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BUENOS AIRES – ICG Working Session 3
Thursday, June 25, 2015 – 09:00 to 13:00
ICANN – Buenos Aires, Argentina

ALISSA COOPER:      Good morning, everyone.  This is Alissa.  Hi!  It sounds really loud.  Is it really loud? Yeah? Okay.  I can sit back.  Lovely.

So here we are, the ICG's Day 3 meeting of this face-to-face.  You can see the agenda up on the screen and in the Adobe Connect room.  I think we do have -- at least Mohamed is joining remotely, so make sure you all join the Adobe Connect room.

And we will jump right into thoughts from the ICANN week.  I -- just one kind of administrative item is that a lot of the documents and materials we have on the agenda today came in kind of late overnight.  I assume lots of folks haven't had time to fully digest them, so we might use our time today to just have the people who have been writing or editing them give a -- give an overview and if you feel that need more time, you're probably not alone, so don't worry about that.

So with that, I will hand over to Patrik for thoughts from the ICANN week.

PATRIK FALTSTROM:      Thank you very much.  What we were thinking of is to -- we were thinking of giving the ability for ICG members to express their view, the information that they have got, the feeling they have on the status of

the work of ICG and CCWG accountability and other processes that are related to our work, and I am hereby opening up the floor.

Alissa?

ALISSA COOPER: So for those who didn't attend the CWG this morning, which might be most people, we have confirmation that the CWG will be sending the names proposal to us at the -- after the conclusion of their meeting, which is at 10:00 -- they're finishing up at 10:00 this morning, so approval came in from all of the chartering organizations, and therefore my thought from the week is that we are now on the clock and we have a lot of work ahead of us, particularly this month, until we get to the public comment release period, and then again in September when the public comment period ends.

So hopefully everyone is prepared for that, but that -- that's my main takeaway from the week.

I thought it was a really good week, very proud of everyone who came together to get the names proposal completed, but that means that the work of this group will really start accelerating starting today.

PATRIK FALTSTROM: Jean-Jacques.

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

A remark, perhaps, about the afternoon meeting yesterday about accountability.

There was a very large crowd and it was extremely interesting.

The remark I'd like to refer to is at one point the CEO of ICANN called the attention of everyone on the fact that if there is too much complexity and perhaps a sense that there's a heightened risk for the transition due to the fact that, for instance, governments would have a greater role or say in the final solution than was initially envisaged by the NTIA conditions, and he seemed to be inferring that if that were the case, then, you know, someone on the hill, someone in Congress, might oppose transition.

And the reply to that was also very interesting. Mathieu Weill, the co-chair, pointed out that it was not their job or his job to sort of sense what was coming from the communities, and in a way, the U.S. Government would have to face up to the fact that there is opposition to a certain type of solution which is being suggested or not.

So we all have our different individual positions on this, but I thought I'd signal this as an interesting element, more political than usually is the case in these discussions. Thanks.

PATRIK FALTSTROM:      Thank you very much.

Keith and then Kavouss.

KEITH DRAZEK:          Okay.  Thank you, Patrik.  And Kavouss may be about to say something similar, but there is unfortunately a competing meeting of the CCWG accountability that begins in approximately 30 minutes, so I expect that Kavouss and I will likely excuse ourselves from this meeting to go ensure that we are providing liaison services and being able to contribute to that session as well.  That's my intention.  I apologize for the conflict.


MILTON MUELLER:        Lock the doors.


PATRIK FALTSTROM:      Thank you very much.

Kavouss.


KAVOUSS ARASTEH:      Yes.  We did the same apology to GAC, because they are meeting at this time and we said, "Sorry, excuse us, because we are your representative, GAC representative in ICG, and we should be there." And now we have to excuse you again but we have to go to the CCWG.

The reason I'm going to CCWG are twofold.

One, to continue to participate.   Second, I have a compromise proposal that I have worked on.  Last night, I have discussed with some delegates -- not delegates -- some colleagues and I sent it to the co-chair of CCWG and I hope that this compromise will facilitate in

order that we go ahead with the situation, and that -- I should be there to explain the situation.

By the way, having the floor, we did our best in the SO and AC that we directly participate, or indirectly, in order that the proposal coming from the SO and AC to CWG and come to you to be clean and to be unconditional to the extent possible. But if we receive some condition, don't worry, this condition is standard and traditional condition and has no difficulty in our activities and so on and so forth. Thank you.

PATRIK FALTSTROM: Thank you very much. I have no one else on the speaker list, so Alissa, back to you.

ALISSA COOPER: Thank you. Just in response to both Keith and Kavouss, we tried to structure the agenda to have the meatier topics when you could be here and also to not overlap with the CWG, which was this morning, so we appreciate that everyone's time is contended but...

So let's move on to the response to the NTIA letter. So -- thanks.

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: Okay. Okay. Great.

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So earlier this week, I circulated a slightly updated version of this letter, which my edits were to reflect some of the remarks made by Secretary Strickling on Sunday night where he spoke a bit about the time line, and then also that was sort of further elaborated by Fadi on Monday morning.

So tried to kind of work in the notion of the three phases into this letter. And we've had some further edits from Wolf-Ulrich and I think -- and Russ and others, which we can discuss.

The one kind of procedural note here is that my understanding from talking to the CCWG co-chairs is that they are likely to have some sort of draft text for us to look at early next week, so right now this document has kind of a placeholder where we would cross-reference their response, and depending on what it says, we may need to alter the text. Well, we will certainly need to alter the text because right now it has a placeholder. So there will be some more editing that goes on early next week.

You might note that early next week is the end of June and that's when we're supposed to respond by, so it's quite possible that the chairs will need to kind of put the finishing touches on this and send it along.

We will certainly keep the ICG informed, but given that the letter was sent to the chairs, we feel that we can do that, assuming we have overall agreement on -- on the gist of the text that we have here.

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So perhaps I can turn it over to Wolf-Ulrich. Is he here? I don't see him. Oh, he is here. If you want to just quickly detail your edits for us. Or anyone else who has comments, please join the queue. Gotcha.

Go ahead, Wolf, yeah.

WOLF-ULRICH KNOBEN: Thank you. Good morning.

Wolf-Ulrich Knoben speaking. I'm just looking for my document.

Yes. Thank you.

Well, I'm, in general, okay with the letter, so my suggestions were related to -- in -- for a point of clarification.

On the one hand here in this one paragraph about Phase 1 where the -- this paragraph ended with, "The ICG estimates that all of these steps could be concluded in time for the ICG to deliver the final proposal to the ICANN board in the time frame of ICANN 54 in October."

So -- and that's our job. To deliver it to the ICANN board. And while they hand over to the NTIA, that's what I was missing here, that the board is going -- you know, because the question was from the NTIA. So that is related to that remark I have to -- I did here to insert the amendment: "As publicly indicated, the ICANN board will then immediately submit the unmodified proposal to NTIA maybe" -- or "associated with separate remarks."

So that's my proposal here.

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The second one is in the next paragraph.

Your proposal was here also to -- referring to some examples which may require extension of the time line, and in particular, you were referring -- you are referring to an additional public comment period here, and this I think was not -- and consensus is cast here in the ICG, so I would like to keep it more generally open. So that's what I tried well to formulate here. But just to -- or to point to this specific point. That's the proposal from my side.

The other one was on Page 2, I think. Yes.

At the very last end of the letter, they made the -- or you hinted to the fact that in addition, that would lead our estimation that the transition could take place, and then the contract could expire in June or July 2016. I wonder whether this is the ICG's -- well, whether we should mention that, because for my opinion, it's up to the NTIA to decide whether to leave it until June to July or whenever they would like to get rid of the contract itself.

So that is my remark here. Thank you.

ALISSA COOPER: Thank you. So in the queue, I have Jean-Jacques, Kavouss, Paul, and then I'll put myself back in the queue.

Go ahead, Jean-Jacques.

JEAN-JACQUES SUBRENAT:    Thanks.   This is Jean-Jacques.   I just have a small remark or suggestion for the end of the first paragraph in Phase 1, "Transition Proposal."

So it is said here in this draft, "the ICG to deliver the final proposal to the ICANN board," et cetera.  That will be the avenue, but in fact, it's not meant for the board, so I suggest that we just tweak this a bit to say, "The final proposal to the NTIA via the ICANN board in time for," et cetera.

So it's just adding two words.

And the rest is not a problem for me.  Thanks.


ALISSA COOPER:    Thank you.  Kavouss.


KAVOUSS ARASTEH:    Yes.  Thank you, Alissa.

I suggest that we take it paragraph by paragraph.  It may be more easy, more quicker and efficient.

In Paragraph 1, I have the same proposal as Jean-Jacques, plus in the last line, when we say "submit the unmodified version," if we modify it in the sense of saying "to ICANN" -- sorry, "indicated to NTIA to ICANN," and then that is quite sufficient.

And then we may add that ICANN would thus -- may have comments, if any.

So I would like to put the comments with some condition, "if any," but not always saying that -- we do not invite ICANN to have comment. We say that if they have comment, they put it separately.

So I would like that, as we have decided, our proposal go to NTIA directly to the ICANN, and then if ICANN have any point, they make it. So make it quite clear that we do not invite ICANN to make any comment to our proposal. Thank you.

ALISSA COOPER: Thank you, Kavouss. I think we could even perhaps just use the exact words that we got from the board about what they intend to do, because I think they are very much in that vein.

Paul?

PAUL WILSON: Thanks, Alissa. Good morning, everyone. Paul Wilson speaking.

A small point, perhaps, is about the timing. I've heard it said this week that if we're optimistically hoping that the ICANN board will receive the proposal and process it by a decision at ICANN 54, then they need to receive the proposal some couple of weeks before the ICANN 54 meeting. So I'm wondering if we should be more specific and say that quite specifically we're planning to have the final proposal to the ICANN board within -- by two weeks before, for instance, the ICANN 54 meeting and we could explain in order that they may, you know, consider it and make a decision in Dublin.

ALISSA COOPER:   Thanks, Paul.  We do have the confirmation from them -- and maybe Kuo-Wei will speak to this -- that they will turn it around within 14 days, no matter when we send it to them, and so I think, you know, by saying this phrase "the time frame of ICANN 54" sort of means roughly around it, but we could be more specific about the 14 days if we wanted to.

All I'm saying is that I think it's acceptable for us to deliver it to them during the Dublin meeting, or shortly thereafter, and then they will have 14 days, if they need, but we can -- we can work on refining that.

So I had put myself back in the queue because I wanted to respond to one of Wolf-Ulrich's edits, which is the last one on Page 2.

I agree that the -- it's probably too aggressive to discuss the expiry of the contract, but I do think giving some indication of when we think all of the work in total will be complete, including, you know, the words "June-July 2016" is actually important to do in this letter, so perhaps we can just reframe it.  Instead of talking about the contract, we can talk about when we expect all the work to be concluded.  And again, that's something that I think we need to see what the CCWG is going to say, and we might shift it slightly, but point taken about the contract, but I would like to add -- somehow add that sentence back in, but not make it about the contract.  Yeah.  Okay.

Manal?

MANAL ISMAIL:    Thank you, Alissa, and actually my comment would depend on the final text that we may have, because I recall the 14 days you mentioned and I was just going to comment that they did not promise to submit to NTIA immediately because they asked for, but if we're going to adopt what Jean-Jacques said that we are going to submit to NTIA via the board, then this might address the issue.

Also, there was a suggestion on the mailing list that we say possibly with separate remarks.  I agree with Mr. Arasteh that we should not say "possibly."  I mean the option is there.  Maybe we can find some other language that they may if they need.

And finally, regarding the public, the second public comment period, I think we did not exclude the option, but again, I'm fine with the text if this is more flexible and still gives the option implicitly, if the need arise.  So thank you.


ALISSA COOPER:    Thank you.  Kuo-Wei.


KUO-WEI WU:    First of all, I think the ICANN board already agree in the very beginning when the ICG started we are not going to touch your final proposal but we maybe have an additional comment, okay?

And this is my personal -- personal opinions.  I didn't really talk with the whole board yet, okay?  This is my personal opinion.

I was -- I would suggest if it is possible, when your final proposal come to the ICANN, maybe we have to sit down together. The reason is, my personal thinking or perception is, once we send it to the NTIA or eventually go to evaluate it by the Congress, both of us we have to defend our final proposal is workable, and the rationale.

If we are not consistent, this means the ICG say one word, ICANN is speaking another word. I think that would jeopardize the whole process and I don't think that is a good thing for all of us, because I think the ICANN, at least we really strongly support the IANA transition.

So I was thinking about if we want to make this transition no matter the ICG proposal, CCWG proposal want to go through this U.S. government process, we have to walk together to, you know, coordinate or walk together and defend our positions. That's my personal suggestion. And it is up to the ICG to decide if you want to do that or if you don't. That's fine.

ALISSA COOPER:          I think that's a great suggestion, Kuo-Wei.

Kavouss.

KAVOUSS ARASTEH:          Thank you. I wish to comment on the second paragraph. I suggest that we do not give any example. The first line is okay. "Continuation of the time line may be extended if additional time is needed or

required for further actions," full stop.  We don't give any examples.  And whatever we have to do it is our internal activities, and we have already decided on that.  So it does not need to be mentioned in a letter to NTIA.  Thank you.

ALISSA COOPER:          Thank you, Kavouss.  That's fine with me.  I don't have a strong opinion.  Do you have a strong opinion, Wolf-Ulrich?

WOLF-ULRICH KNOBEN:     If I may, it is flexible enough.  It is flexible to any option.  Thanks.

ALISSA COOPER:          Okay.  Excellent.  My queue is empty, I believe.

Martin, oh, sorry.  Go ahead.

MARTIN BOYLE:           Thanks, Alissa.  Martin Boyle here.  The point that's been occurring to me since Sunday and Larry Strickling's speech is the quandary of getting the order right because one of the things that Larry seemed to be putting great emphasis on was the fact that not only did he want to have a proposal, he wanted to see that the things that were needed to make the proposal were in place.  And that seemed to me to be a very tall order because you're not going to want to implement things until you know they're acceptable.

But equally well, if we put the contribution into the NTIA, we have to be aware that they can see progress in place to do that implementation. And I wondered whether this is an issue where you, the chairs, have had a conversation with NTIA on that precise ordering of things. In other words, once it's with NTIA, are we actually then going to expect NTIA to come back and say: We are prepared to defend this but you will now need to put into place bylaws, creation of subsidiary, whatever else is required in the proposals. So it's just a question. I don't think it necessarily affects this. But it might actually have some small impact on our phase 1 or phase 2. Because this might actually be a phase 1B or it might be a phase 2A somewhere in the process. Thanks.

ALISSA COOPER:    Thank you, Martin. I think -- I mean, I can just give my understanding of the requirements in terms of the phasing and what needs to be done after we have submitted the proposal to the board to be transmitted to NTIA. My understanding that the main requirement that would be pressing immediately after that would be to have the bylaws changes adopted, right? So that is -- even if we say the whole thing may not be done until June or July, the bylaws will need to be adopted much sooner, perhaps by the end of this calendar year.

As far as the other implementation steps, it's not clear to me that there are -- there's any firm requirement that they be done in a particular order or that they have to be done by a certain date prior to the contract expiry necessarily. I mean, they all need to be -- whatever

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the prerequisites are for the expiry, all those things must be done. But I'm not aware of any particular ordering other than the one for the bylaws adoption. But other people might have different views.

Okay. So I have Kavouss, Xiaodong, and then Milton.

KAVOUSS ARASTEH: Thank you, Alissa. With respect to the paragraph starting, "ICANN board views," instead of start to say "ICANN board views," we should have an introductory paragraph saying that ICG noted -- you have to note that, "ICG noted comments or views expressed by ICANN board concerning implementation time lines or time frames" and add the following, "and consider that this time line or these time lines are consistent." So first we have to say that we have received this comment, we have noted this comment, and then continue what we want to say. Thank you.

ALISSA COOPER: Thank you, Kavouss. So the very first paragraph in that section indicates that we inquired with the communities and the board. If you could scroll down a little. It's phase 3. There it is, yeah. The ICG inquired -- well, underneath the part that you can't see, "The ICG inquired with the operational communities and the ICANN board concerning implementation times frames." Does that serve the need that you were getting at? Or you want something specific in the paragraph about the ICANN board? Go ahead.

KAVOUSS ARASTEH:    I have no difficulty with saying that the views of the board is consistent with the requirement of the numbering and IETF.  What I would say, we have to put it in a proper context saying we have noted the ICANN views concerning so on and so forth and considering that these are consistent with the requirements or the views as expressed by the two communities.  So nothing to do with the communities' views.  Nothing to agree with that.  Just the way -- stylistic arrangement to put that one.  Thank you.


ALISSA COOPER:    Okay.  Thank you. Xiaodong?


XIAODONG LEE:    For the time line, I have some concern.  In the document it mentioned that the ICANN board think that the PTI implementation maybe take several months.

But we also mentioned in our document that maybe the PTI implementation needs three or four months.  But I think we make the community confused how many time they need for the PTI implementation.

So I don't know how to calculate it, how long we need to register PTI or set up PTI or transfer the staff resource or asset to PTI.

I think maybe we need ask some expert to tell us how to build a new organization based on the California law, how long it would cost.  I think we should tell the community a little bit clearer for that.

And, also, I think if we predict the time, we also need to know -- PTI -- we need to build a PTI and also we need to organize the CSC based on the (indiscernible) study proposal.  There is a lot of factors need to be considered to estimate the time.

So I hope that we can try to make it clear to be better.  So now -- No?  There's another document, yeah.

So I think now why we need three or four months, we need to tell the community.

ALISSA COOPER:          Thank you.  Milton.

MILTON MUELLER:          Basically, this is just a question for the drafters of the Strickling letter.  In the last two days the DOTCOM Act passed the House.  And that has some requirements.  It essentially requires the NTIA to submit a report 30 legislative days after the submission -- until 30 legislative days after the submission of this report, the transition cannot take place.  And the NTIA report basically is just a certification that the NTIA criteria have been met and that the required changes in ICANN's bylaws have been adopted.

Basically, all I'm asking is:  When we say in that section it will take the U.S. government three to four months to do this, are we taking into account the requirements of this law?

ALISSA COOPER:     Thanks, Milton.  Yes.  So the four to five months, which is what we now say about the U.S. government review period, encompasses the legislative review period.  So that's -- do you want -- can you show that? Yeah.

And the adoption of the bylaws which needs to actually take place prior to that.  So we're going to just look for a second at this, the overall time line graphic which doesn't have dates on it but shows the three anticipated phases.

Thank you.  So you can see here phase 1 which is the phase we're in now, driving towards sending the proposal to NTIA around the Dublin meeting.

Then there's phase 2, and you can see the separate portions for NTIA's review and the congressional review.  And then at the bottom, there is the three longer lines and the middle one shows that the bylaws changes need to be adopted prior to the legislative review.  So that's kind of the ordering that people have in their mind, I think, at this point.

Does that clarify it, Milton?  Yeah, okay.  Good.


UNKNOWN SPEAKER:     (off microphone.)


ALISSA COOPER:     Phase 3 is three donkeys?  I have no idea what the graphic is actually.

[ Laughter ]

I can't see it either.  Oh, it's people at a desk and two other people like holding hands or something next to the desk.

[ Laughter ]

Yay!  I will be frank.  I was asking when is the party when all of this is over, but no one had a good answer for that.

I think the queue is empty.  Maybe just to come back to Xiaodong's point, Xiaodong, I mean, we -- there's more detail about the PTI implementation process in the response that we got from the CWG, which is referenced by link in this letter.

So do you think that is adequate in terms of the expression of why they've said three to four months?  Or did you think there was something more that needed to go into this letter?

XIAODONG LEE:          Yeah, I think it should be better to reference -- I mean, to read that because you might even want to register new implementation, not -- don't need the three or four months.  But I think maybe if they do the transition from current IANA function from ICANN department to be a new legal entity, there is a lot of things to be transferred from ICANN to PTI.  Maybe a registry (indiscernible) from us is not enough so because for the transfer of the staff or resource or (indiscernible) system or function.  They need a lot of things to do.

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So that's why I'm confused why we need three to four months.  So maybe the other community members will have the same concern.  So we need to tell -- maybe ask CWG to tell the people why is three or four months, if that is reasonable or feasible or not.

I think it is very important, yeah, because some of you are raising about we want to know when will it happen for the transition, right?  So...

ALISSA COOPER:          Okay.

XIAODONG LEE:           It is not the duty -- our responsibility for ICG.  We need to ask CWG to do that.

ALISSA COOPER:          Agreed.

Do I have anyone else in the queue?  No.  Okay.  So I think the chairs will take all of the edit suggestions into account early next week, and we will also incorporate the reference to the CCWG accountability as appropriate.  And we'll certainly share a draft on the list as early as we can but might need to send it to NTIA fairly soon thereafter.

Go ahead.

KAVOUSS ARASTEH: Thank you. As I mentioned in the call, would you like to just hold on sending this letter until you see the final version of the CCWG, not to have a conflict with what they are saying? Although the letter has been sent to us separately, but the objectives are not quite different from each other. So I think that implementation might be good not to send it individually. Wait until we have that. Just for consideration. Thank you.

ALISSA COOPER: Yes, that's the plan. I spoke to the co-chairs yesterday, and that's the plan for next week.

Okay. I think we can move onto the communications subgroup, which Jean-Jacques will provide.

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

So the ICG decided at its meeting a few days ago to set up a communications working group to relate with the ICANN communications team and perhaps with others, if that is the case later on.

So the group was formed with the following volunteer members of the ICG: Joseph Alhadeff, Jari Arkko, Alissa Cooper, Mohamed El-Bashir, Patrik Faltstrom, Jandyr Ferreira Santos, Jr., Lee Xiaodong, and Jean-Jacques Subrenat.

And the working group is supported by the ICG secretariat, Jennifer Chung and Yannis Li.

We had a couple meetings and we also had an initial meeting with the communications team at ICANN at a high level in order to see what could be already used, which they have in stock or on their shelves and what on the contrary requires special preparation for the purposes of ICG.

We did point out to the IANA -- to the ICANN team that because of the ICG's charter, it is very important to make these presentations, this material, whether it's slides or anything, videos, et cetera, to make it apparent that it is from the ICG and not from anyone else.

I think, Alissa, you have repeated more than once and that was taken into account in the draft communication strategy, which I was asked to draft.

So from there -- and from the meetings we had, chaired by Alissa, I prepared this draft communications strategy which has been sent to all the members of the ICG and which was now before you, I believe. So perhaps a word of explanation about what it contains and what it does not contain.

As it is meant to be a communications strategy, it does not go into the detail of certain tools which can be used, nor does it go into a very precise time line about the material which should be used on this or that occasion. However, you will find most of those details in the

footnote at the end of the note that was sent to you, pending your approval, of course.

I believe it would be more efficient if such consideration such as, for instance, what are exactly the slide decks which are necessary for the presentations which we will make just before or just after the launch of the public comment period. All that will be detailed in a message, in an email which will be sent of course to the full ICG after it has been vetted by the communications working group.

Perhaps one last thing I will -- two last things I will point out because I want to leave time for comments and your input, is that it was decided at the working group level that wherever the -- the requests for interviews or interventions come from, whether it's directly to the ICG or through typically the ICANN communications team, it should be addressed to the ICG secretariat who will then, of course, forward it to the communications working group. And anything of importance, of course, will be brought to the attention of the full ICG.

And the last thing I wanted to point out is that it is suggested in this draft communications strategy at the end of the text and before the footnotes that this working group should be the natural interlocutor for anything to do with communications within the ICG and it is also suggested that this communications group should remain in activity as long as the ICG itself. So I am conscious of not having touched upon all of the aspects of this communications strategy, but maybe you've read it, and I'm at your disposal and all the members of this working group are at your disposal to answer questions. Thanks.

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ALISSA COOPER:     Thank you, Jean-Jacques, and thank you for putting in the time this week to get this together on short order.  It's very much appreciated.  The only additional note that I would add as a member of the working group is that we, as Jean-Jacques said, met initially with ICANN communications staff at the beginning of the week and will have another meeting this afternoon to continue fleshing out the precise contours of how we might work together around -- specifically around our next milestone which will be the launch of the public comment period.  So we have some, you know, detailed thoughts about what we might do as the ICG, but we wanted -- we want to firm that up a little bit more and have a better handle on how our collaboration with ICANN will work before we come back to you all with a suggested plan for that milestone.

So thoughts or comments on the communication strategy?

JEAN-JACQUES SUBRENAT:     If I may add, Alissa, that the purpose of this presentation to the full ICG this morning is to ask for your approval or otherwise so that we may actually make use of it as soon as possible, and especially for this afternoon's meeting with the ICANN communications team.  Thanks.

ALISSA COOPER:     And realizing that you haven't probably had a lot of time to look at the document.  If people feel comfortable approving it today, that would be excellent.   If people feel that they need more time to read it

through, that's -- that's perfectly understandable as well. So would appreciate your thoughts on that. Russ, go ahead.

RUSS MUNDY:                Russ Mundy here. I think it's slightly too early to approve it because many of us have been exceedingly busy during the week. And I thank the group for putting it together because it's very good to have it to study at this point. But I for one have not really had time to look at it, and I think at least a few days, you know, early next week or maybe Wednesday to target the approval of it or specific changes to it. It looks good, but I want to think about it a little bit more myself.

ALISSA COOPER:             Understood. Did you --

PATRIK FALTSTROM:         So when we are working on this plan and we include certain things regarding communication and that we would like to be able to discuss with the ICANN communication team today. So when we say approval, let me phrase it slightly different. That at least at this point in time we would like to know if anyone -- if anyone have an objection to us working according to this plan or starting today when we talk with the communication team and then over time, of course, we can adjust accordingly and we -- we, for example, can have a renewed discussion next week and also when we have our -- we can add it to the agenda for the -- for the next call that we have on July 8.

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JOHN CURRAN:               Thank you.  Manal.


MANAL ISMAIL:             Thank you again for putting this together.  But like Russ mentioned, it was a short notice and again, we're heading to the airport after this meeting, so it will be difficult to have an approved document.  But again, in principle there was agreement to pursue this further.  I don't think there is a problem that could keep the working group from progressing and meeting with the ICANN staff this afternoon.  And if there is a specific question or something to approve, then maybe we can discuss this.  But for the whole document, probably it will need more time to -- a few days.  Thank you.


ALISSA COOPER:            Thank you.  Jean-Jacques.


JEAN-JACQUES SUBRENAT:   Thank you, Alissa.  This is Jean-Jacques.  One additional remark, and then I'll try to respond to Manal's question.  The additional remark is that you will see in the text I prepared on our behalf that it is mentioned on several occasions, ICANN communications team or other entities.  And I put this formula -- Alissa, I'm looking at you especially because you indicated that you had been in contact with another organization which may perhaps be interested in coming along with this, but you didn't want us to put any specific mention as

long as you have not had a reply. So I just give this as an information so that you understand why there's other bodies or other -- other organizations.

Now, in answer to Manal, I would say that the important thing for you to give us your instructions on are the following points. First of all, after very interesting discussion with the ICANN communications team which is made up really of good professionals, it seems that it is necessary, first, to distinguish between two types of communication. First, the official communications in official fora or in very official circumstances, for example, testimony in a parliamentary setting or with a public authority. And in that case it is clear that the chair or by delegation of the chair one of the vice chairs or another member of the ICG who would be designated, depending on the circumstances, would deliver a message which is absolutely calibrated to within a hyphen or a comma. And the second type of communication is more spontaneous. It can be prepared but it is more typically in a webinar or a conference or an interview of a lesser importance. So in both cases we are suggesting that we should all use an agreed set of material, particularly slide deck, deck of slides or papers which have been vetted and approved for consistency.

I say this because ICANN, as you know, already has quite a lot of material about transition but we want to make sure that is absolutely in conformity with what we think about the content. That's the first point.

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The second point is that we asked for advice from the communications team of ICANN about the way of communicating, what channels.  Should it be only and systematically only the chair of the ICG?  And they came back with a very clear response that there again, for very official settings it should be the chair or someone else by delegation, but otherwise we should actually use all opportunities to make known the ICG work and the behind the scenes -- not the behind is scenes.  The context of transition.

And my third point is that it was considered by our working group that we should not only wait for requests to arrive to us through ICANN or directly to the ICG by that we should actually reach out and especially on special occasions such as the period of the launch of the public comment period, we should not be shy and just wait for Al-Jazeera or CNN or someone to contact Alissa but we should actually set out a plan to communicate in a voluntary way.  Thank you.

ALISSA COOPER:  Thank you, Jean-Jacques, and thank you for the reminder about other organizations.  If anyone -- if anyone's constituency has communications support and you think that your people would want to do -- want to collaborate with the ICG to do ICG communications or to just, you know, support each others communications, then definitely, you know, let us know in the subgroup because that's something we're working on.  Not just with ICANN but others.  I'll put you in the queue.  I have Lynn and then Xiaodong and Paul.

LYNN ST. AMOUR:     Thank you.  Lynn St. Amour, for the record.  I'd like to thank the working group for making such phenomenal progress in a short time in the middle of a busy week.  I think it looks quite good but also would like additional time.

With respect to the communications strategy overall, I think we should also think about how we actually involve the three communities and make sure that their messages, if they're giving their messages individually -- and there are probably others if I had to think about the GAC, for instance, which would not be one of the three operational communities but is a very critical community in this context -- you know, what appropriate linkages we should have with them as well. You know, as we said in our last meeting, this is a great opportunity to help depoliticize ICANN, the IANA function, by having people understand the various components of it and where all the critical pieces of work are done.  So to the extent we echo that in our engagement with those other communities as well would I think help be a big step in terms of helping that broader understanding.

And then specifically I support Patrik's specific request that the team be allowed to go forward in discussions this afternoon, assuming, you know, general support for this direction.

ALISSA COOPER:     Thank you, Lynn.  Xiaodong.

XIAODONG LI:        Just some thoughts to share with the ICG members for communication works.  You know, of course, communication is very important and it is a professional job.  So the key point is who is speaking and how to say that.  So because we are ICG, if we do the ICG communication, I mean, we need to make sure that the community know that it is the ICG speaking.  Of course, the chair is speaking but because we try to collaborate with the ICANN communication team, use their channel, their resource, their professionals to do the communication works, but we need to clarify that and to take very careful step to work together with them to make sure that our point of view is -- is spoken by our chair and also the ICG.  So I don't like the community members think that oh, it's a -- it's something like the ICANN point of view.  We need to be very careful because, for example, there is some social media, social account, set up by ICANN.  We can use the channel for ICANN to ask the ICANN communication team to set up the account for ICG but we can use the account of ICANN to do that.  So it should be very careful.  Don't make the community to be confused that the ICG -- the relationship between ICG with ICANN.  So it's my thinking, try to share with the ICG members.


ALISSA COOPER:        Thank you.  Personally, I completely agree.  Paul.


PAUL WILSON:        Paul Wilson here.  I just wanted to mention that the CRISP team members and RIR folks met this week and identified exactly the same need, and so there will be a communications group that will be

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formed and will take an active role in covering this area as well. I actually haven't had the chance to read this document, but I've passed the Dropbox link on and so they'll be taking a keen interest in it.

One of the specific communications issues that I raised this week in a meeting with the ICANN GSE, global strategic engagement team, was to sort of point out that the RIRs, the ICG, and the communities have gone for, I think, an absolute maximum of transparency in the whole process here and that doesn't -- that doesn't mean that we don't have a communications job to do, but we've actually got the information out there. And that's -- that's absolutely clear. But there's an area of this whole situation where we really don't have the same level of transparency, and that's the next steps in terms of the U.S. government process. So we kind of hear about how it's going to work in some form, but particularly for those of us who are not au fait -- completely au fait with the machinations of the Congress and everything involved, it's really a bit of a black box. And I think it's going to be quite important, I think for consistent messaging to be as helpful as possible across the board on giving our interested communities some idea about -- to the maximum extent we can, about what's actually happening. And that would be a place where we might -- where communications might diverge quite badly in an unhelpful way if we're not well-coordinated. So I think that's something we should particularly pay some attention to as well. Thanks.

ALISSA COOPER:      Thanks, Paul.   So just to follow up on the CRISP team communications, one item that we're talking -- we're thinking about depending on whether there are other organizations that want to collaborate more closely is, rather than just -- you just sort of throwing things over the wall to them or vice versa, if you think they would want to kind of be a part of a larger than our internal subgroup on communications but if we had one where we had the ICANN folks and some folks from different organizations who were just -- it's like a mailing list essentially is what I'm thinking about, where we just kept each other informed about activities and shared materials and so forth, do you think that -- I had it on my to-do list to talk to the individuals over there in the corner about this this week and didn't manage to do it, but do you think that would be a good idea?


PAUL WILSON:       The folks who are likely involved here, Nurani and Izumi and others, seem to be nodding, so yeah, I think so.  Sounds like a great idea. Thanks.


ALISSA COOPER:      Okay. Great. Patrik.


PATRIK FALTSTROM:    Thank you.  I just want to also clarify when we say that we're going to -- we would like to start to use this this afternoon that as Jean-Jacques said, the real point in time when we have planned some real communication is when we go to open consultation, which means

that that is -- it's before that date when I feel that we need to agree on more of the details of this plan.  So -- although we need to start to discuss this plan with the communication team this afternoon.

ALISSA COOPER:              Jean-Jacques, and then we'll close this part of the session.

JEAN-JACQUES SUBRENAT:     Thanks.  This is Jean-Jacques.  I was just about to propose that, from my side at least, to conclude on this.  Thanks very much for all your reactions, for the favorable comments on our ability to use some of your instructions, at least guidelines, for this afternoon's meeting. And I would like to suggest, Alissa, that we give ourselves, the whole ICG group, until how about Wednesday next week, end of business, for your reactions and suggestions.  Would that be all right?

ALISSA COOPER:              Yep, that works for me, and we can communicate that on the list, too, since there are some people who are not here.

JEAN-JACQUES SUBRENAT:     Thanks very much.

ALISSA COOPER:              We'll set a deadline at sometime UTC.  Thank you.  July 1st, yes.

Okay. Then we will move on to future call and meeting planning, which is -- Patrik will lead.

PATRIK FALTSTROM: Thank you very much. So we have planned a couple of telephone conferences and also face-to-face meetings and I was thinking of going through what we have at the moment.

Next slide, please.

So if we look at the overall time line, I will go through each one of these calls one by one, and also my thinking was to update this slide deck when we know more about the future calls, so all of you -- or all of us will be able to refer to this as a plan of how we are planning our work forward.

So we have calls.

We have the July 7 milestone of the pre-assessment for the CWG names so that we can have a presentation and start talking about them on July 8.

We have the combined proposal assessment that we talked about July 14, because the call is on the 15th.

We talked about having another call on July 29.

And end of July, early August, start -- launch the public comment period.

Next slide.

The goal is to -- is to during July manage to do the assessment of CWG names, the combined proposal assessment to finalize the proposed introduction and executive summary, to have a -- Web site material for the public comment period ready, to finalize the outreach and communication materials that is going to be used together with the public comment period.

Alissa?

ALISSA COOPER:     Thanks.  So just while we're looking at this mountain of work that we have in July, I wanted to make a couple of notes.

The first one is that we have received the names proposal pre-assessment.  We had the original one from Wolf-Ulrich and we've now received one from Martin and team, which is very detailed and, you know, just came in last night, so we -- we don't have that on the agenda for today, but we're already in process and I would encourage people to start reading that one, because we already have it, as we look towards next week.

Also, just in terms of process, I think we've been very effective as a group at using the mailing list to get work done.  We have more calls planned this summer than -- at a greater frequency than we have in the past, but I don't think that should mean that we can't continue to use the mailing list to progress things.

We have enough work before us in the next five weeks or so that I think we will have to -- we will have to use the mailing list to get some of it done because we won't have time on all of the calls to do that.

So I just wanted to plant that seed in people's minds that this is actually a substantial body of work that we need to get done in the next five weeks or so, and hopefully people are cognizant of that.

Thank you for letting me interrupt.

PATRIK FALTSTROM:    Thank you very much.

Next slide, please.

So we would take these slide -- these calls one by one.

We have call Number 19 on the 8th of July. We plan that to be two and a half hours and the main agenda topic is the pre-assessment of the CWG proposal.

Call 20 on the 15th of July, 19:00 to 21:00 UTC, and we have the assessment of the combined proposal and preparation for the public comment period.

Call 21 on Wednesday, July 29, between 5:00 and 7:00 UTC, and at that meeting we are definitely working on the preparation for the public comment period.

Next.

Call Number 27 [sic] we scheduled to have on August 12 between 11:00 and 12:30.

Jean-Jacques?

UNKNOWN SPEAKER :        (Off microphone.)

PATRIK FALTSTROM:        Ah.  Okay.  I said 27.  I mean Call 22, of course.  It has been a long week for all of us.  I'm sorry.

Call 23 -- aha! -- on August 26, 19:00 to 20:30 UTC.

Let me make another remark.  We did -- we have scheduled the meetings where we do have an agenda according to what we chairs do believe the actual time is we need for each one of the calls.  For the rest of the calls, we have scheduled them, as you can see, the time that you see on each one of these, like one and a half hour.  That is, of course, something that we can adjust when we know -- when we know more.

Next, please.

Call 24, on September 9, between 5:00 and 6:30 UTC.

Next.

After that, we have the face-to-face Meeting Number 6, Friday-Saturday, September 18 and 19, in Los Angeles, and it's the case that -- let's see. One moment.

I just need a faster email client or less email.

And the meeting will be at the Westin Bonaventure in Los Angeles. It is -- we have -- the contract is ready. We'll send out the address.

Next, please.

Call 25, September 23, 11:00 to 12:30.

Next.

Call 26 on October 7, 19:00 to 20:30.

Next.

And then we have ICANN in Dublin where we are to plan face-to-face meeting 7. For this meeting, we have not -- we have to talk about how we are going to schedule our own meeting compared to sort of the ICANN meeting itself and other groups. This time, for this ICANN meeting, we decided to have the meeting on Thursday and Friday before the meeting, and for Dublin, we have to schedule when we're going to meet.

So I'm -- let's -- we can, as well, start discussing that now.

Keith?

KEITH DAVIDSON:          Just by way of note that perhaps after the 7th of October meeting, we start to take note of the time of the meeting, as the world will move through another iteration of daylight savings, summertime, et cetera.

PATRIK FALTSTROM:        Absolutely.  It will be completely complicated once more.  And next week, we will get another -- we will get a leap second, so we will even have an error because of that.

                         [ Laughter ]

KEITH DAVIDSON:          Oh, and then we won't know where we are.

PATRIK FALTSTROM:        Yeah.  We will get an extra second on July 1st, so we can sleep in in the morning.

                         [ Laughter ]

                         Russ?

RUSS HOUSLEY:            Based on that time line chart that Alissa showed a little earlier, I think we're going to see some approvals happen in Dublin that affect us, so it would probably be better for us to meet after ICANN instead of before.

PATRIK FALTSTROM:         Alissa?


ALISSA COOPER:            Yeah.  So as ever, it's really hard to predict all of this in advance, but the rough plan, as everyone, I think, knows is for the SOs and ACs to receive the CCWG accountability proposal, you know -- what is it, 10 days or two weeks before Dublin, and then hopefully approve it in Dublin.  And so because the CWG proposal is conditional on the CCWG proposal, then we cannot really be finished before that process is complete.

So -- but in terms of meeting afterward, I mean, in some sense, today -- that's sort of like we could meet on this day in Dublin, which I wouldn't really consider after the ICANN meeting, since the ICANN meeting hasn't concluded yet, so I think we should give ourselves a little bit of time to see how that work progresses.  If that's acceptable to people, you know, maybe later -- later in July we can try to nail down exactly when we will meet in Dublin.  That would be my proposal, as long as that's suitable for people's travel planning.


PATRIK FALTSTROM:         Let me just add one additional comment, and that is that at some point in time, just for logistics, meeting planning, and the contract with the hotel, there will also be a deadline when we just have to make up our mind, but I will keep track of that myself and will come back when I know -- even know when that last -- when that deadline is. Russ?

RUSS HOUSLEY: So I think there's two things to think about. The ones you just mentioned, and the other is this is a working session and therefore we don't have translators. If we're going to make a major decision, we want to do it in one that does.

PATRIK FALTSTROM: That is noted, yes. Thank you.

Alissa?

ALISSA COOPER: So as Russ mentioned, we have -- you know, we have this time line. Maybe could we put the time line up?

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: We have our time line, which has pretty colored blocks and sort of assumes that every month is exactly four weeks long and has all kinds of sleight of hand in it.

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER:              Oh, no.  Sorry, the -- our ICG one.

UNKNOWN SPEAKER:           (Off microphone.)

ALISSA COOPER:              Yeah.  Take your time.

UNKNOWN SPEAKER:           (Off microphone.)

ALISSA COOPER:              Right.   Right.   The Excel spreadsheet, yeah.   We don't do pretty
                            graphics here; we do Excel spreadsheets.

                            [ Laughter ]

                            But we will have to decide -- you know, now -- we've been sort of
                            waiting to put dates on that because we didn't know when we were
                            going to receive the names proposal.

                            So now we have the names proposal, and I don't think we need to get
                            too specific about the dates going forward.  We have a rough plan
                            which I think is good enough.  But we will have to decide how long of a
                            public comment period we want to do, and from looking at the actual
                            calendar and not the Excel spreadsheet calendar, my initial thinking is
                            something in the, like, 36-day neighborhood.  And I know that there
                            are -- in different communities, there are different kind of guidelines

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about how -- how long of a public comment period is necessary, and so we should certainly, you know, look at those and think about those. But we also have -- have our own independence and we can make an independent decision based on the realities of the calendar and how much time we think the public needs and how substantive the comments are expected to be and so forth.

So that -- that's just kind of some initial thinking. We don't -- we do not have to decide this today under any circumstance but I just wanted to flag that for people because we will have to decide within the next couple weeks how long of a public comment period to do, so...

Russ, go ahead.

RUSS HOUSLEY:          So in the IETF, the tradition would be anything that was coming out of a working group would get at least a two-week last call. Anything that was not coming out of a working group would get a four-week last call.

I know other communities have different time schedules.

We're also talking about August, so I think we need to make sure we have at least four weeks for that comment period.

PATRIK FALTSTROM:     Thank you. And this is something -- as Alissa said, something that we need to -- to -- to address and we need to simply make up our mind, and this of course also will have to do with how we're going to

communicate, how we're going to make sure that everyone that should participate and read and participate in the public comment period have the ability to do so.

Can we go back to the other slides, please?

You will see -- you see in the Adobe Connect what the slides are.

Martin.

MARTIN BOYLE:       Thanks very much, Patrik.

Just going back to that consultation period, I'm not an ICANN expert but I understand that the normal expectation is 40 days, and looking at the time line, that certainly was what we put down on the time line, the 31 days of August and what looks like approximately a week afterwards.

I actually think that there is a lot of value in making sure we do try to give that full 40 days. It is part of the NTIA clearly stated assessment points that we have been open, that we have looked for comments, that we have encouraged input, and that we have tried then to reconcile the input.

So 36 days I think actually, yeah, I prefer you to say, "Can we target for at least 40 days," and keep that very firmly in our mind as we go through. Thanks.

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PATRIK FALTSTROM:          Thank you.  Mary.

MARY UDUMA:                Thank you.  Mary Uduma, for the record.

In addition to what Martin has just said, probably we look at taking, say, 35 days and making -- proposing an extension, because if you put shorter days and we extend, people now, you know, react and submit their comments.

So we target 40, but we give shorter days and extend to meet the 40.

Am I making myself clear?

PATRIK FALTSTROM:          Martin.

MARTIN BOYLE:              Yes, I think you were quite clear, Mary.  I'd actually -- as you were speaking, though, it occurred to me that with the CWG last comment period and the CCWG comment period, ensuring that translated documents were available was an issue, and there was, therefore, a last-minute extension for people who were dependent on the translations.  And I think in all our thinking up to now, we've sort of left the assumption that translations will be done just like that, and they're not.

So I think that's another reason for making sure that 40 days for the open consultation is really the very minimum that we can get away with. Thanks.


PATRIK FALTSTROM:      Thank you. Alissa?


ALISSA COOPER:      Thank you for this input. I think it's very helpful.

Just to be clear, the constraint on the timing on the other end is that we have our face-to-face meeting and so to give ourselves enough time to make the face-to-face meeting productive, the comment period needs to close somewhat before -- more than a few days before the face-to-face meeting.

So that's -- that's all I was kind of looking at in the calendar.

We have sent the numbers and protocol parameters portions of the proposal off to the translators already, so those should be complete by July 10. The names proposal has already been translated, obviously.

So our main constraint on translation will be the front matter that we develop ourselves, which will need to be translated. So that -- I think that will be the last piece that comes in. But hopefully we can get that done, you know, as -- as soon as possible. Perhaps before we launch the public comment period, but as soon as possible afterward.

PATRIK FALTSTROM:     Thank you very much.

So as I said, we will come back to this list of meetings when we are moving forward and know a little bit more how we've managed to progress in our work.  So thank you very much.

UNKNOWN SPEAKER:     (Off microphone.)

ALISSA COOPER:     Right.  Yeah.  Yeah.  So we sort of scheduled the break to end at 11:45 because the CCWG, I believe, is supposed to conclude at 11:45, and so then those folks could come back for our last couple of topics.

So if people are amenable, I'd prefer that we start again at 11:45.  That's kind of a long break.  We haven't had a really long meeting so far, but -- but I'd like to give them the opportunity to come back, and we only -- you know, we have just the two topics left.

Is that acceptable to people?  For -- basically a 40-minute break right now, so you can get all your other email done?  Yeah?  No one's screaming.

Okay.  So let's come back at 11:45.

**[ Break ]**

ALISSA COOPER:          Okay.  So we're actually going to start with a couple of housekeeping items from the secretariat, and then we will move into discussion of the next topic.

JENNIFER CHUNG:         Hi, everyone.  So by now you have received an email from me regarding travel support for the L.A. face-to-face in September.  So, please, I just wanted to flag that for your attention.  If you do require travel support, please let us know by next Friday.  Thanks.

And the second thing is if you requested travel support for this meeting, please send me your receipts and everything and we will get that sorted out for you.  Thanks.

ALISSA COOPER:          Thank you, Jennifer.

So our next topic is the executive summary, introduction and public comment Web site material which we discussed last week obviously. But there have been a few developments this week that I thought it would make sense for us as a group to discuss.

The first set of those developments relates to some remarks that Larry Strickling made both in his blog post that was posted just before the meeting and also in the session about IANA -- about ICANN accountability evolution last Sunday night.  And I just wanted to flag a couple of those for the group because I think they are -- they have

some bearing on what we will do as a group in the front matter of the proposal. So if you would go to the next slide.

So this is the first one I wanted to flag. This is from the blog post. And it says, "ICG's role is crucial because it must build a public record for us on how the three customer group submissions tie together in a manner that ensures NTIA's criteria are met and institutionalized over the long-term." And the emphasis there is all mine.

When we met last week, I think Jon Nevett had sort of tried to emphasize this -- this notion of us building a public record. And I think this is really important for everyone to keep firmly in their minds that it's not just -- our task is not limited to taking the input from the community -- taking the proposals from the communities and sort of forwarding them on, right? We're not just the postman. We also need to provide a really convincing explanation of why the NTIA criteria are met by the proposal.

There's just a handful of criteria. I think it is a task that we've had, we have all been cognizant of the entire time. But I think it is incumbent upon us to really make sure we do a thorough job of that. I think that's essentially what this says.

The other thing this hints at is that it's not just that, you know, the day that we hand the proposal to the ICANN board for transmission to NTIA, that the criteria are met but that we can expect them to continue to be met in the future. And this is my understanding of the notion of institutionalization or sustainability of the proposal and its characteristics, is that, you know, we need to, I think, convince

everyone that this is not, you know, something that's going to be easily reversed.  And so we should keep that in mind both in terms of the text that we develop ourselves for the front of the proposal and also for the public comment period, if there's aspects of this -- of the sort of institutionalization of the criteria that we think we might want to seek comment on.  And that's the first point.

If we could go to the next slide.  Then Larry had some remarks on Sunday, and I just pulled out a couple of pieces of those that I thought were really especially salient for us.  A lot of the speech that he gave on Sunday was, I think, a little bit more directed towards the accountability work.  But some of it, I think, is useful for us to reflect upon as well.  And so the first of these was -- he said, "The record should also reflect the community considered alternatives and the community needs to document the judgments and the evidence that support the ones that are being put forward over the others that were considered."

So this kind of jumped out at me because this isn't really something we asked about in our RFP.  We just asked for "the solution," right? "Dear Community, go find us a solution and send it to us."

And so if this is something that we think is important to reflect in the combined proposal overall, it might be the case that we ask our ICG reps to, you know, go back and find some text that reflects this.  It might be that there is text in each of the component proposals, and I just haven't read them thoroughly enough lately to remember.

But this just kind of jumped to the front of my mind when I saw this because it was not clear to me how we would address this if we wanted to.

And I will start it to you. But we will finish. There is just one more slide.

The last slide. So in his remarks, Larry also said, "It's important that the community address and answer as many issues as possible now and not leave them for further discussion and decision."

And I think it's true that we have made -- we and really the communities have made a distinction between the items that must be completed before the transition versus items that can continue to be decided afterward and finalized afterward.

And so it may be the case that we want to sort of highlight the extent to which there are aspects of the proposal that will continue to get refined in the implementation phase just so that everyone's clear on what those are. There aren't that many of them. And so, you know, having some sort of kind of concise list of what those are might minimize the ability for people to try and undercut the proposal because they say it's not complete or something along those lines.

We have a criteria amongst ourselves about, you know, whether everything is complete and workable and compatible with each other. And so this might fall -- this sort of, you know, gap analysis might fall out of that. But this was just another one that I thought we hadn't

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really discussed thoroughly as a group how we will reflect this in the proposal.

That's really kind of my question for everyone on all of these aspects, is I think we need a way to reflect these in what we send to NTIA. And the question is:  How do we go about doing that?  Do we write text ourselves?  Do we ask for public comment and expect that we can synthesize it from the public comment?   Do we rely on the communities?  Do we do something else?  So I see many -- many, many flags have gone up.  I didn't really catch the order so I apologize.

But Milton was first.

[ Laughter ]

I do know that Milton was first.  Let's go Milton, Russ -- I have Milton, Russ Mundy, Daniel, Jean-Jacques, and Keith Davidson.   Anyone?  Okay.

Go ahead.  Jari, okay.

Go ahead, Milton.


MILTON MUELLER:          Yeah, I think your comments about building a public record were very on target, very good.  But I think it's a mistake to put those in the proposal itself.  And I think that we have the proper vehicle for doing the kind of things -- for example, what alternatives were considered. That, it seems to me, is in our assessment or should be in our assessment of the proposals because it's asking us all the questions

that you're looking for there. It's saying, you know, how did they arrive at this decision? Is the proposal complete? Why did they do what they did? What was the process that they used?

We could easily put in -- let's just use the names proposal as an example. We know that there was extensive debate about internal IANA, whether it should remain internal to ICANN or not. You know, we could show that they did consider completely separating it. We can show they considered having a stewardship and an external entity called "contract co." We can show that they ultimately rejected that option and came up with the current arrangement. There's a lot of things we could say. But I can't see putting that into the proposal, which is already going to be really long.

Would it not be possible to have, let's call them, appendices associated with the final proposal that says, "Here is our assessment." And as you know in the executive summary, we have references to our assessment. And we will have summaries of our assessment. So I think that would be the best way to handle that.

ALISSA COOPER:          Thank you, Milton.

Another way that I've sort of kicked it around at least in my own head is it is sort of the ICG's report. So we have the proposal, and we have the report. We can put whatever content we want in the report, and it provides our sort of defense of the proposal, and then the proposal stands on its own. So that's perhaps another way of thinking about it.

Russ Mundy.


RUSS MUNDY: Hi. Thanks, Alissa. Russ Mundy for the record. Of the points that you bring up here, I think they're very important and I fully agree we really didn't address or even include any -- anything even vaguely related to how -- you know, getting information from the community to address these. And of particular concern for me is the previous slide, the one that talks about the alternatives discussion that in some ways, that almost could be interpreted to ask for an ICG review of what each community used as a process and how did they look at these various and sundry things.

So my sense on this is your suggestion of a report by the ICG that could talk about things from purely an ICG point of view is a good approach but would also, I think, allow us to point to the primary source of the information as being the record of what the communities themselves did.

That way, we could put, you know, our reading and interpretation of what they did without necessarily having any critique of it because each community has their own way of doing it. And I think that's -- that's the line we want to be very careful that we don't cross, that each community does their determination in their own way.

And our -- I think our charter with respect to that is that it's open and inclusive, not how it works or what it is, but that it's open and inclusive.

So by having the commentary and pointers back to each community's process might be a way to do -- especially the second point, which I think is perhaps the most sensitive.

ALISSA COOPER:     Thank you, Russ.

So I had Daniel in the queue, but his hand went down.

DANIEL KARRENBERG:     I didn't --

ALISSA COOPER:     Go ahead.

DANIEL KARRENBERG:     I did not put my hand down.  Okay.  There is an echo.  Somebody needs to switch off their microphone.  Thank you.

This is Daniel.  Hello.  Thank you.  A couple of comments that sort of occurred to me when I read Larry Strickling's remarks first.  I think the questions about the process that was used to come up with the proposal is a valid one.  And actually we have addressed it in our RFP.  And it's been addressed by the communities, if I'm not totally mistaken.  And there's a record of what the communities did.

So all we need to do is to point to that and then describe our own process because that's -- that's our purview.  And we should be very

careful about not describing the processes used by the communities too much.

I come back to my earlier remarks about we shouldn't generate -- or we should generate as little text as we can. So we should say X community used Y process. It's documented here. And according to our analysis, it fulfills the criteria we set ourselves and that were set in general by NTIA.

And then we should describe our own process separately and say, We did this. And I think that needs to be part of the record and also needs to be part of the document that we produce and send to NTIA.

Now, coming to the separate question about what alternatives were considered, when I first read that, I had a very strong feeling that that was mainly targeted at the CCWG because it's kind of consistent with the message that NTIA has given up to now (indiscernible) that was a little complicated. So I would assume personally this is not so much for us but for the accountability bit.

But, okay, having said that, I think what we should do as ICG is push back a little on that because that's something that we did not ask the communities to document and, therefore, we haven't gotten it documented in the proposals they send to us. And I think it could be -- some of it could be resurrected from -- or found in the public record of the process. But we should be very, very careful not to do stuff that Milton suggests is recapitulating it and giving our own analysis, what alternatives were considered and basically rejudging the process that

was going on or even recounting it. I think that's a bottomless pit. We shouldn't do that.

So we should, A, push back a little, not to do much about the alternatives. And then if we're discussing the alternatives that were considered, we should point to the public record of the communities themselves.

And if we should consider alternatives, which I don't think we have much room for, then, of course, we should document it and say the ICG considered the following alternatives.

But we should be very careful to sum up -- push back a little on the alternatives. And let's be very, very careful not to redo -- redescribe the process that already has a public record, not make a record on the record.

Sorry for being so long-winded. Thank you.


ALISSA COOPER:          Thank you. Thank you, Daniel.

                        Jean-Jacques.


JEAN-JACQUES SUBRENAT:  Thanks. This is Jean-Jacques. I strongly agree with Daniel's analysis but also with the conclusions he draws from his analysis. I think that, as I read it at least, the part about alternatives is not mainly aimed at

the ICG. It is for the community in general and particularly for accountability.

But also as a matter of principal. I would add to what Daniel said so accurately by saying that we are in a way prescriptive towards our communities. We have set out the RFP. There are rules. And if only for that reason, I think it's rather excluded that we sort of change the rules of the game now. It wouldn't be fair. And even though it may give the opportunity to some communities to add some stuff, I don't think that methodologically that would be justified.

So like others who have spoken before, I would very strongly support keeping to our main task but, of course, documenting with links to all the community records of the discussion, alternatives where there have been alternatives. But the alternatives are not ours. We simply point to alternatives which have been envisaged by community.

ALISSA COOPER:          Thank you, Jean-Jacques.

                        Keith.

KEITH DAVIDSON:         Thank you. I'm just wondering if we might need to gain some greater clarity about these words and the intent as to whether it applies to this group or not.

                        Looking at the words specifically and the term "building the public record" and the need to document the judgment and the evidence

that supports and so on is very much the common language at the U.S. administration when it's going through a notice of inquiry.

My feeling is that perhaps the U.S. administration is trying to abbreviate the time frame for their consideration by avoiding having a notice of inquiry and, therefore, looking for us to provide the substantial authoritative resource that would preclude them having to go through that additional process, which would be complex and sort of a start-again process for them.

So I think having more clarity so that if that is their intent we should go through that process very carefully and try and make it as easy as possible so that we don't have a stumbling block of somebody in Congress demanding that there be a consultation process inside the U.S. on it.  Thank you.

ALISSA COOPER:          Thanks, Keith.  I definitely have the impression that the intent is to rely on our public comment period as the main means of building the public record in support of the proposal.  So that's -- that's one piece. But I think the other piece is to just -- I think what really struck me this week was the thought that, you know, if I had to sit down in front of the U.S. Congress or the legislature of any country to defend this, what would I want that record to reflect, right?   And that -- I think it's perfectly reasonable that that is the mentality of the folks at NTIA who are thinking about this.  It's not within their control obviously because it's the proposal that comes from the community, but that's just -- you

know, if we think about orienting ourselves toward what we submit to them in that way, I think that would be helpful.

Whether we can obtain further kind of clarity on exactly which points are expected to be reflected, it makes me a little bit nervous, right, because it is supposed to be our proposal.  But I think at the very least if we can, you know, try to put ourselves in their shoes a little bit and think about what we would want to have, you know, in black and white when we go to defend this in official settings, then I think that would go a long way.  Jari is next.

JARI ARKKO:              Thank you.  Jari Arkko, for the record.  So I also understand Larry's words and the reason why he's asking about these things.  And it's not only about like them having to be in front of the Congress and elsewhere defending this.  But if you think about it, you know, there's - - we are constructing a proposal and, you know, what party might be the possible entity that is in the best position to provide this report, an explanation of why this fulfills the criteria.  I think if you think about that then you'll see that the ICG is probably in the best position to do that.  So we will have to provide a good explanation of why this is a workable proposal and why the community stands behind it and what the situation is.  And, you know, the details of how we go about that, we can discuss.  I think this is part of the already agreed process of where we make the combined assessment.  I like the model of thinking about this at the ICG report.  I do agree with Daniel and others on how that should be constructed.  I think we should avoid writing too much

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of our own words when it comes to describing what that community has been through. You can refer to existing materials, and if there are some cases where we don't have their permission, we can ask for that. And, you know, rehashing the discussions, well, why did you do this and not the other one. That I think we should avoid. But documenting that those communities have gone through extensive discussions about the choices, that is what we need to do. Thank you.


ALISSA COOPER:      Thank you, Jari. Xiaodong.


XIAODONG LI:        Just a comment. I think it's -- the community think that the ICG should be -- take the responsibilities for the transition proposals but actually we know that we tried to be a coordinator to coordinate the different community to give their proposal and try to mold that without any modification, only doing some assessment. So I think it's very difficult for us to clarify that, what's our responsibility and what is not our responsibility. So -- but for us, it's very important to -- to approve that the multistakeholders or multistakeholder model should be successful. I think that is our most challenge and responsibilities for the community. Yeah. Just my -- my comment.


ALISSA COOPER:      Thank you. Martin.

MARTIN BOYLE: That's mine. While we have a quick fight with the cables over here, I'm not involved in this bit at all. I'm just the state in between. Certainly I can -- sorry, Martin Boyle here. I can understand and accept a lot of the concerns that colleagues around the table have made, and certainly what I don't want the ICG to do is to suddenly become a writer of fiction as we create "War and Peace" or perhaps, as we're heading for Dublin, "Ulysses." However, I do think that we have got some very useful messages that came out from Larry Strickling. And it's a little bit like you've -- and this is a long, long time ago for me, but you've been called in by your professor who's told you very, very carefully that, you know, this is the way you're going to be examined when you present your project report to him in three months' time, four months' time. And even me, a not very good student, did actually make sure I listened to that and had copious notes and provided that information in a very clear way. And I think that is my message, certainly my takeaway from Larry's input. And I think where we should try to devote our efforts that we should be looking carefully at section by section trying to make sure that we are addressing the evaluation criteria in a way that NTIA are going to be able to use that content to most effect so that we get what our common and shared aim is, a successful transition.

Now, for me, the bit that I found particularly new from Larry's intervention was his suggestion that we needed to be able to show that our overall assessment and consideration had been thorough and that we hadn't just come up with a, we need a solution, this is a solution, let's make it fit. And so these are the options that we can

consider and we have worked together to narrow it down to the one that we've put forwards. And I think from the names side, we did do that. And I think there is content available to us, including from slide presentations, that help support that model and the method of working, and therefore, I would hope that it would not actually be very difficult to produce something that was actually short and concise that gave that complete picture of, we started off here, we went through seven -- seven models. We revised it down to -- or narrowed it down to three or two or whatever -- four it was, and then subsequently we identified the one that came out as the right solution. And we would do a serious disservice to all the hard work that went on in that community if we didn't highlight that very, very clearly, that this wasn't just the one that occurred to us on day one and we've used a hammer and managed to fit it into the -- into the hole. Thanks.

ALISSA COOPER:          Thank you. Kuo-Wei.

KUO-WEI WU:            Yeah, I -- I think in ICG I think we maybe have to think about those proposal we receive and eventually, when we deliver, you know -- send it to the ICANN and ICANN deliver to the NTIA and definitely, first of all, I think the ICG need to verify those are three proposals that really meet the U.S. government's statement say and if we are not going to verify that, I think sooner or later we will face that kind of issue, no matter from the NTIA or from the U.S. Congress. And now the question is, when we do the verify -- I do agree it might be -- it's very

difficult for the ICG to do additional work around those three proposal, but maybe we have to ask them to provide the rationale to meet -- how our proposal really meet the U.S. government statements.  And those things, we have to add it all up, eventually not only, you know, for the ICG, also to the ICANN and eventually in the NTIA and Congress up until then.  We must answer those questions sooner or later.

ALISSA COOPER:          Thanks, Kuo-Wei.  And obviously we've asked the communities in the RFP about how they meet the criteria and we have our own assessment steps.  So it might just be that all of this will flow naturally once we do our assessment and we haven't done it yet so we don't have any words written down.  And that would be great, if that's the case.

Sure.

KUO-WEI WU:          Yeah, I just -- what I mean is actually, of course we can do the assessment and to double-check the middle statement requirement, but maybe we have to thinking about what about from the U.S. government or U.S. Congress view to look at that because we can answer ourself, but we have to simulate what their question would look like.

ALISSA COOPER:          Got it.  Than you.  Jon.

JON NEVETT:     Thanks, Alissa.  Jon Nevett.  I'm probably piling on at this point.  I totally agree with what Keith and Martin said, and others.  This is a help us help you moment for us, and we need to help the U.S. government push this through.  We have the Congress bill that was passed in one house already.  The other house is considering it.  So there will be a 30-day process where we'll have Congressional review.  We need to create the record, just like Larry says.  Our role, the ICG's role -- so let's be clear that this is definitely an ICG directive for us, or at least advice.  It's crucial because it must build a public record for us, meaning the U.S. government, on how the three customer group submissions tie together.  So we're not going to get those from the individual groups.  We're going to have to do our own work on that.  It's going to be create new writing.  How they tie together in a manner that ensures that NTIA's criteria are met and institutionalized over the long term.  So, you know, there's a lot of work ahead of us.  And certainly something that they're calling for and asking for and require in order to help us achieve the transition that we've all in this community worked so hard to be in the position to, you know, fulfill at this point.

So agreeing with Martin and Keith and others that we need to do this.  We need it to do it right.  We can't just put the three appendices in and say we're done.  That's not going to fly.  Thanks.

ALISSA COOPER: Thank you. I think we have strong agreement on this point in the room thus far. I don't want to cut things off, but just noticing we've been talking about this for half an hour and it seems like everyone agrees. So Milton.

MILTON MUELLER: Well, it didn't seem to me that everybody agreed, which is why I put my flag up. Jari was saying we should push back, and one point I just want to make is that when they asked for this, this is not coming out of the air. This is federal administrative law. They have to have a record. It's well established within regulatory proceedings that the agency making the decision has to show that they considered the different points of view. I just don't understand the idea that you push back against the description of those alternatives. I just don't get what your concern is.

ALISSA COOPER: I think it was Keith actually who used the phrase "push back" not Jari, right? No? Oh, it was Daniel. Oh, okay.

[ Laughter ]

UNKNOWN SPEAKER: (Off microphone).

ALISSA COOPER:          Did you have something else you wanted to say Jari, or you were just redirecting to Daniel.  Daniel's in the queue, so -- you're just putting yourself in the queue now.  Okay.  I will say, that's a good point, Milton.  Just mid -- mid session synthesis on this point about the alternatives is that what it did sound like to me is that while this may or may not have been more directed towards the accountability work, there -- there are a lot of words, at least from the names community, that we could borrow about the consideration of alternatives because it has been explained thoroughly in the names community process.  And so I thought other people were sort of agreeing with that, that the process descriptions in some way actually already reflect some of this.  So we might be able to leverage that.  That might be more for the names community than the others, but --


MILTON MUELLER:          With a two-finger intervention, the point is not -- I mean, you -- that's why I want to pursue this, even though it seems like we're agreeing, because we're actually not.  There's a different mindset here.  You think we should use the words of these communities themselves.  What we're being asked for is an independent assessment, that we as the ICG saw that they considered these alternatives and we were verifying that they made judgments based on correct evidence that support the ones that are being put forward.  It's supposed to be written by us.  It's not supposed to be just a forwarding of what we were sent by them.

ALISSA COOPER:          Thank you for the clarification.  That's helpful.  Manal.


MANAL ISMAIL:           So actually Milton's last comment confused me a bit.  But anyway, I -- I was just going to say -- first of all, I have the same understanding that this was more towards the accountability track, but again, it's good that we do a similar exercise for the public comment.  I think we need to -- for the public record, I mean, I think we need to -- things that are going to be highlighted or how the three proposals are tied together, this can go easily into the ICG report.  We need to decide what exactly is going to go into the ICG report and what is going to be annexed.  And assuming that the public record is not only the ICG report, right?  So we -- we might have other pointers or links to other things that has to do with this current proposal.

As for the other alternatives that were considered but excluded, I -- yeah, I think this is another track that needs to be considered.  I thought that it's some sort of documentation of excluded options and why they were excluded.  I did not understand it was the ICG assessment of the whole thing, but it's a good point.  I'm not sure exactly whether it's our assessment of how things were considered and evaluated or just keeping record and keeping track of the options that were started and the reasons why they were excluded.  So I leave it here.  Thank you.


ALISSA COOPER:          Thank you.  Russ Mundy.

RUSS MUNDY: Thanks, Alissa. Russ Mundy, for the record. I really have to -- want to note what Jon said a few minutes ago, help us help them, which is good. It's very important. And although the U.S. government is in more or less a decision-making position here, I think it's important that there's -- to note that there's going to be other governments and other major activities that also need a similar type of information to be readily accepting and adopting of the end product, which I think is what we're all working towards.

The concern that I have, in particular, about the identification of the alternatives and why one was chosen over another, in terms of our particular remit and charter -- the ICG -- I believe that our charter from day one was to go to the communities, expect the communities to each use their own open and public process, their existing process. If they wanted to create something new, they certainly were welcome to, but to use their process, and our real judgment, if you will, was if they accomplished this open process.

The part that is, I believe, a new charter, so to speak, if the ICG believes it's our charter from the words that were mentioned this week, is to -- for the ICG to look at the alternatives and make an evaluation of the alternatives and why one alternative was chosen over another. I see that as a very substantial change to the ICG remit.

Now, if we believe that what's being said is that needs to get documented and put into the public record and that we help identify where the operational communities did that and documented it

themselves, I think that would be a very appropriate way, within our current scope, of meeting this -- I view it almost as a new requirement that was laid out, if it's pointed at the ICG.  Thank you.


ALISSA COOPER:          Thank you, Russ.

Daniel?


DANIEL KARRENBERG:     Thank you, Alissa.

Yes, indeed, there is disagreement around the table and it's -- if I -- to me, it appears like it's about how many words we are creating.  And I think there's agreement around the table that we want to come up with a document that makes it as easy as possible for the U.S. Government to make the right decisions.  We're disagreeing about the amount of words we, the ICG, have to create.

And Martin actually started his remarks with, "We don't want to write 'War and Peace,' but," and I think we're disagreeing about the amount of the "but," and I think we should be very careful not to do what Milton said -- and I can't really think he meant it -- that we would evaluate whether the communities have come to the right conclusion. I think that was a slip of the tongue.

But it's exemplary of the things that I'm afraid of and that I don't think we should be doing is to -- to pass a value judgment on the -- on the result.

We should definitely say we looked at the processes and whether the communities followed their own process and evaluate that, but we should be very careful in, again, creating a narrative ourselves about how that came about. The communities have done that themselves. It's in the public record. And we should be absolutely -- we should absolutely not pass judgment on the alternatives that were discarded.

The only thing we should consider is the alternative that is the result that we got and evaluated according to the criteria that were set, and we should not accept the change of our mandate to do anything more than that. That would be a way -- certain way to disaster.

ALISSA COOPER:         Thank you, Daniel.

Jari.

JARI ARKKO:           Jari Arkko, for the record.

So I -- I think I agree with Daniel and Russ. Russ said it exactly right. We should approach this.

And I did want to respond to Milton.

I actually don't think there's a disagreement, and the reason why I think so is that I think it is our job to provide a convincing evaluation of the situation, but exactly how we do that evaluation, I think we should do that in the manner described by Russ, for instance, that we

confirm that the communities have followed the open processes, we confirm that the communities have considered the alternatives, and we can provide pointers to all of those and even quotes, if that's a better editorial style, but we should not redo the work.

And the other thing I wanted to say is that we're spending far more -- far too much time, even in this discussion, focusing on the alternatives question. I think the answer to the primary criteria are the ones that we should really dwell on and spend most of our energy and text on, and the part about the alternatives is really about confirming that they -- you know, they have looked at this. And we can already say today that -- I mean, clearly all the communities went through the process where they considered what to do and there were debates about various levels of changes or alternatives and they came up with the right -- came up with the conclusion that they came up with in their community consensus-supported process.

ALISSA COOPER:        Thank you. Xiaodong?

XIAODONG LI:          Maybe my English is not well, so I try to read this for many times. So (indiscernible) is the long term. Yeah. So I think it's -- for the new proposal and new implementation, no one can ensure that it's long term. Even ICANN is set up over 17 years. No one can think that ICANN is perfect and it's a totally long-term solution.

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So I think for this, ICG have very big pressure. If we cannot (indiscernible) three years, five years, some people complain that now that the current solution is not long term, not perfect, so it's the fault of ICG or not, so -- you know, because, you know, NTIA think that they have a letter to ICG that you, ICG, need to ensure that the solution should be institutionalized over the long term.

So I'm not sure. Maybe I can recognize what's the meaning for this, so...

ALISSA COOPER:          So maybe I can just try to respond quickly to that point.

I think it's sort of -- it's not about being perfect, for sure. But I think what it's about is looking at the -- the mechanisms that are proposed by the communities and determining how difficult it is to, for example, undermine them in the future.

So each of the communities has proposed, you know, some sort of oversight structure that will attempt to hold the IANA functions operator accountable for performing its functions, right?

And you can imagine -- and I think all of the communities have done this. They've sort of built in protections to prevent the capture of those oversight entities by -- you know, strictly by governments and intergovernmental organizations, which is one of the criteria.

Now, if they hadn't built in those safeguards, then I think it would be much easier to argue that, "Well, you know, today, whoever is doing

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this oversight isn't an intergovernmental organization, but it wouldn't be so hard tomorrow to change that."

I think if we can -- the defense of the proposal comes down to us sort of showing that the mechanisms together are -- would be really difficult to undermine because they have all these checks and balances and safeguards built in.

I think that's the kind of thing that we're talking about when we talk about institutionalization over the long term.   Not that you can prevent every failure scenario or -- you know, or that it has to be perfect forever, but that there's been a lot of thought put into this, such that it would be difficult to really deviate away from the criteria.

Does that help?

XIAODONG LEE:          Yeah, I think it's very helpful.

So -- but, you know, in my understanding, I think because it's a multistakeholder working model, so I think -- I do believe that every community tried their best to give a proposal that -- to meet the criteria by NTIA, so I do believe that they try to understand that and try to meet the criteria.

So -- but as you mentioned, we -- no one can predict that in the future what will happen in the future.  Up to now, we try to give a proposal to meet the criteria.  I think that's the key point.  Yeah.  Thank you.

ALISSA COOPER:          Lynn?


LYNN ST. AMOUR:         Lynn St. Amour.  I'm not actually sure how much we're disagreeing, and maybe it's just a matter of degrees on a lot of these points.

I had initially put my flag up to align with the comments I think largely of Milton, Keith, and Martin, but I'm actually wondering if there's a way to accomplish where I think they probably were on the spectrum by having some supporting materials at the time we put the proposal out for public comment.

So it doesn't need, necessarily, to be in the proposal itself or in the final submission, but if through supporting documents or a really robust frequently asked questions or additional commentaries or something from the communities where they talk about what their alternatives were and their process, if that would be enough of a public record without having -- and still coming from the communities -- without having to burden the proposal.

Not particularly well thought out, but just I think we have a number of mechanisms available to us for building the public record over the next three or four months and I don't think we need to feel constrained by trying to fit it all into the final proposal.


ALISSA COOPER:          Thank you.  Milton, did you have -- did you want to be back in the queue or no?

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MILTON MUELLER:          No.


ALISSA COOPER:          Okay.


MILTON MUELLER:          But I just do want to say that I never said that we should assess whether these entities made the right decision when they considered alternatives, and that's just absurd how anyone could get that out of what I said.

We have to document the alternatives they considered and say which one they chose and show the reasons that they did that they themselves produced.

So I just don't understand what -- what this sort of ambient paranoia is that we're dealing with here.


ALISSA COOPER:          Thanks.

Jean-Jacques is my last person in the queue.


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

Two remarks.

The first is I think from what I hear in the discussion and also what is on the chat, we are coming towards some sort of agreement on what we can or cannot do. We can document the fact that the operational communities have examined alternatives, but we will not pass judgment on that. We will document it. I think that's the very important point.

We can testify to the fact that it was discussed, at least according to those communities, and we can provide the link.

The second thing is that I can full well understand, especially as a former civil servant in one country, that citizens of the United States in this particular instance are particularly sensitive to what can or cannot help on the hill towards granting transition of oversight.

But as a non-U.S. citizen, I must say that there are limits to what we can do because our mandate does not provide for that.

You very interestingly said, Alissa, in introducing this subject, that the Under Secretary had made these statements in a very public context, and I agree that of course we must take that into account, but I would posit that if we are to receive instructions which are not 100% those of our charter, then we need to receive written instructions. That is my position.

We can understand, we can accommodate, but we cannot change our charter.

ALISSA COOPER:     Thank you.  I don't have anyone else in the queue, right?  Oh.  Oh, I'm sorry, Manal.  Go ahead.

MANAL ISMAIL:     Just very quickly to concur with what Lynn mentioned.  I really think it's a good idea that we flag this with the operational communities, quoting Larry's comments, and asking them whatever material they would like to add to the public record that would support their proposals.

I mean, there were a lot of very useful materials that explains how things were concluded, so we can just flag that referencing this, we're building a public record for the whole process and please share with us whatever material you would like to have on this public record.

So if we survive the room temperature, we can do it.

[ Laughter ]

ALISSA COOPER:     Yeah, I know.  The secretary is, like -- is going to all lengths to try and regulate the room temperature.  It's just going the complete opposite direction that it's supposed to be going.

[ Laughter ]

Yeah.  Patrik has his, like, parka on.

[ Laughter ]

ALISSA COOPER: I'm sorry. But we're only 20 minutes away from being done, so we have that advantage.

Okay. So to try to summarize, it sounds like we have good agreement on the fact that we need to build a public record that demonstrates support for the criteria, their institutionalization in the long term.

We -- I really like the suggestion of just flagging to the communities that we are thinking about this notion of alternatives and if they could point us to the materials that they have where they may have documented their consideration of alternatives, so maybe take an action item for the chairs to do that outreach to the communities, I think that would be good.

I think we have also agreement that we want to -- I mean, this thing that we had been talking about as an introduction, really it sounds like is more properly thought of as an ICG report that will accompany the proposal and so we can recast it in our minds that way.

We already have a subgroup who is dedicated to this, and so this will be their task to produce a first version of this, hopefully leveraging what we already have and the good efforts of people, including Milton, this week who edited -- who made some additions to that text already. So we can use that but we clearly need to build it out. And a lot of it we can't build out until we do our assessment, which is fine.

And then I think just to sort of come back to Daniel's point, I think we want to leverage words that are already written as much as we can,

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whether they be, you know, from the community proposals, things that we ourselves have written previously.

We don't want to invent a lot of new words, but at the same time we want to build a strong defense to the proposal, and so we just need to keep in mind balancing those two things.

I have Daniel in the queue, so go ahead, Daniel.

DANIEL KARRENBERG: Yeah. I think we should very carefully consider whether we communicate to the community that they should document the alternatives that they have considered.

I think that's, as Jean-Jacques put it, changing the rules afterwards and it might be not well received if we put it this way.

I would be in favor of what Manal suggested, asking them to what documentation of their process they would like to have referenced by our document, but asking them to document the alternatives and rehash the whole discussion, or even documenting the alternatives, is probably a -- will be received as an unfriendly move, certainly changing the rules afterwards, and also might produce more confusion in the answers than it's worth.

I would advise very strongly against asking that question.

ALISSA COOPER: Go ahead, Manal. Did you want to respond?

MANAL ISMAIL:            No.  I'm fine.  It's okay.


ALISSA COOPER:           Okay.  Yeah.  I think, Daniel, all that was being suggested was exactly what Manal said, which is that we just ask the communities to point us to their documentation of alternatives, if it exists.  I think that's the -- that's the stage where we are.  We will see what we get.  Some of it is in the proposals, also.  Or in the sort of public comment Web site for the names proposal, and the slide decks, but it would be good to hear from them exactly what they think we should be looking at, since we didn't ask about it in the RFP, and we'll see what we get.  And if we need to revisit this topic after we see what we get, then we can do that.


MANAL ISMAIL:            And initially, it was Lynn's proposal, after --


ALISSA COOPER:           The Lynn/Manal proposal.

                         Daniel, does that work for you?


DANIEL KARRENBERG:       Yeah, that works for me.  Just not -- don't -- yeah.  It works.  Just say "What would you like to" -- yeah -- "have included about your process?"

ALISSA COOPER:          Okay.  Thanks.  So I think we can call that session done, unless anyone has anything else.

Okay.  Okay.  Then we have the wrap-up.  Do you need a couple minutes?

Okay.  So let's just take five minutes while the secretariat prepares the wrap-up items and we will continue.

**[ Break ]**

ALISSA COOPER:          Okay.  Why don't we come together so we can actually be done.

MILTON MUELLER:         Are we finished?

ALISSA COOPER:          We're just going to review our action items as we do often at the end of the meeting.

So we had three action items that came out of today.  The chairs will incorporate the edits to the response to NTIA, and we'll coordinate with the CCWG accountability group and share a response to that early next week.  So look out for that because you won't have a lot of time to comment on it, if you want to comment on it.

We also took an action that everyone should review the communications strategy and send their comments to it by July 1.  So please have a look at that.

We will probably have some follow-up items from our meeting later this afternoon with the ICANN folks to share with you as well.

And then the chairs took an action to reach out to the operational communities to ask for pointers to their documentation regarding alternatives considered, if they exist.

I would also say -- this isn't really an action -- but we have the first individual assessment of the names proposal.  And I would encourage

people to review that and send comments.  I'll send a mail to the list about that as well in advance of our next call, which is July 8.

Go ahead, Lynn.

LYNN ST. AMOUR:    Lynn St. Amour.

I just wondered if there was support in the room for possibly broadening out the third action item, which would simply ask the communities on the basis of what they've heard here this week are there any other things they would consider doing or putting into the public record.  Just so that we are informed if, in fact, some of them are looking at some different sort of activities.  I don't know if we need to be quite so specific as just "alternatives."

ALISSA COOPER:    Can you explain a little bit what else you have in mind?

LYNN ST. AMOUR:    When they look through the same set of comments from Larry and comments in the community and things, I mean, I wouldn't preclude the fact that some of them might go away and find a way to maybe build a more accessible public record.  It's fine to say all of our minutes are posted and transcription.  But we all know how completely difficult it is to go through them and get anything from them.

I don't know if some -- CWG, for instance, might be looking at some supplemental materials or some supplemental actions to make that more clear on the basis of some of the comments they had here.

I'm not suggesting we tell them to at all but just whether or not we might open that question up a little bit more to see if they've considered any additional actions they might take on the basis of the comments and discussions here this week.

ALISSA COOPER:          Jean-Jacques.

JEAN-JACQUES SUBRENAT:    Thank you.  This is Jean-Jacques.  May I suggest that -- I agree, by the way, with what Lynn has just suggested.

And in addition, I would suggest that we add at the end of the sentence for Action Item 3, comma, "for the purpose of consolidating the public record," because -- to make it clear that we're not starting off some new job.  It's just to consolidate the record.  Thanks.

ALISSA COOPER:          Thank you.  Daniel?

DANIEL KARRENBERG:    It seems that what's missing more, I don't think it should say "regarding the alternatives considered" but "regarding the process used."  I think the "alternatives" is the wrong thing to say.

ALISSA COOPER:    So I guess my question back is that we already asked for documentation of the process. I mean, all of the proposals have the documentation of the process because there's a whole section of the RFP that asks for that. So I feel like it's a bit duplicative to then go ask them to send that us again because they have already sent that to us.

DANIEL KARRENBERG:    Yes, that's exactly my point. We shouldn't ask new questions, changing the goalposts. We could say "further detailing the steps or whatever." But I think the "alternatives" is the wrong thing to do because it sends the message that we're not happy with the -- with the conclusion that they came to and that you have to iron this whole thing again.

I think, again, if there's nobody supporting this, then I will just rest my case. But I heard others also saying that asking for alternatives wasn't the right thing to do.

So if I'm the only one, I rest my case. If there are others, I think we should discuss this more.

ALISSA COOPER:    So it sounded like the proposal from Lynn was that we -- and Jean-Jacques, was that we perhaps just ask if the communities have any other supplemental material that they are interested in providing to us for the purposes of consolidating the public record. And, therefore,

it's generic.  It doesn't speak to alternatives.  It's just -- we happen to know that they have lots of other materials they develop because we have been here all week looking at them.  So how does that generic formulation sound to people?

And now I have Mary.

MARY UDUMA:             Thank you.  Mary for the record.

I agree with Daniel.  And also I want to say that if we look through the proposal, they did not all mention that already.  Can't we read them there?  I think they're already there.  So I don't see where the problem is.

I think we should really document.  Especially the naming, they were detailed and they were thorough in their reports, please.

ALISSA COOPER:          Milton.

MILTON MUELLER:        Yeah, I think Mary said pretty much what I was going to say, which is that the operational communities that really considered alternatives already document them not as directly as maybe you.

So I don't think you need to ask for this.  I think -- and I know this will horrify Daniel.  We can actually read their reports and make judgments about what alternatives they considered all by ourselves.  And we can

actually accurately and objectively describe those alternatives and adduce the reasons that they give us for why they chose one over the other.

ALISSA COOPER:           Thank you.  Alan.

ALAN BARRETT:            I think we could send the communities the exact text of the questions that we were asked and then ask them do they have any information which will assist the ICG in answering these questions.

ALISSA COOPER:           Jean-Jacques, did you put your hand up again?  Yeah.

JEAN-JACQUES SUBRENAT:  No.  I can't get rid of my "up" hand, but I will respond, though, to Alan's suggestion.  I think it's an interesting suggestion.  But still I can't accept it for the very reason which was developed by Daniel, myself, and others, which is that it would actually be extending or amplifying the remit of the ICG and the charter we ourselves designed as a consequence of the instructions received from NTIA.

ALISSA COOPER:           Thank you.

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So perhaps following on the very good suggestion of Mary, we should just park this until after we have at least done the individual assessment of the names proposal because then in theory a bunch of people will have read it. And we will know if we feel there is satisfactory information in there to build a public record or if we think we want to ask more of the names community.

And perhaps in parallel a few of us could go re-read the other two parts of the proposal and see how we feel about it and then sort of reconvene on the next call and decide if we want to send a question.

Is that a compromised solution? Go ahead, Mary.

MARY UDUMA: Mary for the record. I wanted to raise the wrap-up action points. I think we discussed about our calls and meetings and all that.

I think we should also be raised the issue of number of days of public comment. I think we need something on that. We could also add that. Thank you.

ALISSA COOPER: We didn't actually decide anything, though. Future decision taken.

[ Laughter ]

Yeah, we do need to decide, but we haven't decided yet.

MARY UDUMA:             Are we going to do that?


ALISSA COOPER:          Hopefully next time or on the list.  Might require a call, though.


MARY UDUMA:             All right.  On the list then.


ALISSA COOPER:          So you guys -- yeah, I think we can park number 3 for now.  So we'll just have the two action items from today.

I think we are done.  Thank you, everyone.  Good work this week. We're going to be hearing a lot from each other in July.


JEAN-JACQUES SUBRENAT:  Thank you, chair and co-chairs.  Thank you, secretariat.

[ Applause ]


MARY UDUMA:             Thank you, co-chairs.


**[END OF TRANSCRIPTION]**