvene on Thursday when we have more information and take it from there, I think.

So just as a matter of process, Thursday is June 25th and we were asked for a response by the end of June, so there's going to be a quick turnaround on this in terms of ICG members needing to review, potentially over the weekend that follows the ICANN meeting or something like that, so just keep that in your mind that we want to get this out.

The letter did come just to the chairs, so in theory we could act, you know, without a long consensus call from the ICG, but we'd certainly want everyone to be in support of whatever we send back, so keep that in mind.

So we are crushing our agenda today, which is great. We were due to have lunch at -- starting at 12:30, and it doesn't -- is it there or it's not there?

UNKNOWN SPEAKER:            (Off microphone.)

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ALISSA COOPER:

It is there? Yeah. Do you want to double-check and see if -- because we could take lunch now, possibly. And then we just have -- we just --

Okay. We're going to take lunch. And then we will discuss our talking points for this week after lunch. Yeah. So we'll reconvene at 1:00. At -- yeah, 1:00.

[ Lunch break ]

PATRIK FALTSTROM:

So we can start in five minutes. Five-minute warning.

So can we please take our seats.

Okay. So the main item for the agenda this afternoon is to go through the speaking points that I wrote -- that I -- that Alissa and myself worked on yesterday, mostly myself.

Okay. I wrote them. Oh, boy, we are tired, all of us.

Okay. I hope all of you can read or you have the information -- you have it in the email yourself.

So what I tried to do was to write up speaking points. And the way I personally tried to do it, the way we do it in SSAC is that we try to come up with questions that we envision and then we try to write answers.

I don't really know if all of you have had time to read these. But we can -- why not go through one at a time or we all read one at a time and see whether you have any suggestions on changes. What I did was to try to go through the decision points and agreements yesterday and tried to come up with a question that led to -- basically the text I had written is based on the agreements yesterday.

There. So to start with, the first one: Have you identified any issues with the CWG names proposal? And what I tried to point out is that we actually have been discussing the trademark issues. And, indeed, we

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just did send what we agreed to this morning. So maybe this is something we should -- we should adjust the text accordingly.

So regarding the first A, Alissa is going to write a different text and we can come back to that. We do the editing offline, and then we come back with the text.

B: Do you have all the data you need to respond to the letter from NTIA? No. Of course, we're still gathering data. Like we said this morning, we'll probably wait for more discussions. We'll see at the end of the week what it actually looks like. And when we collect the data during this coming week, we are bringing that information back to the ICG, and then we'll see what we are going to respond.

Any comments on that?

Paul?

PAUL WILSON:

Hi, Patrik. Paul Wilson here. I was wondering about question A. It seems a very short answer, and I'm not sure of everything that was discussed yesterday, of course. But there are -- I'm surprised if there are no issues regarding PTI or the customer committee or anything. Maybe that's the sort of issues that Alissa will add.

But if, indeed, the only issues that we are dealing with are the CWG puzzle or the IANA trademark issues, then that sounds good to me. I'm just a bit surprised it is such a short answer.

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On B, I assume that's the letter about implementation. But that's not at all clear from the question or from the answer given. So if this is going to be a written sort of FAQ, then I just suggest to clarify which letter we're talking about and perhaps what is the type of data that's still being gathered. For instance, if it is data pertaining to the implementation, impacts, and issues, I suppose. Thanks. That's all.

PATRIK FALTSTROM: Thank you very much, Paul.

Yes. Now, when you point it out, I agree that A should point out both as we have found the issue regarding the trademark but also that we are working on the preassessment, which means that we sort of reserve ourselves from making a final judgment on the proposal.

Is that -- did I understand you correct?

PAUL WILSON: Yeah, great. That makes perfect sense. There's plenty more to be looked at with the CWG. In other words, this is not an exhaustive answer. Thanks.

PATRIK FALTSTROM: And regarding B, let me say that just because -- when I wrote this down, I didn't envision this to be something in an FAQ that we're going to publish in writing. Of course, everything we do is available, including drafts which means that everybody can see what we have typed anyways.

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But this is -- the idea with this was to be sort of a starting point of text that we can use when we are talking to people and asking questions.

Of course, we all remember when we wrote the FAQ -- and I'm looking at Manal now -- how much we can -- how much time we ICG members like to spend on wordsmithing FAQs and answers.

And let me just encourage people. This is just examples of questions and answers that we can base our responses to. The intention was not to try to find something that is absolute correct. Of course, there should not be anything wrong either.

So regarding the letter from NTIA, yes, that could be clarified that we are talking about the letter from Secretary Strickling to the ICG chairs. That's what we are talking about. So, yes, that could be spelled out better.

Lynn?

LYNN ST. AMOUR:

Thank you, Patrik.

I'm wondering if it makes -- first of all, I think this is great and it's a huge, huge start. I'm wondering if it makes sense to group them by category. So, for instance, to say in the CWG space, this is a series of comments or questions so that if people are in that community or that meeting they have everything there which is sort of a set of scripted talking points, not that I'd expect anybody to read them here. But this would also be the place where you could put in what the two stated

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positions are at the moment about the PTI. That's bound to be a really obvious question from the group here.

So to the extent you could say the IETF at this point intends to continue the contract with ICANN as they await further details on the PTI, we don't see any implications to the IETF proposal at the moment. I mean, that's a really high-level summary.

But those are the questions I think this community is going to have. And maybe that's a different way to articulate all the points in a way that really helps move it forward.

PATRIK FALTSTROM:

I think that's a good idea. Should we then -- let me then suggest that we start by going through these questions and then we can take on a task to sort of reorder them, whatever.

They are written in the order in which they happen to be in the notes from yesterday. That's basically why they are in the order they are. But let's take that into account, that we are grouping them.

Question C: When will you have sent the response to NTIA? And this is also related to the question on the time line from Secretary Strickling. And we just -- here we point out that we are drafting and discussing the letter at the sessions that ICG do have at the meeting here in Buenos Aires.

Manal?

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MANAL ISMAIL: I recognize it's not a written communication, but isn't it worth noting that the target date is end of June?

PATRIK FALTSTROM: Yes. That's a good addition, yeah.

So, yes, because this example question actually asks about specific time line. And, yes, we are aware, of course, that the target date is end of June. So that's something we can say as well.

Then question D, it goes back to the CW names proposal. Just like you point out, Lynn, it jumps back and forth here. So that's something that should be moved to the other questions where there is more specific question.

Have we started to evaluate the CWG names proposal? I tried to point -- I suggest that we're pointing out that, first of all, we don't have the final proposal. But even though we don't have the final proposal, we have a volunteer group that is working on individual assessments or maybe it should even be preassessment of the names proposal as it is passed to the operational communities.

And Alissa is taking notes.

E: Have you started to evaluate the three proposals? And the intention here was to -- and that should also clarify in the question if we have started to evaluate the three proposals together, whether there are overlaps and all the other requirements that we are talking about.

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And what I heard yesterday is that, no, we are -- we have not started -- we will not start doing that before we have all three proposals which means that we -- as we said in the previous question, we don't have the final CWG names proposal yet. But I think we could point out that we do have a volunteer group that will start to do the individual assessment as soon as the combined proposal is available.

Paul?

PAUL WILSON:

I just wanted to echo Manal on both -- on D and probably E and the rest of the responses as well, that wherever we can give target dates or expected dates for any of these processes, it would be useful to do that because I think that's an obvious sort of secondary question to many of the answers, not just what you are doing but when. So as much as possible, I think indicative or committed dates would be useful.

PATRIK FALTSTROM:

Thank you very much. Yes, I agree. That's something we can do for the dates that we also agreed to yesterday. Actually, that we said that the individual assessment was, I think, July 7 for the preassessment of the names CWG and for the combined assessment one week later which then ends up being July 14 or 15, right, provided that we do get the final version of CWG names proposal as we hope. Thank you, Paul.

Can we scroll down, please? Thank you.

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Sorry, Milton. I didn't see that. Milton.

MILTON MUELLER: So when you say: Have you started to evaluate the three proposals? My impression is that we did evaluate two of them. So what you're talking about is the three together, right? You might want to clarify that. And actually it might be helpful in your answer to say that we actually have evaluated the proposals that we have.

PATRIK FALTSTROM: That's a good point, yes. What I was -- what I was thinking -- or my intention yesterday with the question was: Have you -- just like you said, have you started to look at overlap or gaps between the three proposals. So that's really what we are after.

But you are absolutely right. Two of them we have evaluated, yes.

Paul, is that an old hand or do you have a comment?

PAUL WILSON: That's an old hand.

PATRIK FALTSTROM: Thank you.

F. The question is: What will the public comment process look like? I envision that we will get that during the week. People want to know when they can give comments and how.

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I propose that we are just saying that we are still discussing the details. We do have a volunteer group that look at formulating public comment questions. And I see Lynn suggest we should just stop there.

LYNN ST. AMOUR:

Yes. I mean I think to help steer responses in a common direction is not what you meant. It's misleading. I would just stop it after the public comment.

PATRIK FALTSTROM:

Maybe it was my intention.

[ Laughter ]

No, I think you're right. And regarding the public comment period, the question is how much we should talk about when -- just like Paul asked about the time. The follow-up question, of course, is when will this be sort of public comment. And if I remember, when we were discussing the time line yesterday, in our time line, we thought -- if I remember correctly what we talked about yesterday, we were thinking about discussing the public comment in detail on the third telephone conference call in July. The first one was for the names CWG proposal. The second one was for the combined assessment. And the third one was in the public comment period.

Manal.

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MANAL ISMAIL: First, I support, of course, Lynn's suggestion. But was also going to ask whether we should add a question regarding whether the ICG plans to have only one public comment period.

I think we have an answer to this, that we do not intend to repeat the public comment on the individual proposals. And we expect that people will be commenting on the overall. And we expect that it would not take more than one public comment period but the option is not excluded, I mean, if need arise.

PATRIK FALTSTROM: Yes, thank you.

Alissa?

ALISSA COOPER: Just in response to the last thing that you said, Patrik, I don't think we have fully decided when we will discuss the questions for public comment. And just knowing we have limited time on the calls in July, first of all, we definitely will have to get some of this done on the mailing list.

And, second of all, I don't think we really need to commit too far on that one because it just needs to be done before we do the public comment period -- before the public comment period opens. So it might be the case that we do it earlier in July or not. But I'd rather us not commit.

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The thing we have committed to is doing the public comment period in August. So we know it will be done by then somehow, whether it be by mailing list or phone call.

PATRIK FALTSTROM: So did you just propose that we should say something about August time frame, that the public comment according to our time line, we envision it to be somewhere around August?

ALISSA COOPER: That's fine.

PATRIK FALTSTROM: G: Have you started to write the common proposal yet? And the answer there is a no, but trying to find -- I tried to find some kind of wording that we are preparing to be able to do that. We do have the group -- the drafting team for a combined proposal preface/introduction/executive summary. Maybe that is something we don't have to say. But as it is something we decided and we have the drafting team, why not mention it.

Manal?

MANAL ISMAIL: Should we also know that the three individual proposals would be attached as received by the operational communities?

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PATRIK FALTSTROM: Personally I don't see any problem saying that as part of the response because that is something we agreed to, that we should pass on the three proposals as they are in one way or another. As it is now, if I understand what the consensus of ICG is correct, we talked about having it as attachment or appendices and then we sort of add a cover letter which includes the executive summary that we are starting to plan and a few more things that answers -- that is sort of our production.

Alissa?

ALISSA COOPER: Maybe we can just phrase the question as: Have you started to write the ICG's components of the common proposal? Right? Because we're not really writing the proposal. It's already written.

PATRIK FALTSTROM: Yes, that's a good idea.

Manal. Oh, Lynn, sorry. Lynn.

LYNN ST. AMOUR: I'm always happy to follow Manal.

[ Laughter ]

I wonder to even be more direct that this is an assembled proposal or something which talks to the fact that we're actually assembling pieces and we will address some of the ICG specific.

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PATRIK FALTSTROM: Maybe it is the case that we should come up with the wording that we should use sort of repeatedly. So maybe "combined proposal."

Yeah, Manal?

MANAL ISMAIL: I was just going to ask whether we are trying to come up with answers to questions that might arise or are these key messages or things that we are going to -- because, I mean, if we are rephrasing questions, then what if this specific question was raised? I mean...

PATRIK FALTSTROM: In this case, the text you see on the screen, I started with the text and then I wrote the question, okay? But in reality, when doing these kind of things, of course, we should write down the questions we think we really will get. And those should be the tough questions. We should not list the easy questions that we already know the answer about. But maybe it is the case that we should just go through these and then we can say: Do we around this table have other difficult questions that we think we will be asked? And then we try to come up with answers to those.

H. How are you coordinating with the CCWG accountability? And I point out that we have a volunteer group, including liaisons or contact persons, to continue to flag issues in the CCWG accountability, like we decided yesterday.

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Okay. Scroll down.

And then I tried to come up with other kind of sort of questions that people probably will ask us, and here's where the text is just completely invented by me and it might be the case that we should have completely different answers.

The first one, of course, "Will you be done by September 30, 2015?"

And I think our current estimate says that more time is needed than between now and September 30. Yeah.

Paul?

PAUL WILSON:

Thanks, Patrik. Paul here.

The -- I think the follow-on question to that is what happens, if we can say anything at all, with the renewal of the IANA contract, but there will be questions about whether it's going to be renewed for two years, and if so, can it be -- will it then be cancelled early, as in say on September 30th, or will it be renewed for shorter periods, et cetera, et cetera.

I mean, I hope that those -- if we don't have answers to those questions, anyway they become clearer in the coming week, so I'm just pointing out that --- follow-up questions.

PATRIK FALTSTROM:

Alissa?

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ALISSA COOPER: I think if we got one of those questions, we could redirect to Larry Strickling, who's here and I believe has his answer, since that's not really up to us.

PAUL WILSON: Okay.

PATRIK FALTSTROM: So, Paul, I think the other part of that question and answer is that we have got the question from Strickling regarding the time line and we already have answers to those questions that we're working on in response to the letter from Strickling regarding potential extension.

But then of course, as Alissa says -- I agree with you Alissa -- that whether there will be -- the contract will be extended or whatever is a question to NTIA.

The next thing that I -- question that I sort of come up with is "If people do not like the proposals, can they object to them in the ICG public comment period?"

And what I was thinking of here was trying to find one of many potential questions where the default answer from ICG would be that - - what we have been talking about repeatedly, that we have a specific charter to look at overlap and gaps and conflicts between the various proposals, and if people had issues with the proposals, in that case they should have participated in their respective communities.

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Whether -- there could probably be like 500 different kind of questions that should lead to the right -- or to the same answer. I don't know whether this is the correct answer. I don't know whether this is an example question. But that was my intention. We need to have something there, and I think it's important that we have one answer that we agree on that we -- where we try to explain our mandate, and I don't really know what the correct text should be.

I'm a little bit uncomfortable with this text because it might not explain well enough to the people what I'm after.

I see Milton, Mohamed, and Manal.

Milton?

MILTON MUELLER:

Yeah, I think we just have to accept as a matter of reality that people who don't like the proposals are going to tell us so during the public comment period, and they have every right to do that as --

You know, the final result is supposed to have broad public support, and if they didn't get what they wanted out of the operational community process, then they can say, "We don't like this. We don't like the whole thing because of that." Or maybe they don't like other things too. But I don't think we can limit them to saying, "We don't like what you, IC-" -- "We don't like the way you stitched the proposals together." That's kind of a little too technical for -- and I really don't think it really meets the NTIA's mandate.

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Essentially this is the final test. Maybe there is a critical mass of people who were isolated in any given operational community process, but then when they gather together, looking at the whole proposal, they'll be a significant force.

Of course I don't want that to happen, but it's just -- it's just the way it is. It's the way things are going to happen. People are going to take this as the final stamp of approval or the final stamp of opposition for the thing as a whole and we just better be prepared for that.

PATRIK FALTSTROM:

Yeah. What I -- I agree with you, Milton. What I feel that we might have explain, but maybe we don't have to, is the difference between us --

Of course people can respond whatever they want to us, as you say, and they will, okay?

I see a different -- I see maybe --

So my question to you is: Do we have the need to explain to people that (a) we cannot modify the proposals but we will use their input as an indicator on whether we believe -- which we should judge whether the process within each one of the operational communities was sound or not.

MILTON MUELLER:

In responding, is anybody else in the queue? Wolf is in the queue.

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PATRIK FALTSTROM: So let's take the others in the queue. Mohamed, Manal, and Wolf-Ulrich. Mohamed.

MOHAMED EL BASHIR: I think we need to really draw the difference between the objection of the submitted proposals, which it went through an extensive consultation period, and comments, and maybe objections on our assembled or at least on the final proposal.

I think the language needs to be really refined. Either we break -- maybe we have two questions. One could ask, "If you're not happy with one of the submitted proposals, are you able to object in our comment period?"

And then we need to explain why we are not accepting this because basically there is a process through the community that has been done and we cannot change that -- those proposals.

And another question which clearly asks about the comment period. I mean, are you able -- are they able to object in our comment period for the assembled proposal?

But the question needs really to be maybe rephrased or broken down.

PATRIK FALTSTROM: Manal?

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MANAL ISMAIL: Thank you, Patrik. And I was just going to suggest that the question reads, "If people do not like the individual" -- "If people do not like individual proposals." Because I think this is where the "no" comes from, if they want to object to individual proposals.

And maybe in the answer we can also highlight that the comments should focus on the overall proposal in terms of workability, accountability, and the categories we have in our questions.

PATRIK FALTSTROM: Thank you. Wolf-Ulrich?

WOLF-ULRICH KNOBEN: Thanks, Patrik. Here's a very specific question just related to the question: "Do you like it or not?"

And -- well, as Milton said, you know, you can answer whatever -- whatever you like, and I think we should just communicate that we have -- we will come up with a specific set of guidance or guiding questions throughout the public comment period, as the other communities did through their comment period, and we are going to focus on these questions.

The question behind of this question is not, "Are you going to -- can you object." The question is, "What does -- the ICG will do with your objection." And then we can focus on that.

So we rely on the questions. We are sitting here, and whatever you have on additional comment, you are free to do so. Thanks.

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PATRIK FALTSTROM: Thank you. And then Paul?

PAUL WILSON: I'm just agreeing with Milton that people really have to be able to have the chance to put objections on the record, even if the ICG can't actually deal with them or respond to them, and if not, then we should explain why in terms of where we are in the process.

But I think the other thing is to make it clear that other issues pertaining to individual proposals need to go back to the communities and find some solution or expression there.

I'm not sure whether we can say that the community processes are ongoing, but there is at least an implementation and there's a community that exists into which those issues would need to be taken. Thanks.

PATRIK FALTSTROM: Thank you, Paul.

Let me also add to the minutes that when you specifically talked about the -- your first statement here, the need for -- or the ability for people to put their objections on the record, there were a lot of noddings in the room and I would like that to be in the minutes.

Milton?

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MILTON MUELLER:

So I just have some proposed language.

So the question being, you know, "What if I don't like the final proposal?"

"Answer: You can express support or opposition for the proposal as a whole or for any part of it, but if some part of the proposal does not obtain the needed public support to go forward, the ICG cannot modify it. It can only send it back to one of the operational communities for modification. Thus, critics must be mindful of the amount of support their proposed modification would get from the affected operational community."

Is that too complicated?

ALISSA COOPER:

Can you paste it in the chat or something? I don't think --

PATRIK FALTSTROM:

Xiaodong?

XIAODONG LI:

Regarding this question, I'm curious if people -- what is "people"? That means ICANN community, so all the stakeholders. So I think firstly, if there's some kind of newcomer making the public comment for the different community before they submit the proposal to ICG, I think they have a chance to review the proposals and give their opinion.

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The second, for the public comment, I think that anybody can give any kind of comment, including objection or not.

So we cannot stop that. It's their right to give their comment.

Yeah. That's my opinion.

PATRIK FALTSTROM: Thank you. And I think I do see a consensus that we cannot say anything in the form of trying to tell people that they cannot give negative comments. Of course they can. If the question is --

XIAODONG LI: Yes, Patrik, but there needs to be very strong message on behalf of ICG on this issue.

PATRIK FALTSTROM: Yes. Yes. Thank you. Michael?

MICHAEL NIEBEL: Yes. I concur that everybody can make comments. Of course. But I would like to reiterate what Wolf-Ulrich said. We should not create or have the expectations that there is a revision of the processes that have taken place, so they shouldn't have the expectations that the issues that have been dealt with in the communities, as such, will then just at the same time in a photographic manner, revisit it.

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It's only the new stuff. And I think that has to be made very clear at the outset when we invite for the public consultation what the expectations for the treatment by the ICG are.

PATRIK FALTSTROM: Martin? Yes, Martin. Yes.

MARTIN BOYLE: Thanks, Patrik. Martin Boyle.

Yeah, I agree with what others have said about the fact that we can't tell people what or what they can't put in, but I would certainly pick up on Michael's point that we ought to at least encourage them in the right direction.

In other words, putting it a little bit more positively, "This consultation is about."

And the other thing is that part of that explanation is that the proposals, the individual elements, have already gone through a consensus-building process, so they are already the subject of extensive consultation and extensive attempts to try and find a middle way between different people's points of view.

If people have that understanding, then it becomes easier to turn around and say, "Well, yes, but, you know, you have put this in before. There has been a response to it. We don't see why we should be putting any further work into that."

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So it really is a matter of setting the scene but trying to phrase it in a little bit more of a positive frame of mind. Thanks.

PATRIK FALTSTROM:

And then we have the addition that Paul made that for each one of the operational communities, their environment, of course, is evolving all the time, which means that if it is the case that what is proposed here is not really what people envision or would like, there's a change process that people can use for further evolution of each one of the -- of whatever.

Wolf-Ulrich, please.

WOLF-ULRICH KNOBEN:

Thank you.

I think Milton brought it up just right now, a point that the ICG may send back the proposal under certain conditions, and the condition is a question mark for me.

So I wonder whether we shouldn't be prepared for such a question, which is -- which relates to under which conditions the ICG may send back the proposal.

And this is not just the question of if somebody comes and says, "This proposal, I don't like it, and that's my answer." That is not a condition why we are going to send it back, but there must be -- should be some others which are generated from our charter under which we are going to send it back.

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I wonder whether these questions should also be raised here, or covered, at least. Thanks.

PATRIK FALTSTROM:

Well, at least we need to answer if we are asked that question.

Let's see. Joe?

JOSEPH ALHADEFF:

Yes. Thank you. I think I look at our charter and I completely agree with everybody in terms of our charter related to creating the proposal, but our charter also goes to making sure that the proposal as a whole meets the IANA conditions, and part of those conditions are support across stakeholder communities.

And while I agree that a comment from a disgruntled person who doesn't like a part of a proposal or a proposal as a whole is in no means a show-stopper and, you know, we may just be able to refer that back to the community or decide it's already been dealt with, but this is also the opportunity for people who haven't been part of the process to provide opinion. And if it seems like there is a substantial group that all of a sudden seems to have a problem, that's something we need to think about and deal with, and I think that is in our charter.

Now, the way we deal with it might be to forward that concern to the community that drafted the proposal, but I'm very uncomfortable by the way we phrased and answered this question.

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I think the positive phrasing would help this somewhat, but I also think we need to consider our charter.

Yes, in the creation we have a very limited role, but in looking at the conditions, part of that role is understanding the stakeholder community support for it.

And I agree that the consultation processes should have taken care of that, but we do have to have the caveat that if new people have entered the process and it seems like there is either a significant misunderstanding or a significant reservation, that's something we're going to have to deal with.

PATRIK FALTSTROM: Thank you. Alissa?

ALISSA COOPER: I was going to try to show the summary of the --

PATRIK FALTSTROM: Okay. Manal, yes.

ALISSA COOPER: Can you make me a presenter?

PATRIK FALTSTROM: Manal.

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MANAL ISMAIL: Just very quickly to support what Michael and Martin said, and also I would refrain from starting with a "no." So I mean, we can put -- try to explain the whole thing factually without -- thank you.

PATRIK FALTSTROM: Thank you. Milton, I think that's an old flag, right? Yeah. Thank you.

So let's now -- Alissa --

We are trying to display where we are.

ALISSA COOPER: So this is my attempt to incorporate what Milton said in the rest of the discussion. So the question now reads: How will the ICG respond if commenters object to the proposal? And then you can read the answer.

And I will say it does not speak to the question raised by Wolf-Ulrich. I think mostly because we don't really have an objective standard for how we're going to decide when something gets sent back. And I'm not sure that we can actually define one in advance.

PATRIK FALTSTROM: Is that something we should be prepared on being asked and we still need to know what to answer if we get asked the question? For example, a question like: Under what circumstances are you going to reject the proposals? And the answer is as simple as: If they don't

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fulfill the requirements listed in our charter because we don't know anything more than that.

Russ and then Elise.

RUSS MUNDY:

Thank you, Patrik. Russ Mundy here.

I like the wording that Elise put together on this.

The second sentence, though, that starts, "But if some part of the proposal," that's, I think, a little bit confusing as it currently sits because when I first read it, I thought it was addressing just the operational community -- one of the operational community parts of the proposal or if it was the whole proposal.

Obviously the ICG can modify the ICG's part of the proposal. But I think the wording just needs a little bit of clarification there, that would make it clear that if it's an operational community part of the proposal, we can't modify it.

PATRIK FALTSTROM:

Elise?

ELISE GERICH:

Hi, Elise here.

So I didn't take part in the conversation as I shouldn't. But just reading it, not having taken part in the conversation, it seems to me it

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would be more a positive statement if you started with the second paragraph and then followed it with the first paragraph. If I were an outsider reading it, it seems to me it would be better to start with the second paragraph and then have the negative bit at the end instead of at the beginning. But that's a comment.

PATRIK FALTSTROM: It's not a written document. But, yes, a lot of people are nodding.

Wolf-Ulrich?

WOLF-ULRICH KNOBEN: Yes, I'm nodding, too. In addition, this one sentence -- no, the second paragraph, yes. The very last sentence: The ICG can only send it back to one of the operational communities. I would suggest at the time being to leave it out because to my understanding, it would just open misunderstandings. Under which conditions? Because it is not clear.

And, indirectly, I think -- now given the first paragraph by saying "issues that have been thoroughly discussed and rejected are not going to be reopened but others," it means others will be opened. That's my understanding and that's enough. Thank you.

PATRIK FALTSTROM: Martin.

MARTIN BOYLE: Thanks, Patrik. Martin Boyle here.

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I think I've got two points. One on each paragraph, taking the paragraph that is now paragraph 1, issues that have been thoroughly discussed and rejected with an individual community process will not be reopened.

I think that could easily be presented in quite a positive light and say that issues that have been thoroughly discussed already have contributed to the development of the current consensus proposals or something in that way.

Because essentially what we're saying is, well, we're not going to reopen them. I think we should be saying why we're not reopening them because, you know, here it was the consensus that came out of a long process rather than just sort of turning around and saying that we're not going to accept them. We say what we are accepting is the consensus document.

The second paragraph, sentences that start with "but" I'm always getting told off for using them. What we're saying is if some aspect of the proposal does not obtain the needed public support to go forward, I've got no idea how we gauge that. But we're saying that -- I think here we would be saying if there were a large -- or significant number of comments opposing, then we would need to go back rather than something that is fairly vague about a needed public support to go forward. Well, what is the needed public support for going forward?

I think to some extent, what we ought to be doing is encouraging people, though, in that process to say they like it. It's always very, very easy when you're doing a consultation, particularly for a Brit, to

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concentrate on the bits you don't like and forget to say the things that you do like, which means that all you need is a few people to start saying "Actually, I don't like that bit" and you have got people who are opposed but you haven't got people who are in favor.

So, again, I think that phraseology could just be put into a slightly more positive way in such a way that we don't put ourselves in a position of trying to judge the unjudgable. Thank you.

PATRIK FALTSTROM: Alissa, Xiaodong, and then Joe.

Alissa.

ALISSA COOPER: I think the notion of gating when we send something back on the number of comments received from my perspective is a little bit troubling because we may have one commenter who sees something in there that everyone else in the world missed and we all go aha, we need to send this back to someone to fix this, right? We forgot .INT or whatever. Well, I think what we're wrestling with here is just that we have a lot of discretion that we've allowed ourselves up to this point. And so the condition really is if -- you know, if the ICG receives comments that they think require further consultation with the communities, that's -- we send them back. We don't modify it ourselves. And that's the condition, right? We decided this was necessary.

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PATRIK FALTSTROM: Martin. Martin Boyle.

I'm sorry to jump back into the queue here. But, yeah, what Alissa says I think is right, but it's not what is actually said here in the text. And so if we can pick up that as being if people identify serious issues with the proposals, then this is what we do rather than this particular approach in the text as it now stands. And then I would be happy. Thank you.

PATRIK FALTSTROM: Xiaodong.

XIAODONG LEE: I want to second the comment from Martin. I think if the community have a lot of objection about the proposal, we need to send it back to the community to discuss again.

But I think -- actually maybe it's impossible because there is a lot of discussion in the past years.

But as a response from the ICG we need to look at that. This is Xiaodong speaking.

PATRIK FALTSTROM: Joe?

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JOSEPH ALHADEFF:

Thank you. I think we have introduced a little bit of schizophrenia in the two paragraphs because in the first paragraph, we're essentially closing the door on reopening any of the topics that were discussed which deal with the elements of the proposals and then in the last one, we talk about if they don't gauge -- if they don't gain whatever we consider the public support level and however we measure it, then we send it back.

If the first one makes sense, then the second one can only apply to our elements of the proposal. If the second one makes sense, then we can't informally close the door on all the elements of the proposals. So we have to adjust the language to have consistency because right now it doesn't work within itself.

PATRIK FALTSTROM:

J.J.

JEAN-JACQUES SUBRENAT:

Thank you, Patrik. This is Jean-Jacques. I would like to point out what Alissa pointed out a moment ago. My comment is about the second paragraph here. At this stage, I don't have any concrete proposal to make as regards the wording. But I would like to point something out which also follows on Martin's remarks and Alissa's remarks.

I think that Martin first said "depending on the number of people who support or do not support a proposal." And Alissa pointed out quite rightly that that would open the door to another type of difficulty

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which is: How do you judge a threshold and the relevance of the objections?

Instead of that, could we introduce the notion that we have to measure against measurable things? We didn't establish the criteria ourselves. They were imposed by the authority which is the NTIA. So it is against the standards or the criteria proposed by the NTIA that there would be standing or not on the part of commenters to challenge or not challenge what we have assembled.

I think that is the only criterion which can stand the test of relevance.

PATRIK FALTSTROM:

Alissa?

ALISSA COOPER:

I put myself in the queue to respond to Joe. I think -- I think, Joe, the -- the two paragraphs are not inconsistent because it's possible that we receive a comment about an issue that was not thoroughly discussed and rejected within one of the community processes but is very specific to one of the proposal components. So it is -- you know, it doesn't meet the bar in the first paragraph nor is it only about the whole proposal. So that's -- that's what the text in the first paragraph was meant to get at.

I've tried a reformulation in the second paragraph, which is different from what Jean-Jacques just suggested. But at least there's words there now.

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PATRIK FALTSTROM: Thank you.

Lynn?

LYNN ST. AMOUR: I like the formulation that's showing in the chatroom at the moment. But I might suggest that the last word should be "review." We're not necessarily insisting that they need to modify it. They just need to take the comments into question and review.

PATRIK FALTSTROM: Thank you.

And then I think it was the last question I posted: Can transition happen for one of the operational communities and not the others? And what I tried to do is to refer back to NTIA that stated that they want the complete proposal before they evaluate the situation.

I point out that things can happen. Many things actually must happen before the transition. But for this one, I don't remember what was the correct words. But we will be asked the question.

Manal?

MANAL ISMAIL: I'm not sure either what was the correct words. But I was just wondering whether we have agreed that -- let me read it. NTIA has

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stated they want a complete proposal before they evaluate the situation.

That said, comma, once the final proposal is submitted and evaluated, comma, nothing -- I mean, can we introduce this? Does this reflect our agreement yesterday? Or am I misinterpreting our conclusion?

PATRIK FALTSROM: I think that is correct.

Alissa?

ALISSA COOPER: I think there are implementation steps that can take place even before the proposal has been submitted to NTIA, like the RIR consultation on the SLA and so forth. So those things are already happening now. Maybe people don't like that they are called "implementation steps," but to me that's what they are.

PATRIK FALTSROM: Okay. I think what we have an issue with there is "implementation," what do we mean by that. Because there are, of course, things that should be implemented, done or changed, otherwise NTIA will not do the transition which means terminate the contract.

So by definition, some things need to be implemented before the transition is implemented so that -- so maybe that is where we have

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the terminology issue. And to some degree that was some of the confusion that we had yesterday.

MANAL ISMAIL: Before the submission or before the transition is implemented?

PATRIK FALTSROM: As Alissa said, certain things can be -- certain things -- let me try not to use the word "implemented. Certain things can happen and is happening now even before -- before even all the proposals are evaluated.

Jean-Jacques?

JEAN-JACQUES SUBRENAT: Thank you, Patrik. Early on I had immediately indicated the danger of the word "implementation" in the administrator of NTIA's letter to us.

Here I would suggest that we keep the word "implementation" strictly for the stage at which the U.S. government having approved the transition plan is then implementing it. Every other step should -- we should find other words for that.

For instance, we can use adaptation or adapting or things like that. But keep the word "implementation" really for the last step, which is a political decision. Thank you.

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PATRIK FALTSROM: Joe, you took down your hand?

JOSEPH ALHADEFF: No. I lost my connection to the Web, so my hand is still up.

PATRIK FALTSROM: Okay, so please speak up.

JOSEPH ALHADEFF: Thanks. Yeah. I think the concern Jean-Jacques highlights is a good concern. But I think the solution may be one that's a little more harsh than needed.

I think we can talk about -- because, for instance, doing research on the SLA is different than executing an SLA in place. The implementation step is the exclusion of a new SLA. But doing the work they're doing now is preparatory steps towards implementation. So perhaps we can characterize things in that fashion.

PATRIK FALTSROM: I'm looking around the room to see what people's reaction is.

Some nodding. Some people need coffee.

Russ?

RUSS MUNDY: Russ Mundy. Yeah, coffee does sound good.

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I think as was mentioned a little earlier, the term "implementation" is a difficult term in this case because many different activities have different understandings of what "implementation" means. Somebody such as myself with an engineering software background, implementation is when you write software.

[ Laughter ]

And someone with a more political or contractual background, "implementation" is when you sign or end a contract. Two extremely different kinds of things. And I'm sure there are a lot of other variants.

And I think Jean-Jacques' suggestion that we be very careful how we use the word is a good one. I'm not certain how we should restrict that, though, especially since one of our current documents that we're trying to respond to points to implementation. And I think many of us even have a different understanding of what that means there.

So in terms of our questions here, perhaps for what we publish, we do need to just avoid using that term "implementation," since it's just too vague.

PATRIK FALTSTROM:

I agree with you if it is the case that we agree that we should stop using it in the answer. On the other hand, we will be asked questions where the word "implementation" most certainly is in use.

So what I think -- what I think we have a consensus about here is that, yes, there is confusion on the word "implementation," so whenever

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we are responding to questions, we should try to not use that term and instead talk about what we really mean when we are answering.

Narelle?

NARELLE CLARK: Narelle Clark, for the record.

Are we talking about migration to a new regimen of operation? Something like that? And that there are steps involved in this migration that may take place in parallel?

PATRIK FALTSTROM: Elise?

ELISE GERICH: Elise here. I guess you're looking at me.

[ Laughter ]

So there are some steps that will make changes in organizational structure, as well as in operational activities, as well as the need for instrumentation and development in order to deliver on some of the expectations, and those are not just from one community. I know that most communities think that it's just the other community that -- but there are some steps that will be -- have to be taken in implementation and it's a very small staff that's being asked to do all of them.

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And I think just like all of us have to prioritize our work projects when we have work projects, when we get the full set of recommendations and requirements that have been adopted, it will be an easier task to then scope those things and say how they can be interwoven or how they can be developed in parallel or how they'll have to be sequential.

But right now, I think a lot of it is speculation, but from what I look at the workload for my team, it will be fairly significant for some of the things we're being asked to do.

PATRIK FALTSTROM: Manal?

MANAL ISMAIL: So I'm just trying to make sure I'm on the same page with everyone else.

So my understanding now is that there are some preparatory steps or actions that may take place prior to submission as preparatory steps or actions, and then implementation of the submitted and approved proposal which again may take place sequential or parallel regarding the implementation steps.

Does this --

PATRIK FALTSTROM: Alissa and Joseph and then --

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MANAL ISMAIL: -- make sense?

PATRIK FALTSTROM: Alissa and then Joe and Paul.

ALISSA COOPER: Yes. I agree with that.

I think just to illustrate by example, we have information back from multiple communities that says the incorporation of the PTI might take three to four months.

So just forgetting when that happens, clearly it doesn't happen like all at one time. There's lots of things that need to -- documents that need to be drafted and legal reviews that need to occur, and all of these things can happen -- you know, have to happen over a period of time and not on one day.

The contract expires on one day. It's there one day and it's not there the next day. So it's -- they're -- they have a different nature.

Now, whether the preparatory steps for implementation start now or they start after we submit the proposal to the ICANN board or they start after NTIA has certified the proposal and approved it, from my perspective that is up to the individual communities to decide how confident they feel in the proposal, how much they think it's really tied to the NTIA time line at all, right? Some of them, like the IETF and the RIRs, when we have an SLA, we're just going to try to update it in the meantime, right? So I don't think we need one kind of overarching

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answer to all of this. We just need to understand that there's going to be implementation steps that will take some amount of time and might occur at different phases of this process in relation to the contract expiry which will happen on a particular date sometime in the future.

PATRIK FALTSTROM: Paul?

PAUL WILSON: Yeah. I guess I was really just wanting to empathize with Manal's concept about implementation because it did occur to me in talking about a staged -- certainly a staged implementation, but it applies even to a sort of all-at-once implementation that once the ICG is disbanded, then the actual responsibility -- global responsibility for coordinating or validating or managing or overseeing the implementation is not clear. I think certainly NTIA doesn't want that responsibility, probably couldn't take it on. I don't know if the central parties, either the -- the members themselves or ICANN can take it on.

And since we have a single coherent --- we really --- and, I'm sorry, this might have been discussed before at some point --- implementation approach and implementation --- mechanisms --- thank you.

PATRIK FALTSTROM: Paul, a lot of people in this room are curious about where you are --

[ Laughter ]

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PATRIK FALTSTROM: -- because it sounds like you're sort of in the middle of a shopping center or something.

PAUL WILSON: I'm in the -- in a lounge in the San Diego airport and a bunch of kids just wandered in, so I will move so it sounds a bit less chaotic.

PATRIK FALTSTROM: Paul, don't be so worried because the -- at least the transcription do catch everything you're saying so we can -- the combination of listening and reading, we do get everything that you said, so thank you very much.

PAUL WILSON: Okay. Okay.

PATRIK FALTSTROM: Okay. So let's move to the last two questions, so one of the questions was this one: What about CCWG accounting and the time line? Is that acceptable for the ICG?

My proposed response is that as everyone else, we are waiting for the -  
- the conclusion of the CCWG accountability on the feedback that they got during their open consultation. So basically we are waiting for more input from them, which means that my suggestion is that we try

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to not answer any question regarding like taking on whether we think they are off track or on track or whatever.

Okay. And the last question: Is ICG satisfied with the CWG names proposal? And the response there that I suggest is that we are -- that, first of all, that we have started pre-assessment. We have not received the final proposal. We do know that the chartering organizations have until June 25 to respond. And we are -- and then sort of between -- then of course it's part of our charter to evaluate whether -- whether the process that has been used by CWG names is fulfilling all of the requirements regarding multistakeholder, et cetera, which means that we are looking at -- we are specifically looking at how CWG names is taking care of their -- the input that they might get.

Okay. No -- Lynn?

LYNN ST. AMOUR:

Just I think "satisfied" is an odd word, but I'm probably low on caffeine at the moment. In the question.

PATRIK FALTSTROM:

Okay. The question, of course, can be however weird. If I was the one that walked into the room, I would ask you probably a question that would be even more weird, okay?

I think we should then concentrate on the answer more than the question, but I do understand what you -- what you -- your issue with the word "satisfied."

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Xiaodong?

XIAODONG LI:

I like the word "satisfied" because people may ask members if they are satisfied with proposals.

But the answer -- actually, we have interaction with the strategy, so to also Alissa give email to strategy about the trademark issues, so there's some kind of interaction. We need to tell the community we have interaction and communication with the CWG. We cannot say that is simply satisfied or not satisfied. Okay.

ALISSA COOPER:

So Xiaodong, did you want something to actually be added to this or is it okay because the previous question talks about the interaction with the CWG?

XIAODONG LI:

This is Xiaodong speaking. I think the current response about this question is very diplomatic.

[ Laughter ]

PATRIK FALTSTROM:

And as a follow-up question, do you see that being a positive or negative thing?

[ Laughter ]

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Okay. Manal?

MANAL ISMAIL:

I was just wondering whether this goes with the Question 8: "Have you identified any issues with the CWG names proposal?"

I mean, it's more or less the same question, right? Whether we have issues rather than whether we are satisfied? Sorry.

PATRIK FALTSTROM:

Yeah. No, no. I'll let Alissa merge the two by maybe deleting one of those responses.

So those were all the sort of questions that I came up with, based on the discussion that we had yesterday.

Let me ask you if anyone have any tricky question that you think we will be asked, please. I open up the floor.

Alissa?

ALISSA COOPER:

So there was one question that Lynn mentioned at the beginning of this discussion which I've included here: "Is the CWG's proposal for the PTI consistent with the other two communities' proposals?"

I did not write an answer because I know that the other communities provided comment to the CWG and they have their own answers to this question, so I wasn't exactly sure.

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A good answer to this would have involved going back and looking at exactly what they said and parroting some of that, and I didn't have time to do that, but if you think you -- if you have it in your mind, I'm happy to write it down. So...

PATRIK FALTSTROM: Lynn?

LYNN ST. AMOUR: I mean, I can take a shot at it. I note that Paul also said in the chatroom that the RIR position was about the same as well, so maybe he can even give us the RIR. Or Alan. But since Paul actually said he was on it earlier. And I'm happy to try and do the IAB/IETF one.

PATRIK FALTSTROM: Joe?

JOSEPH ALHADEFF: I think we know the answer to the question but I think we might get some answer from people who are confused about the accountability work stream in general and our work, so we may want to just have some text about the clarification between the two.

PATRIK FALTSTROM: Narelle? Oh, sorry. Wait a second. Alissa?

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ALISSA COOPER: Joe, can you phrase that as a question? What is the actual question you think we would get?

JOSEPH ALHADEFF: I think the question would be something along the lines of how has the ICG dealt with some of the accountability issues in ICANN or something of that nature, because I think people are seeing the IANA transition and the fact that we have accountability within our communities may confuse some of them with the more general accountability conversation which is outside of our remit.

PATRIK FALTSTROM: Narelle?

NARELLE CLARK: Narelle Clark. I thought we were still at the "Is the CWG's proposal for the PTI consistent with the other two communities," and I was going to suggest the answer that "The operational communities are actively discussing this at this time. We suggest you go there."

PATRIK FALTSTROM: Alan?

ALAN BARRETT: Yeah. Hi. Alan Barrett. So Lynn asked for a comment. I think that the CWG proposal is probably workable. We do have some issues to resolve, especially around the IPR. And, you know, I think the RIRs will

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discuss that with the naming community and I think we can work something out.

There are some parts of the proposal that I think could be clearer where it's not always clear whether some aspect of the proposal is supposed to apply only to the names part of the IANA functions or to all of the IANA functions as a whole, but, you know, also I think that can be worked out.

So, you know, that's not exactly an RIR position. That's my personal comment. But thanks.

PATRIK FALTSTROM:

So we got a reminder from the interpreters that we are not very good at stating our names before making intervention, which, of course, I didn't do for this intervention either. My apologies. This is Patrik Faltstrom, for the record.

Alissa?

ALISSA COOPER:

Okay. So I've tried to organize the questions by topic, as suggested, so we have the CWG names and then we have accountability, we have a couple related to the NTIA letter, and then we have a lot related to the proposal finalization process.

And that's the end.

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We have two that don't have answers, which are the one just suggested by Joe.

Maybe, Joe, if you want to write an answer into the chat, that would be excellent. And then the other one about the PTI -- maybe let's try to close on this one.

I actually -- I think I actually agree with the sentiment behind Narelle's comment, which is that as the ICG we haven't really come to a conclusion on this matter and I'd rather defer to the operational communities. Is that acceptable? Okay. Let me try to write that up.

PATRIK FALTSTROM:

Okay. It seems to be the case that we are almost done with this portion of the session. We still have some time left before the coffee break and then we have more time allocated, but we do also know that people are interested in going to other sessions today, so my suggestion would be that we are taking a 10-minute break and then we summarize the day and end.

So we give the secretariat -- our secretariat let's say 15 minutes, so let's say at 1445 we gather again and summarize the day and bring up whatever issues we have got to talk about. Thank you.

[ Break ]

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ALISSA COOPER:

Okay, if people could take their seats, we're going to wrap up.

We are almost done so let's finish. You can see on the screen the action items from today. We just had two: The secretariat is setting up a meeting for the communications subgroup to meet with the ICANN staff and each other early in the week. Sounds like it's going to happen tomorrow. And I sent the letter about the trademark and the domain name to the CWG. So that's done.

Then we had three decisions. We agreed that once the CCWG Work Stream 1 output is finalized and sent to the SOs and ACs, we will seek confirmation from the CWG that their requirements had been met. We had the volunteers for the communications subgroup. You can see them on the screen.

And we will carry forward the discussion of the response to NTIA to Thursday when we have a little more information about what has happened during this week and after we've had a chance to get heads together with the CCWG folks.

Given what it looks like we have left for Thursday, we might shorten our session and start it later so that it doesn't coincide with the CWG and the CCWG working sessions on Thursday morning as it does right now. But for the -- but for now, we're going to leave it from 9:00 to 1:00 because you never know what can happen between now and next Thursday. But we will make a determination on Wednesday and make sure everybody knows what time we're starting and what the agenda is on Wednesday.

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And with that, I think we are done. Any other substantive business?  
Yes, go ahead.

JEAN-JACQUES SUBRENAT: Thanks, Alissa. This is Jean-Jacques. Just a very small remark on summary of decisions taken on point number 2 -- sorry, that's not the one. Sorry, summary of decisions taken, number 1. This morning I had suggested the ICG will seek confirmation from -- and I thought you had said yes, but I don't see this reflected here.

ALISSA COOPER: Good point. If the secretariat could make that change. Yeah, sorry. We're just working too quickly.

Anyone else? Okay.

So with that, I would like to thank everyone. I think we had a really productive day and a half, which is always nice to get a few hours back. Special thanks to the secretariat for accommodating -- (applause) -- many, many last-minute requests. To the interpreters.

[ Applause ]

And to the tech team for making this all work.

[ Applause ]

Have a good meeting. See you on Thursday.

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JEAN-JACQUES SUBRENAT: And thank you to the chairs.

[ Applause ]

ALISSA COOPER: We're done.

**[END OF TRANSCRIPTION]**