
HYDERABAD – ccNSO Members Meeting - Day 1 (pt 3)

Sunday, November 06, 2016 – 13:45 to 15:00 IST

ICANN57 | Hyderabad, India

LISE FUHR:

Okay, everyone. It's a minute past the starting time. You know the Europeans, and especially the Danish, we want to start on time. Sorry. I know it's after lunch and we're all a little bit tired. Well, I'm tired anyway but I will sparkle throughout the session. I thought about singing a song, but I'll refrain from that because that's not going to make anyone of you happy.

But welcome to this session. I don't know if it's a cryptical title but the title is "How does IANA Stewardship implementation affect ccTLDs and what are the implications for the future?" So we need a crystal ball here.

But I would actually like to start this session with a little philosophical quote that's inspired by a session that Giovanni held once talking about the big philosophers, but this one is a Danish one. Søren Kierkegaard or "Kierkegaard" as we say in Danish. He says, "To dare is to lose one's footing momentarily. Not to dare is to lose oneself."

I believe that we have dared and worked together as a community. I think we have made great progress for the benefit

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of all the Internet users. I truly and surely hope that the new structure will ensure much more user influence and keep IANA and ICANN stable and resilient and working as it's been doing before.

Since Helsinki – that's actually been quite a drama, but the transition became a reality. We had U.S. politics and budget issues. That was in danger of actually blocking the process. We had someone trying to impose an injunction through a court in Texas that was luckily not accepted by the judge. So today, we actually have a PTI that's established with a new board and I will tell you more about this in this session.

Elise Gerich did start and overlap with some of our issues that we will discuss now. But I think we will go more into the details on issues, and I don't think there's any harm in repetition. If you have heard it before, it might be remembered better.

But one of the first repetitions is actually – I would like to remind you of the new PTI budget. As Elise said, it's actually out for public consultation. So it would be great if you could look at it and respond to it.

We actually, in the new structure, built it so that it would come in good time before the rest of the budget because we thought it was important that the PTI budget, which is going to be a part of

the ICANN budget, was looked at separately. In order to do that, we wanted this to come some months before. This is why you see this now. It's actually meant to be a help to the community.

As you see, I'm not alone. For this session, I have many good people here. I have Margie and Trang from ICANN who will give you an update on the implementation process. I will give an update on the PTI Board. Stephen will give an update on the IANA Functions Agreement, the agreement between ICANN and PTI. We have Jay who will talk about PTI, SLA, SLE. Byron will give you an update on the Customer Standing Committee. We have Peter Koch who will briefly talk about the RSSAC.

With that agenda – and unfortunately, I didn't put it on a slide so you will have to be surprised if you can't remember the order – I'll actually say that I find on a very personal note that the CC is the operational part of the new setup that is quite important for the ccNSO. I think this is a committee that can give feedback to PTI on performance, and I think it will be very beneficial for both the ccNSO and the PTI. But that was a personal note, so let's begin.

I'll hand it over to Trang and Margie to kick off the update on the implementation. Thank you.

TRANG NGUYEN:

Thank you, Lise, and thank you for inviting us to come here today to give everyone an update on the IANA Stewardship Transition and Implementation. As Lise mentioned, the IANA functions contract did expire on September 30th. If I can go a couple slide – one more slide, please. Go back one slide, please. Go back one slide, please. Thank you.

The IANA functions contract did expire on September 30th. We thank you to all of you for your tireless work and participation and input throughout the process, particularly to many of you at this table – Lise included – during the implementation phase to ensure that the implementation went smoothly, on time, and adhered to the spirit of the proposals that the community worked so hard to create. Thank you very much for that.

What exactly did we implement and put in place and how does that look? If I can go to the next slide, please. This is just a quick snapshot to show you all of the check marks before the vertical line, the dotted vertical line there, showing that all of the tasks that we identified as needed to be completed for the IANA functions contract to expire were indeed completed prior to September 30th.

Everything after the vertical dotted line, our continuing work that the community is currently undertaking with ICANN in support. That's considered as phase two of those work. Those

couple of lines represent the IANA Intellectual Property rights and the work that ICANN is doing with the IETF trust to move the IPR over to the IETF trust, both the marks as well as the registration of IANA data work.

The second line represents the work that a sub-team within the CCWG accountability is doing with regards to finalizing the supplemental procedures for the IRP or Independent Review Process. Next slide, please.

As I mentioned, what exactly did we put in place and how does that look in the post-transition environment? On this graphic, what you see is the relationship between the various bodies with ICANN and with the new entity, PTI. Everything that you see in orange were in existence before the IANA functions contract expired. Everything that you're seeing in blue are new changes.

What's changed? As you can see, we have quite a few contracts that's been put in place. We have changes to the ICANN bylaws. We also have quite a few new entities are being put in place. I'm only going to spend the next few minutes talking about those entities that have a direct impact to this audience. Next slide, please.

Let's talk about PTI first. As Lise mentioned, this is a new entity that was formed as part of the CWG Stewardship

recommendation to perform the naming function. It also does perform the number and the protocol parameters functions per the requirements of the ICG. But it was a concept originated with the names community. PTI has been formed. It is an affiliate of ICANN with ICANN being the sole member to, as I mentioned, perform the three IANA functions. Next slide, please.

There is a contract that exists between ICANN and PTI that lays out the requirements of the naming function the PTI is to perform, as well as containing the service level expectations for those services. Next slide, please.

PTI does have a Board. It has its own bylaws, and in the bylaws, it specifies that there shall be a Board with five members. And Lise will go into that in more detail in a few minutes. Next slide, please.

PTI is now entirely operational. What should be remembered, and the key point here, though, is that how you contact PTI for the services remain exactly the same. IANA.org will still be the place where all of the operational materials will be posted. The same e-mail address that you previously contacted IANA will still remain the same. The same people that previously performed the services will continue to perform the services. Next slide, please. Next please. Sorry. Could you please go back up one?

The Customer Standing Committee or the CSC is a new body that's been formed with the purpose of monitoring PTI's performance to ensure that it is operating in accordance with the SLEs. That's in the IANA naming function contract between ICANN and PTI. Byron has been elected as the Chair of the CSC and will give you a more detailed update on that. Next slide, please.

The RZERC is the other body that has been formed. The ccNSO does have a data point representative to the RZERC – Peter, who I believe will give an update on what's going on with the RZERC. The purpose of the RZERC is it was formed to make recommendations to the ICANN Board relating to major architectural changes to the root zone. Next slide, please.

The EC or the Empowered Community is a new legal entity that has been formed with certain powers that are granted to it under the ICANN bylaws. There are certain powers that are specified in the ICANN bylaws that the EC can exercise. One of which is to file a community IRP or reject an approved budget. There are certain powers that's been granted to the EC under the ICANN bylaws.

The ccNSO is one of the decisional participants within the EC and has appointed a representative to the EC administration. One of the first tasks that the EC administration will have to

perform is to notify ICANN of, in this case, the ccNSO Board member appointment. Next slide, please.

Those are all of the new structures and contracts and things that have been put in place in this post-transition phase that directly impact ccTLDs and the ccNSO. I have on here a few line items. One of which is the draft PTI FY18 Operational Plan and Budget that Lise mentioned is currently out for public comment. We encourage you all to take a look at that and participate in the public comment period. It is important to have that participation and engagement especially in this post-transition phase.

Elise did instruction to PTI session yesterday. There is recording available to that session if you like to listen to it. Then the CSC is going to have a face-to-face meeting here at ICANN57 on Tuesday morning if you would like to join us for that? That's it for me, Lise. I think Margie will now give you a quick update on reviews.

MARGIE MILAM:

Thank you. Hello, everyone. I'm just going to touch on the reviews and what's changed as a result of the IANA transition. Next slide, please. You've probably seen this slide before. This is the schedule of all the reviews that are coming up. The ones in

orange are the organizational reviews. That's of the different organizations. The ones in blue are the ones that were the affirmation of commitment reviews. Now, as a result of the new bylaws, they've actually been moved into – the bylaws have now incorporated the affirmation of commitment reviews.

What that really means, though, is that the bylaws are very specific on when the reviews have to start. There's no real flexibility in extending out some of these time periods because the timeframe for starting some of these reviews is mandated by the new bylaws.

In particular, if you take a look at the schedule, we have already done a call for volunteers for the second Security, Stability and Resiliency review. What used to be called the WHOIS Review is now called the RDS Review, the Registration Directory Services Review. That's currently starting with a call for volunteers that just went out last week. Then the Accountability and Transparency Review Team, the third one, ATRT3, will be kicked off in January.

That's just a little bit of some background as to what to expect in the coming months. Some of those I think will be more important to the ccNSO than others. I imagine the SSR1 is one that you'll probably have a lot of interest in, and the WHOIS one, depending upon whether you want to get involved in the WHOIS

issues, will also be something that's interesting to the ccNSO. Next slide, please.

The other things that have changed as a result of transition is there's more power and more responsibility for the community with respect to those reviews. These are essentially one of the main accountability mechanisms, and there's a lot more information about how to conduct them and more role for the community. For example, there's a role for observers to participate in the reviews and to make sure that non-review team members can actually participate in some of these reviews.

The other thing is there's a community selection component of this. In the past, the selection for review teams was done by the ICANN CEO and the GAC Chair. Now it's the leaders of the SOs and ACs that do the selection process. I think some of you are aware that there's [a current] with respect to the Security, Stability and Resiliency review. There's been a call for volunteers. Now, the next phase of that is taking place where the ccNSO Chair would be involved in selecting the members of that review team. That's one area of change.

The other thing is that a lot of the rules on how reviews will be conducted will be set forth in operating standards so that there's more consistency. There'll be an established roadmap

for reviews taking into account experience from past reviews. Some of you in the community might want to be involved in how to define those operating standards.

Then the other aspect that's changed is the frequency of these reviews. They're on a longer cycle now. They'll be every five years, although most of them are kicking off, as you saw in the prior slide, in the next few months. That's essentially it. Thank you.

LISE FUHR:

Thank you, Margie, and thank you, Trang. Are there any questions for Margie or Trang? Are you too sleepy after the lunch? Awfully quiet. No, but thank you for joining us. Well, we will move on then to the next. That's me who's going to talk to you about the PTI Board. I'm just waiting for my slides. Yes, you can sit or you can leave. That's whatever you want, Trang and Margie. It's an open session.

Adobe's thinking. Thinking presenter[inaudible]. Yes. No. There it is. Yes. I put on a picture from Magritte. I did that because, of course, now I work from Brussels Monday to Friday, but also because Magritte has a very good point. He painted the series of pictures that he called "The Treachery of Images". His statement is that the painting itself is not what it is. If you look at the next

one of the famous pipe, it's actually saying, "This is not a pipe."
No, it's a painting. It's not a pipe. But it is a pipe.

So you have his philosophy of what is there might be reality or not. But for me, actually, I like to use this because my aim is actually, and I believe this is also the aim of Jonathan Robinson, that the Board doesn't become a treachery image itself. It needs to be a real and functioning Board. I will actually walk you briefly through the background of the Board in this part.

As you see, I've put in three items. It's the background for the PTI Board. It's the Board composition itself. And it's the way forward.

If we look at the background, as you see, it's part of the new legal setup. It was made so we had a legal separation, and we all know the reasoning behind that. But it was also constructed. It should be a small and well-functioning Board, effective Board. It's not a Board that you want to be large and have a lot of meetings. But it's a Board where it was meant that it should have five directors where the three of them should be employed by ICANN or PTI.

The proposal itself actually mentioned the ICANN executive responsible for PTI could be on the Board, the ICANN CTO, and the IANA managing director. Then it was important that we had

two additional independent directors in order to ensure a balance in this Board. So you had two from the community who will be part of this Board.

As Elise also said, because it's NomCom who's going to elect these directors, but there's no procedure in place, the implementation group decided that Jonathan and I could step in as interim directors. This means that we will only be directors for a year. Then it will be a longer period when these are really elected by the NomCom procedure.

For us, it's important to underline that it's a small Board. It's a Board that's interim because two of the independent directors there are not necessarily there in the next year. But nevertheless, it actually happened as described. We have Elise Gerich who is President of PTI on the Board, David Conrad who's a CTO for ICANN, Akram Atallah who is President for Global Domains Division for ICANN. And Jonathan Robinson is independent director, and I am an independent director.

We aim to have one of the independent directors as the Chair of the Board. We chose Jonathan but it was not done in a formally correct way, so it has to be done again. But I foresee that Jonathan Robinson will be chairing this Board. For me, it's really important to underline that the outset of the changes were not that people were dissatisfied with IANA. During the first

consultation of the CWG proposal, we got a lot of feedback that people were not unhappy with IANA as such.

For us, the aim of the Board is not to create major changes in PTI. The aim is actually to ensure that PTI keeps delivering the high quality they've been doing before and to do any development in a more organic matter. This is not a Board that's going to revolutionize anything. It's a Board to keep things running, stable and resilient as always.

The PTI Board has had two meetings and we will meet again face-to-face here in Hyderabad. For the time being, our main objective has been to set the processes for the board and also the budget, of course, which has been send out for public consultation.

Here, the first steps are more how do we settle the different – there's going to be an audit committee; there's going to be the Chair. We have all these things. we need to decide and how many meetings, etc.

At the moment, nothing really interesting is going on in the Board. Nevertheless, the way forward, as I said, the PTI board is kind of an interim board in relation to the independent directors. But we as a Board also need to ensure that there are transparency and visibility of the work that the PTI board does

for the community and the community has some insight in what's going on.

We also need to ensure that there's communication between CC and PTI Board. At the moment, Elise Gerich is the liaison and for the Board into the Customer Standing Committee. As the PTI president, she's a natural liaison in this committee, but Jonathan and I are also considering that we will be liaisons – not all the time the two of us, but taking turns in following the CC work as we find it's important that we have some of the independent directors also following this.

That being said, it's a process. We're going to develop it throughout the time. We need to, of course, respect there are some formal escalations, procedures for the CSC. But I strongly believe it's important that we also keep communication that is more day-to-day or month-to-month. We're not going to have monthly meetings like the CSC and the PTI Board, but it's important that we keep this communication in. A session like this is also important in order to inform you and keep you aligned with what's going on and give you a possibility to ask questions if there are any in relation to the Board.

For the moment being, we will ensure the communication by liaisons. We need to find out how we actually create enough

transparency and visibility of the actual Board meetings for the community. That will be continued.

As you see from this and also from the presentation from Margie and Trang, well, it's a winding road in front of us and work has just begun. It's now that we actually create and implement the transition wholeheartedly. For me, we have done the framework. Now we need to fill up the frame.

With that, I'll ask if you have any questions. Peter?

PETER KOCH:

Hi, Lise. Thanks for the quick update. Basically, I just have one question. I haven't found time to look into the draft budget for PTI for, I think it's for fiscal year '18. But in normal terms, that will span the year 2017 and part of the year 2018. Yes?

According to you, are there any – because I think that the PTI Board has already looked into it into detail, I would assume. Have you noticed or discovered any things that need our immediate attention? I know that there is an increase, considerable increase in budgeting. But beside that, are there any other points of relevance that you say, “Well, I really think that the CC community should look into detail and, more specifically, those points might be of particular interest.”
Thanks.

LISE FUHR:

Thank you. Actually, part of the raise of the budget is due to a request from the Board actually on a resiliency fund that we thought was too low, so we would like to have stashed some more money away for that. Apart from that, I must say I think the budget looks good. I still believe it's lacking a bit of detail. We mentioned that to the rest of the Board, both Jonathan and I. But we found that it was more important that we send it out and people could ask questions and get more detail than keeping it and get more detail and it would prolong the process.

I think it's 90 days before the ICANN Board draft is released that this has to go out. In order to meet this criteria, we actually found that it was more important to get it out. But I would personally have preferred more detail.

Yes, Nigel?

NIGEL HICKSON:

Thank you. I have two questions. One is very short and sweet. The other one is as long as you want to make it. The first one is can somebody please tell me what is the formal name of the corporation as it's listed on the company register?

LISE FUHR: Yes. It's Public Technical Identifiers. Yes. Sorry. I couldn't even say it right. Public Technical Identifiers. I actually wrote it down for myself.

NIGEL HICKSON: Thanks. The second question relates to the two independent directors. Now obviously, Jonathan is not here so I presume you can only answer this for yourself, and you may not be in a position where you even know yourself the answers to question. But the question is would the two independent directors consider serving beyond the initial term?

LISE FUHR: I would consider it, yes, but I would do it if – It depends on the requirement for the Board members and those are not set yet. So if I can fulfill the requirements, I would consider it. But for me, it's also – I've been seeing what's going on on the list in relation to the ICANN Board. If people feel that a representative who's not within the CC community anymore is not representing well enough, I would abstain.

NIGEL HICKSON: Then a personal comment that I think that the selection criteria has to be how well that person will serve, not whether they're coming from a particular community or hair color.

LISE FUHR: Well, the last comment I didn't hear. Other questions? In relation to Jonathan, no, I can't answer for him, of course. I don't know. Okay. If not, we'll move on. I'll actually hand it over to Stephen Deerhake to take it away on the naming function agreement.

STEPHEN DEERHAKE: Good afternoon. For those of you in the room who attended or observed remotely the APTLD meeting that was recently concluded in Bangkok, I apologize because this will look pretty familiar.

I was asked to comment on both the Naming Function Agreement and the Service Agreement which were executed between ICANN and PTI. I am not really going to comment on the service agreement. It didn't even make it to public review. It basically dealt with allocation of paper clips, a lot of HR stuff involving moving ICANN employees into PTI, etc., etc.

What I will address today is the Naming Function Agreement which went out for public comment fairly late in the process. As

you may recall, things were extremely rushed in the August timeframe because the Board really had to act on all this stuff in early September. It defines the relationship between ICANN and PTI with respect to the DNS names function.

The document itself is fairly complex. It's 21 pages, 14 articles, a big annex as well. You can see the dates it went out and you've got the URL if you want to go see it. I took a look at it within a few days of it being posted and identified some major, major issues that fell into three broad categories. There were two of note. There were references to sections that didn't exist. It was cut and paste mistakes. But there are also some fundamental issues with regards to how the relationship between CCs and PTI were being structured within this document. How does this work? Yes.

Specifically, the major elements that I felt were really in need of repair was they diluted the contract as posted for review, diluted the framework of interpretation as ICANN policy. As you know, that was the end result of about six plus years of effort. First with the delegation, redelegation, WG, and then with the FOI WG. We pushed it to the Board. It was adopted as policy, and to see language in this contract which suggested that it really wasn't policy going forward was a little disturbing.

Also, disturbing was that the language in the contract as it was posted elevated the GAC 2005 principles to what I would refer to as de facto ICANN policy. The language clearly tied the GAC principles into the PTI policy with respect to handling delegations, etc., etc.

Further, the contract as posted, implied and imposition of ICANN PTI policies on non-ccNSO members which was an overreach, shall I say, of what the situation was pre-PTI. As a result of this, while the document was still out for public comment, I circulated a memo to select people, and various people got to work on this recognizing we had some serious problems with respect to acceptance of this contract by the CC community.

Becky Burr gets credit for doing a lot of heavy lifting in the wordsmithing department. There were a lot of iterations back and forth between the group that was involved in trying to sort out how we can deal with this. In fact, we got things done to fix it up.

It was section 4.7 where the bulk of the issues were lying. What you see in front of you – and I recommend you look at the slide set in details because the slide set will have both the before language and the after language of 4.7. It's interesting to take a look at it.

What we've done here is reelevated the FOI and really depreciated the GAC principles as policy. The language in the next to the last bullet starts out and says, "Contractor shall, where applicable, consult the 2005 GAC principles." And that was a huge change for us from the original language.

This is a summary of where we ended up, what the language in the previous slide really did. GAC principles were demoted and the apply to consult which I referenced previously. And we brought the FOI back up into its proper status as existing ICANN/PTI policy.

There are constraints now, as you can see, on ICANN's ability to impose its will on non-member CCs. And there is a hope, of course, that community empowerment will control bylaw changes going forward on that.

Let me take a look here. Yes, hold on.

The question is, did we get everything that was of concern fixed? The answer is no. That was both a matter of focusing on what was critically important as opposed to what looks like we could have done something better on but we didn't do for a number of reasons.

I highlight two items that are still of concern to me in the contract. One is that there is a pay to play clause in there. That

was kicked back. We got pushed back on that because it apparently wasn't all the USG Anti-ICANN/IANA contracts from long ago and far away up until the 30th of September. Never been exercised, obviously, because we've never been asked to pay for root zone changes, etc., etc.

Could it be problematic going forward without USG oversight? If ICANN decides we need to self-fund PTI, it could become a problem. It could become a problem both for ccNSO members and TLDs that are not members. But that's something that we'll see down the road. There's no way of predicting how that might play out five years from now.

There were also confidentiality clauses of some concern in there which I thought, and others thought, were overly broad. But we just let that go as it was because there was, again, considerable push back on that. I certainly didn't understand the legal rationales behind some of that.

So we let it go because the focus really was, from the start of the recognition of deficiencies in this contract, to get the FOI principles back where they should be as ICANN policy in the contract language explicitly and to clean up the reverse – I would say, really, the elevation of the GAC 2005 principles to be de facto ICANN policy because they've never been adopted by the Board. They've never been forwarded before as formal GAC

advice to the Board, and they had no business being in there on that.

The lesson I would say as a takeaway from this experience is that vigilance going forward is going to be required on part of our community – both through customer service – but also, just general oversight. We need continued, I believe, FOI. We need continued interaction with PTI as they continue to harmony their policies with what the FOI states. This is work that’s been ongoing by Becky Burr and Keith Davidson.

We're losing Becky to the Board, obviously, which is a good thing for us, I think, as well. And Keith is retired, but this effort, I think, needs to continue. It's just a matter of keeping an eye on things.

With, are there questions? I know contracts are really exciting. I'll turn it back over to you I guess. Wait. Nope.

LISE FUHR: A lawyer comes up.

STEPHEN DEERHAKE: [The Belgian] is stepping to the microphone.

[PETER VERGOTE]: Well, just as a lawyer I want to thank you for your vigilance in spotting issues. I think that the ones that really were concerning, causing a lot of concern, have been cured so thank you very much for that. What I wanted to ask, because you have some remaining smaller issues, is there a mechanism in the contract for revision?

STEPHEN DEERHAKE: Not really. No. Thinking back on it now, there really isn't. The confidentiality issue is what it is. Pay to play was the only, in my book, it's the only thing that really irks me. The argument that was made on the other side was, "Well, we've always had it in there and we just never exercise it." What do you do? "We're out of time." That's the other thing. The time constraint and dealing with this stuff was unbelievably tight.

[PETER VERGOTE]: Okay. Thanks, Stephen.

LISE FUHR: And Peter, in relation to revision, I think that was kept out because this is a contract that you are not supposed to easily change. It's to not make it too easy to have it because it can go both ways.

[PETER VERGOTE]: It's true. But a lawyer's remark would be that having a revision clause does not equal a termination clause. You could have had both in them, but if there is no mechanism, okay. As Stephen indicates, timing was very critical so I think we made the best out of it. I don't see any big problems coming out of it, but I was just curious to see whether, in the future, we would have had a break to correct the few glitches. But since it's not, okay. Fine by me. Thanks.

STEPHEN DEERHAKE: If I can comment on that, I think with respect to pay to play, if it does ever suddenly appear on the landscape, it'll cause a pretty serious eruption on the part of this community. We are a "empowered community" now. As a result, I'm not that fussed about it.

[PETER VERGOTE]: Thanks.

[PETER VAN ROSTE]: There are more Peters where he came from. I'm from CENTR. One of the things that, in the CENTR community, was considered to be one of the biggest issues with the initial wording of the

agreement – or contract, I think, as it should appropriately be referred to – is that there was no indication on the technical requirements that PTI could enforce on customers. Has that been clarified in the meantime?

STEPHEN DEERHAKE: Can you repeat the last part of that?

[PETER VAN ROSTE]: Whether the reference to technical requirements – I have the article here. It's Annex A 1d, Section 6. It put in place a possibility for PTI to put in place additional technical requirements on customers. For instance, the CC would file what we had something similar in the past where the CC filed changed request for new name servers. They were considered to be inadmissible because they were not part of the same AS. So [inaudible] was more about that.

The question was, as ccTLDs, are we at risk that additional technical requirements will be put in place by PTI who we do not have a contractual relationship with?

STEPHEN DEERHAKE: I think the short answer to that is likely. But I'd have to go back and look at it this again. You're way in the weeds on the annex.

I'm thinking back as to what our focus and emphasis was. It was on Section 4.7. Jay, do you have further input on that?

JAY DALEY:

Not specifically from this. But I do remember some years back when this was last raised. IANA undertook to do a consultation that went beyond the ccNSO to establish what people thought about it doing that, and did actually do that consultation at the time. So we do have a precedence there that there would be some form of a policy development, almost, process that takes place across the CC community not just with the ccNSO.

LISE FUHR:

Anyway, I guess if you have a registry that's actually causing problems for the others, you need to have the possibility to impose some kind of technical-

[PETER VERGOTE]:

Yes, but the whole idea was that happens in collaboration with the customers and not by delegating that type of authority to PTI.

JAY DALEY: I think PTI has always had that authority. It's not authority – it's a reserved power, almost, to protect things. They've had to use it once, and I don't see an issue with that, provided it's done in an open way. Last time, there was some clumsiness about how people found out about it, but I'm sure that it needed to be done.

[PETER VERGOTE]: Okay.

STEPEHEN DEERHAKE: Yes. further, I think we need to differentiate, does this come down from PTI because ATLD, the way they've configured their setup is causing issues with the stability or whether this is coming down from PTI from the standpoint of trying to exert some additional control over TLDs. Those are two very different ways of looking at what the same issue is. I will go back, actually, and take a look at that and get back to you offline.

UNIDENTIFIED MALE: Yes. Thank you for that because it's exactly to avoid that. Once you're at that point, it doesn't really matter what the reason is from triggering the technical requirement if it's put in place. Any process that would help clarify that I think would be very useful.

STEPHEN DEERHAKE: Okay. I'll get back to you offline.

LISE FUHR: Okay. Any other questions to Stephen? Okay. With that, I'll hand it over to Jay to give a short presentation on SLA.

JAY DALEY: Okay. Thank you. To start off, and check you're all awake, I'll mention the big question that's been keeping me awake at night at the moment. When you're watching Star Trek, how is it that all of these different alien civilizations maintain interoperable video calling software?

Anyway, all right. Moving on, Service Level Expectations. This is the set of standards that IANA are expected to maintain, to meet. Next slide, please.

This is the structure of the Service Level Expectations. It logically fits into three parts here. We have the principles and assumptions that are the background. I will talk about the principles but not the assumptions. Then we have the definition set of service definitions, the various reporting mechanisms, and the field definitions. Then, we have the reporting requirements and the targets in the informational measurement and

reporting, process performance, and the last set which I'm not going to talk about.

It's quite lengthy and quite detailed so I want to give you the structure and some understanding and then some of the detail but not too much. Next slide, please.

These are the principles. The first one is possibly most important one as a change from the NTIA SLA is that we have attributable measures. This is attributing the time taken to the party responsible. Under the NTIA SLA, an end-to-end target was given which could have included a large part of that being taken by the requesting TLD rather than being taken by IANA.

We tackle that directly in this principle by saying that measurement is done of who is actually – we are waiting to do something. Having said that, we also want to measure overall times that it takes to do something. The next point is relevance. We don't want to collect things that are irrelevant, really. We need this to be only about things that make a specific impact on our customer experience.

Then there is a clear definition because previously, there have not been a really clear set, or even any set, of thorough set of definitions. Then there are definitions of thresholds. I'll explain to you later on set very clearly the performance criteria beyond

which some particular remedial action may be taken and, then, as you expect to review process and reporting. Next, please.

The service definitions. There are five services. The first one, category one services are any routine updates that impact the root zone such as, at changing an NS record or adding a DS record. It's important to note that this requires a third party, namely Verisign, to do some work in this regard.

Category two are generally those relating to the database of TLDs. Routine updates not impacting the root zone such as the address of the sponsored organization changing.

Category three is very specific to gTLDs, creating or transferring a gTLD. These are quite different. Anything – category three and, as you'll see, category four – because the IANA processing is quite significant in this case, and because there is a great deal of work potentially require to ensure that policy and contractual requirements are met. Next slide, please.

Category four, then, is similar to category three but for a ccTLD, and even more work and due to take even longer. Then we have category five which are other change requests. There really is unlikely to be a special target about these but they still need some degree of measurement associated with them normally

because they can't be automated or they happen so rarely that it's difficult to set a target for them.

So that includes people that make their request through postal mail – special handling instructions, unique legal requirements, removing a TLD from service, and then changing the root zone itself, such as altering a list of root service. Next slide, please.

Now, we'll look at the reporting mechanisms that are expected for PTI to provide. There are five public ones. There is a Real-Time Dashboard which you saw earlier. There is the monthly SLE report which will come to the Customer Standing Committee that Byron will talk about.

There are incident reports that come ad hoc based on incidents. There is an accuracy metric and there is a Request Database, which allows some form of audit afterwards by the public of requests. There are ongoing discussions about how much data is provided in that public version. Then the private one is a status track of database for a requesting TLD so that they can understand their requests, the status of those requests, timestamps behind it, and what action is next required.

These are the full set of reporting requirements that need to be there. A number of these are new and have been introduced. Some of these existed under the previous SLE. Next slide, please.

We have a set of measures that we expect PTI to undertake and to report on, but they do not have any thresholds or targets because these are only kept for information purposes, to understand the overall service performance rather than to understand any particular issue.

Overall request processing volumes and timelines are shown. Also accuracy, and also the availability and processing volumes of a number of online services including the dashboard, for example, credential recovery, and the IANA WHOIS. Next slide, please.

The next slide after this that I'm going to show you is a sample of the process performance targets. To understand that, I need to explain the fields there. The first one obviously is the process that is having target set for it. The second one is the individual metric that will be measured. The third one is the target for that metric. Then the type of target, basically, is that the minimum time or the minimum target or the maximum. It must be under it or above it.

Then there is the breach. To be clear, as well as setting a target, we are going to set a percentage of requests that must meet that target. That's important because as well as having to set – well, the bridge is really a measure of spread that may take place when delivering these targets. Some of these processes can be

quite quick. Some can be quite long. You don't want to set a target right out to the end and then have the people who could have their processes done quickly have to wait that long.

So you set a together target but then are a bit forgiving with a lower percentage of compliance required before the bridge kicks in. Then finally, the period over which a compliance is measured. Next slide, please.

This is an example of the performance targets. This is my last slide here. This shows category one, routine updates impacting the root zone file. The metric, first metric there, is for the time for ticket confirmation to be sent to the requester following receipt of change via automated submission interface.

Just to be clear, we've broken down every step of a change here and set a target for every step of a change, every meaningful step of a change, that is. The threshold here is below 60 seconds. That's a maximum. The bridge is 95%, so 95% of the time expected to be below 60 seconds. That's measured monthly.

If you look at the very last one, the time to return results for a subsequent performance of a technical check is below three minutes. Again, that's a maximum and again 95%. Now, in some cases, the percentage given is 50% or lower because it's a

difficult target fully to be met. It's expected that over time, we will adjust these figures to more accurately reflect performance.

They were set initially based on a four-month measurement period, I believe, but even that's not long enough for all of the processes to have been requested often enough for good figures. So this is just a starting set of figures. That's it for me.

LISE FUHR:

Thank you, Jay. Any questions for Jay regarding the SLA SLE? No? Okay. We'll continue on to CSC. Byron?

BYRON HOLLAND:

Thank you. As I've been sitting here, I've suddenly realized that I'm wholly unprepared for this session. I have neither a philosophical quote nor a joke to kick it off. I promise to do better next time.

That said, I do have something of an excuse. The CSC, as you've heard to some degree already today, has really just come into being. In fact, we didn't officially exist until October 1st. As I think you've seen already, there are four members of the CSC and five liaisons. There are two members from our community and two members from the registry side of the G community.

But I thought it would be worth taking a moment just to reflect on what is the actual mission of the CSC. We've seen it in charts today – where it sits, who it'll interact with – but just a reminder of what its actual mission is, I thought would be of value. I just want to read a couple of sentences that will articulate that. This is from the CSC's mission statement itself.

“The CSC is to ensure continued satisfactory performance of the IANA function for the direct customers of the naming services. The primary customers of the naming services are Top Level Domain registry operators but also include root server operators and other non-root zone functions. The mission will be achieved through regular monitoring by the CSC of the performance of the IANA naming functions against agreed service level targets and through mechanisms to engage with the IANA functions operator to remedy identified areas of concern.”

To summarize, it's really an operational oversight role to ensure that the IANA operator is actually living up to the very expectations that Jay has just gone over for us.

As I mentioned, it really has just come into existence as of October 1st. I'm actually very encouraged because I think the four members on the committee will provide a very strong base to get the CSC started. Of course, Jay is your other CC member

here. We have [Cal Ferrer] from Neustar from the G-Community and Elaine Pruis from Donuts.

I think it's also very helpful that both Jay and Elaine were very involved in working through the SLEs, so they already bring a deep knowledge of some of the key elements of what our work is all about to the original slate of the CSC. I think we're in very good hands on that front.

Where are we right now? Needless to say, the political uncertainty through the summer and through September in particular was a little unsettling for the CSC. Whether we would actually even come into existence was a question literally up to September 30th. But we did officially come into existence as of October 1st. We have had one phone call, one teleconference on October 6th of the full CSC, the four members and the five liaisons.

As you would imagine, on the very first call, it was relatively administrative and organizational in nature so we, in the forming part of this exercise, talked a little bit about voting – who could vote, how voting would work at a very cursory level – also elected a chair, talked about some basic resources that we would need – websites, staff support from ICANN, etc.

It's a very, very preliminary conversation. I think the good news is that, generally speaking, there seemed to be a fairly fundamental agreement on the basic issues that we talked about to begin with.

We do have a website up and running. We do have points of contact. As Elise showed you this morning, [Riana] has put together a very comprehensive dashboard which I think goes a long way to delivering on some of the key commitments for us to be able to measure and monitor, although I'm sure there's still work to be done in terms of further reporting, which is one of the key mandates of the CSC. Is that dashboard what we need? Do we need push reporting as well?

Our commitment is essentially to be able to do this on a monthly basis, so how will that look? Should we have further access to the data itself? There's still a fair amount of work to be done there. Then there are other more significant processes that we'll be worried about in the more medium to longer term, particularly around escalation.

As Jay just showed you, those are the metrics. If we get outside of the metrics, they cannot be resolved. What happens then? What do those escalation processes actually look like? At a high level, those frameworks have already been identified in the work

of those who've come before us, but part of our job on CSC is to really color in the details of all of these various issues.

One of the things that our first call identified is how public should we be. It was, I think, unanimously adopted that that we want to make the CSC meetings as accessible and open to all as possible. To that end, our very first face-to-face meeting will be Tuesday morning, and it is an open meeting.

We're working with ICANN in terms of how we will get the content of those information out to the broader community in terms of making transcripts available, voice recording, summaries. Those kinds of things has not been nailed down yet, but I think the general goal is to make it as easy and accessible and available to as many people as possible through multiple formats.

Have I missed anything, Jay, in the early going? Anything you'd like to add? Okay. Our very first face-to-face, like I say, is Tuesday morning. You're all welcome to come. I would encourage you to. If you're not able to, however, you know where to find Jay and I. Your input is important to us and to the process. If you have thoughts, questions, concerns, inputs, we are your members so please feel free to reach out through all the channels available to us all.

LISE FUHR: Thank you, Byron. You missed a quote, but that's how it is. No. Any questions? Okay.

UNIDENTIFIED MALE: One of the things, Byron, is, as you may know, ccNSO council has had a discussion around the ccTLD world list because that was related to the stewardship program. The decision was – and it will be discussed tomorrow afternoon as well – to change the mandate of the ccTLD [world] and to make it available to the CSC to reach out to all ccTLDs because I think that was one of the fundamental requirements.

LISE FUHR: Splendid idea. Katrina?

KATRINA SATAKI: Yes. Thank you very much. I also add a little bit. As you just heard, Byron mentioned that there are some things, administrative things that need to be solved. As you know Byron, he does not beat about the bush. He just sends the request to Göran. As far as I know, everything the Customer Standing Committee needs will be provided.

BYRON HOLLAND: Yes, and that's probably a good point. In the very preliminary conversations that we've had with ICANN, I think, as one would expect, we all want this to work. ICANN, in the absence of specific request for specific resources, has made it clear that they're willing to do what it takes to ensure the success of this. As mentioned, I did communicate directly with Göran to ask him about this. Without specific details, he delegated the responsibility for this to David Olive who we know and work with as the ccNSO. He has made it clear that they will do whatever they can to provide the resources that we need. Thus far, I'm encouraged by what I hear.

LISE FUHR: Great. That's a good ending note for your part. I'll hand it over to Peter Koch because we're getting short of time. Peter?

PETER KOCH: Yes, thank you, Lise. I don't have music. I don't have slides. I don't have anything, and we are actually not as far as the CSC is. Still, this is not a [inaudible] report. I would just would like to give you an update. RZERC was mentioned a couple times today already. RZERC is the Root Zone Evolution Review Committee.

Now, what is that? There weren't enough acronyms and enough committees, so this was actually set up to fill a gap.

We all know that the NTIA was involved in any change to the root zone or to an enter into the root database and that has gone away. However, the NTIA had a couple of other roles that were invoked maybe less frequently and would have a higher impact, like the decision to DNSSEC sign the root zone or maybe, maybe not, add internationalized domain names to the root zone or changes in that vein.

Now, who would decide or who would initiate public comments and so on and so forth now that the NTIA is no longer there? At the request of the names community, this committee was installed. The committee has been in existence since October 1st, of course, because that was the deadline. There are nine appointees to this committee from the various ACs, SOs, from the ICANN Boards, from PTI, and from the RZM which is Verisign.

We didn't have our inaugural meeting yet because some of the appointments were at interim ex-officio and have changed in the meantime. Same for us. Katrina took her seat. Well, actually, she didn't have the chance to take it. Then I was appointed to replace her immediately, and other contingencies had the same.

But the good news is we do have a date for this which is the 28th, I guess, of November. We'll have our initial meeting to do many of the cleanup and setup that Byron mentioned for the CSC. Yes, I guess that would be something to report back next time or on the ccNSO and the ccTLD community mailing lists.

What is this about? This was about changes at the architectural level. One thing to keep in mind is that RZERC is there to advise the ICANN Board, nobody else. It's not a micromanagement for the IANA function. It is not giving advice or instructions to PTI. But it has the task to listen to the community and bring issues to the attention of the committee and then discuss and decide whether to initiate public comments, initiatives. It is also tasked to closely work with the CSC on the issues arising.

What could be the next big thing? Now, if we knew that, we wouldn't be here. One thing that passed just a couple of weeks ago, or a month ago, actually, was the rolling of the KSK that might have been something that, in the post-transition phase the RZERC, would have been involved with or maybe the change of the algorithms for the root zone itself.

Now, in a slightly different context, I guess Jaromir, was it, sitting in the back, mentioned, “Well, I would like the IANA to accept different algorithms, different key material and so on and so forth.” Whether or not that is in scope, that is to be discussed

within the community and first and foremost, in the community itself.

Interestingly enough, Stephen mentioned in his report about the contract between ICANN and PTI some things that were of concern of a remark. Actually, the service description mentioned some of these technical issues in painful detail, which means that they are enshrined in the contract, and that is something to think about that might or might not involve the committee.

That's basically it for now. I can just echo what Byron and Jay said. I'm the appointee for the CC community. If you have any questions or issues, please come talk to me, send me e-mail, find me in the hallway. This is a job to serve the community and make sure that that names community is, yes, well served.

LISE FUHR:

Thank you. With that, because we're short of time and coffee, I will actually end this session with a very short note. The title of this session was about how does the IANA Stewardship implementation affect ccTLDs and what are the implications for the future?

I actually hope we answered some of this. I would like to end it with a quote. Sorry about this, but it's, again, Kierkegaard who-

JAY DALEY: Now, you're just showing off.

LISE FUHR: I do. I do. He says, “Life can only be understood backwards, but it must be lived forwards.” I hope we helped you understand a little of the backwards, and you have to help us live it forwards. Thank you.

[END OF TRANSCRIPTION]