**ICANN Cartagena Meeting
CSG Meeting
TRANSCRIPTION
Tuesday 7 December 2010 at 1000 local**

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

Coordinator: This call is being recorded. Please go ahead. Thank you.

Steve Metalitz: Thank you. Do you know what languages the translation will be in, because the people in the room can also take advantage of that in their headsets?

Man: Spanish.

Steve Metalitz: Definitely Spanish, but we'll find out what the other ones are. Okay, before we start the roll call let me just briefly give an overview of how we see the agenda. And of course we'll ask for approval of the agenda but we have some out - some guests coming in so in some areas we don't have too much flexibility.

At about 10:30 we will be joined by Debbie Hughes and Amber Sterling who are the organizers - the chief organizers of the proposed new non-profit organizations constituency. This is proposed to be a constituency within our sister stakeholder group, the non-commercial stakeholder group.

They will explain what the purpose of that constituency is and I think this is a very important development for us and as well as for ICANN so we've asked them to come and present briefly and take questions.

Starting at about 10:45 we will be joined by a number of senior staff from ICANN, a group led by Akram Atallah, who is the new Chief Operating Officer

of ICANN. I think we've had his predecessor, the COO, Doug Brent, at all - the last several CSG meetings.

So this is an opportunity, first to meet Akram and learn about what his responsibilities are going to be and second, the focus is on the operating plan and budget for fiscal - ICANN operating plan and budget for fiscal year 2012 and there will be - Akram and his colleagues have a presentation that they will give on that. So that will run roughly from 10:45 to 11:30.

At 11:30 we do have a couple of other agenda items. I know we want to talk briefly about the status of the proposal for improvements, the registrar accreditation agreement and there may be other topics to be discussed then.

And then as I mentioned, we will have a closed meeting. We will close the meeting at about 12 o'clock and ask the non-members of the constituencies to exit and to - and the - patient at that time. So that's a brief overview of the proposed agenda.

Before we approve the agenda, why don't we ask everyone here to introduce themselves? Once again, I'm Steve Metalitz. I represent the Coalition for Online Accountability, which is a member of the IPC. And after Marilyn introduces herself, maybe we could detach that microphone from its stand and just pass it around so that those in the room can introduce themselves.

Marilyn Cade: Thanks, Steve. My name is Marilyn Cade. I am the CEO and principal of a micro enterprise that offers consulting services and informational services to large corporations and trade associations focused on Internet governance and I'm the chair of the Business Constituency.

(Steve Wolintz):   (Steve Wolintz) with the financial services community and a member of the BC.

Steve DelBianco: Steve DelBianco, member of the Business Constituency and vice-chair for policy coordination there and I head a group called NetChoice.

Chris Chaplow: Chris Chaplow, vice-chair for operations and finance of the Business Constituency and I'm (unintelligible)state.

(Andrekov McNorban): I'm (Andrekov McNorben) from (Darcy Telecom) which is a member of ISPCP constituency and I'm a member of the GNSO Council.

(Amery Muiperron): I'm (Amery Muiperron). I am a member of ISPCP. I am also a member of (unintelligible).

John Berard: John Berard, member of the Business Constituency.

Man: (Unintelligible), (The Philippines), (unintelligible).

(Jillian Merch): (Jillian Merch) from (BP), part of the ISPCP, (unintelligible).

Mark McFadden: My name is Mark McFadden. I was secretary at the (ISP) for nine years but had to leave in disgrace. I went to work for IANA and now I'm working for a small consulting firm competing with Marilyn in the south of England.

(Harvey Sutton): (Harvey Sutton) from (XS) BC and...

Man: Okay.

Nick Wood: Nick Wood from (Belladez) and IPC member.

(Elizabeth Gooding): (Elizabeth Gooding).

(Ival Shaw): (Ival Shaw) with Markmonitor. We're members of the IPC and BC.

Elisa Cooper: Elisa Cooper, also from Markmonitor, members of the BC and IPC.

Don Blumenthal: Don Blumenthal with the Public Interest Registry. I have to leave at 11:00 so I won't be thrown out at noon.

Brian Winterfeldt: Brian Winterfeldt with Steptoe & Johnson, a member of IPC.

(Brett Fullman): (Brett Fullman), Markmonitor, a member of the IPC.

Jim Baskin: Jim Baskin from Verizon, not the registry so I am eligible and am in the Business Constituency.

Claudio Digangi: Claudio Digangi, I work on staff for the International Trademark Association. We're a member of the IPC. As Steve mentioned, I'm an alternate on the (CSG) (executive).

Man: (Unintelligible), (unintelligible), a member of ISPCP.

Ricardo Martinez: (Ric) Martinez, from University Americano in Mexico, (unintelligible).

(Kim Doreen): (Kim Doreen) from the National Arbitration Forum.

Woman: (Unintelligible) from National Arbitration Forum.

(Richard Sharpe): (Richard Sharpe) from (Blue.com). I'm not a member of the BC yet but I guess I will get thrown out at 11:00.

Mikey O'Connor: Mikey O'Connor from the cleverly named O'Connor Company and member of the BC.

(Monica Gestid): (Monica Gestid) from (unintelligible) Foundation.

(Mauro Coates): (Mauro Coates) from (unintelligible) Foundation.

Man: (Unintelligible) from (unintelligible) Association.

(Roberto Ramirez):   (Roberto Ramirez), Colombian lawyer and member of BC and IPC.

Chris Martin: Hi, Chris Martin with the U.S. Council for International Business, also a member of ICANN's nominating committee.

Philip Corwin: Philip Corwin, I'm counsel to the Internet Commerce Association that represents their main investors and developers and ICA is a member of the business.

Ayesha Hassan: Ayesha Hassan, International Chamber of Commerce, member of the BC.

Man: (Unintelligible), member of the BC.

Man: (Unintelligible), member of the BC.

(Mary Jo Keeclar):   (Mary Jo Keeclar), I represent (Newman) Administration for BC.

David Taylor: David Taylor, (Hogan Lebowitz), member of IPC.

(Nick Adam):   (Nick Adam), (Mary Brown), member of IPC.

Paul McGrady: Paul McGrady from (Greenberg Girard), we write for LexisNexis, member of the IPC.

Kristina Rosette: Kristina Rosette (Cummington Berling), IPC rep to the GNSO Council.

J. Scott Evans: I am J. Scott Evans. I am from Yahoo. I am also a member of the board of directors for the International Trademark Association, on the executive committee there and glad you're all here.

Philip Sheppard: Philip Sheppard with (A and European) Brands Association and a member of the BC.

(Jonathan Makowski):(Jonathan Makowski) with Las Vegas Sands Corp. and a member of the BC.

Mike Rodenbaugh: Mike Rodenbaugh, my law firm is Rodenbaugh Law. I'm a GNSO councilor for two more days for the Business Constituency.

Man: (Unintelligible) from (JP Nick), (ISPC).

Andrew Coombs: Andy Coombs, I own my own law firm. I'm here for the International Anti-Counterfeiting Coalition which is...

Jaime Wagner: Jaime Wagner. I'm with the (Brazilian) steering committee where I represent the(ISPC) and I'm currently representing the ISPCP and the GNSO Council.

Ron Andruff: Ron Andruff, a (unintelligible) member of the Business Constituency and also an applicant for the (Dodds-Ford) Top Level (Brink).

Man: Thank you, and on the line we please have Berry Cobb, (Glen Jackerman), (Nick Aty), (Don McPhan), (Kim Bower), Mark Partridge, Sarah Deutsch, Tony Holmes, (Phyllis Schmidt) and (Mark Norban).

Tony Harris: Yes, and I'm Tony Harris with the ISPCP Constituency.

Steve Metalitz: Anybody not introduce themselves?

(Erin Ickman-Scelese):   (Erin Ickman-Scelese) from Tucson with the IPC.

Steve Metalitz: Could you - the person on the phone repeat that because we didn't hear the...

(Erin Ickman-Scelese):   Yes, I'm sorry I'm late. It's (Erin Ickman-Scelese). I'm with (Waterford Comimetus) and a member of the Intellectual Property Constituency.

Steve Metalitz: Thank you very much. Is there anybody else on the telephone now? We'll periodically check back on that because obviously some people will join later. So I think we've introduced everybody and we've presented a proposed agenda.

And I think our guests are maybe - our 10:30 guests may be arriving here. So let me just ask if there's any other agenda items that people want to add or are we comfortable moving ahead with that proposed agenda? Hearing no objection, we will move ahead with our agenda.

And our guests have arrived on time and under budget. So let me invite Debbie and Amber up here to introduce the proposed non-profit organizations constituency.

Amber Sterling: Good morning. My name's Amber Sterling and we do not have slides for you because there are slides all week. And we were hoping just to take a few minutes of your time to introduce you guys formally to what will hopefully be a new constituency in early 2011 with the NCSC.

And so the proposed constituency is dedicated for not-for-profit organizations around the world particularly who are interested in their operational concerns, specifically the impact of the (NF) policies and the effects on the operational readiness and implementation of non-commercial mission objective.

And so we are currently discussing or we have discussed with the NCSC executive council and they may be changing just slightly later on this evening. (Unintelligible) is a wonderful thing. And so we're going to be moving towards the not-for-profit operational (unintelligible) and the acronym will remain because it's ICANN. The acronym is the most important thing.

And so Debbie, do you have any...

Debra Hughes: Thanks so much to the Commercial Stakeholders Group for allowing us a couple seconds just to say hello. Many of you know that I've been working very diligently on this since I was appointed to the council.

Actually one of the requests from the board that we try to reach out and get more not-for-profit organizations engaged in ICANN policy development and pleased that Amber and several organizations around the world have already indicated their interest.

What we are hoping to do over the course of the next several months is to quickly get this constituency approved. And the reason I say that is many of you will appreciate that it's hard to get an organization to join something that doesn't exist, right?

And so my challenge with my outreach efforts is trying to explain the value of participating in ICANN and then try and explain, "But it's not ready yet, so is it okay for you to still go to your board and get approval for organizational, you know, representation?" And that's the challenge.

So a lot of questions have been asked, you know, "Who are your members? Who are the people who are engaged?" For obvious reasons, I'm sure you all can appreciate that if I don't have permission from that organization to say that they're ready I can't give that name.

And then a lot of them are still in that state of flux where they say, "Well, come back to me. Once you're done, we're ready to go." I am very pleased to say that we have a very active list of around 30 or so organizations around the world who are ready once we're ready.

The challenge, I think, will be hopefully encouraging the structural improvements committee as well as the board to move quickly towards not just approving this constituency, but allowing us to have the flexibility that we need to get communication out on a global basis.

The other thing that I would just mention, too, is some folks have asked what are some of the differences that we're going to try to bring. As Amber outlined in a brief overview of the mission statement, really what we're talking about is operational readiness, so non-profit organizations just like many of your organizations use the (DNF) to run organizations.

We have infrastructure. We have things that we need to get done. We deliver services. We're collecting funds. We are fund raising. We are selling things on our Website to, you know, effectuate our business. That is the perspective.

Our members are organizational representatives of those organizations, so you're not going to have an individual member of our proposed constituency. Those members would be organizations and they would be designating a primary representative as well as an alternate.

So structurally and, you know, for those of you who had those kinds of questions that is the distinction as well.

Amber Sterling: And so we submitted our charter to the board November 2, 2010 and it had been posted for public comment as of December 1.

And we are hoping that in our ten minutes we have remaining with you, we're hoping that the Business Constituency would come out in our favor publicly and say that they -(unintelligible) subtle as me - and encourage the formation of the constituency.

And so with that we're hoping if there are any questions from you (unintelligible) that we could answer or if you have any additional information requests we are here.

Steve Metalitz: Thank you very much. I think we have a question in the back. Phil, yes, why don't you use the microphone I think for the benefit - Phil, Phil...

Philip Corwin: I'm Phil Corwin. Just to - I think it's fine what you're doing, but just to make sure I understand and everyone is (unintelligible) constituency. In the - I prefer the U.S.

In the U.S. there's a broad group of non-profits under Section 501 of the IRS code and a lot of them include groups like the (ICA) or NetChoice or the American Bankers Association which are trade associations for for-profit businesses.

Is your group more focused on what would be 501(c) (3)s which would be charitable or educational organizations?

Amber Sterling: Under the American tax structure it would be 501(c) (3).

Philip Corwin: Okay.

Amber Sterling: And so all of our members must meet the NCSC membership requirement which would include not-for-profit organizations that - or exclude not-for-profit organizations whose members have a (control)...

Philip Corwin: And I guess the other question would be how is your group going to be different to - from the NCSC?

Amber Sterling: Currently the NCSC at least in the last year or two, they've really been focusing on the individual voice within the non-commercial user group. And

what we are hoping to do is better represent the organizational, non-commercial perspective.

Philip Corwin: Okay, thank you.

Debra Hughes: So - and just to clarify too, so the not-for-profit organizations that are currently members of the NCUC that do advocate here in the ICANN forum, the perspective that they've been bringing has been not necessarily representative of their organization but perhaps of their individual participation in ICANN.

Amber Sterling: Additionally, many not-for-profit organizations are advocates for human rights perspective and things of that nature and so our constituency group - you don't - as long as you're within the NCSC you can be a member of as many constituency groups within that stakeholder group as you wish.

And so an organization can very easily be a member of the MCOC, the (step) of operational concerns and how it does its - and how it manages its infrastructure within the (DNS) system, in addition to being a member of currently the NCUC and advocate on behalf of its members for more of a human rights perspective and so those two camps are not mutually...

Steve Metalitz: Thank you. I have Phil Sheppard, Paul McGrady and Tony Harris in the queue. Is there anybody else that wants to be in the queue? Marilyn? Oh, I'm sorry, (Liz)? Okay, go ahead.

Man: Thank you. I'd just like to say a - well, I'm personally - and I hope all of us here are extraordinarily pleased for this development that's happening. You are - maybe I've been saving it. You are the fulfillment of a vision that we had sometime back.

We had recognized in the older structure of the names council and then the GNSO that there was an absurd amount of antithesis between commercial

users and non-commercial users, because there was a focus on some really simply minor issues where there was some disagreement.

And we felt that this was completely wrong because there should be a whole sea of issues for which we were clearly united as users. That led to our thinking and our outreach in terms of restructuring to say we will sacrifice our current (feat) if we could see a growth in the development within the non-commercial users that was part of a negotiation.

And that led then as you know to a recognition that perhaps we needed appointees to kick that off for which Debbie of course is one of those. And so I think it's just wonderful that it has all started to happen.

And Debbie, I commend you for your - the work that you have done in this - and it is happening. And that is the fight for the, you know, user perspective development that we're hoping for, so great and welcome.

Man: This question again is clarification about who the membership would be with the goal of being able to identify other people beyond people in this room to write in part of it.

            You - I know we talked about the 501(c) (3) charities. Do we anticipate educational institutions and religious organizations coexisting in this space, so we would theoretically have the Southern Baptists' convention being a member and as well as Easter Seals as well as DePaul University and that would be fine.

Amber Sterling: We have a number of religious organizations as well as educational organizations. I, myself am an educational organization.

Man: Thank you.

Man: If - I don't have a question actually. I have a comment because I'm quite familiar with the initiative that's being taken forward here.

I'm speaking not for the ISPCP constituency but in my role as a member of the executive committee of Global Knowledge Partnership, which is a global alliance initiated by the World Bank in 1998 which brings together organizations all over the world to promote social inclusion through private, public partnerships involved with - basically with the use of ICTs to reduce poverty.

Several of our members have already begun to participate in this new constituency as soon as it is operational. I can foretell and - that probably 15 or 20 more of our members will be joining this constituency. Thank you.

Steve Metalitz: I have Marilyn and (Liz), anybody else want to - Bill? Okay. Marilyn, go ahead. You can use either mike.

Man: (Unintelligible).

Marilyn Cade: I could echo Philip's words about the vision we had when some of us worked together to found ICANN and when we first conceptualized what the organizational structure was going to look like in the new body.

Many of you who are very familiar with what the Internet landscape looked like in 1996 and 1997 remember that were other bodies such as the Regional Internet Registry who did not actually have a formal entity called the (ASO) at that time that was formed under ICANN. There were three regional groupings of CPLDs. They did not have a coordinating entity at ICANN at that time.

But (CC) and SO emerged out of the organizing structures long after ICANN was founded really. We came together several of us, in planning what the conveeting of the generic name organization would look like and created a concept of balancing against contracted parties.

And I'm going to remind people that in those days actually, competitive registrars did not exist but the vision was that the non-commercial entities would be organizational groups who had a set of concerns about the kinds of functions and activities that ICANN engaged in.

It went through some very rocky days. And I think it's important for people here who weren't around then to understand that some of the non-commercial organizations did try to participate in ICANN and felt driven away and did not find a friendly home at that time.

So this is a particularly important point and an important time, I think, in ICANN's growth and evolution. A number of those organizations do actively come and attend the national and regional (IGF) and also the global (IGF).

So you can count on me to help to bring you to the attention of some of those national and regional groups that are coming to those entities to see if they're also interested.

But I applaud your efforts and I think for myself, speaking as an individual, I hope we will all do all we can to help educate the board about the importance of this.

Steve Metalitz: And just for the transcription, please, everyone should - I should have said this before. Everyone should introduce themselves.

(Elizabeth Gooding): Yes, (Liz Gooding). Really great job, guys. Very U.S. focused on Section 503, one IRS whatever it is. Could you just tell me - because I am Australian, I live in U.K. We don't have those kinds of things.

It would be very helpful just to have a quick overview about how you're going to do membership that is not driven by a U.S. North American focus because there's a lot of other - particularly in the United Kingdom, there's a lot of

(parody) sector and advocacy sector that will be interested in being involved, for example, the National (Parks) or (unintelligible).

Debra Hughes: Sure, absolutely. So the question was how will we manage membership and outreach and information about the types of organizations that are appropriate for joining NPOC outside of the United States?

The good news is that we have some of those already and what we've been doing is working with our experts at each of the various ICANN regions but also specific countries to identify the types of documents that verify their charitable status.

So for example, focusing on humanitarian, educational, philanthropic, what those words means in whatever the jurisdiction is and then finding the documentation that's appropriate to sustain such.

So I'll give you an example, in Canada we had a wonderful organization that just recently joined and we were trying to struggle, "Well, how do we verify that this is an organization that meets these types of criteria?"

Worked with him and his CFO and other, you know, parts within their organization to point out to the right document that verified that in Canada this is what a not-for-profit organization that meets humanitarian, educational, charitable, philanthropic, social inclusion, those types of words.

So finding ways to translate those words jurisdiction by jurisdiction is the key rather than focusing on specific legislation. What we're asking each organization to do is to provide evidence within their jurisdiction that they are a not-for-profit organization that meets this category.

And then to kind of piggy back a little bit off of what we've been doing with the Business Constituency, for example, when an organization isn't one of those

we've been kindly sending them to Marilyn and her group, because that's where we think there's a fit.

And matter of fact, I think we've got a couple more for you that have come through over the past couple of days. So that's how we're working. We're funneling it, defining it broadly, then within the jurisdiction working with that member organization.

What, you know, does that mean for you? What kind of documentation can you provide for us? And then if it's not a fit then we've been sending them over to...

Steve Metalitz: Bill is next. And then I see our ICANN guests are starting to arrive, so - hello. Thank you, (Dave). Anyway, we'll be wrapping up shortly.

Bill Smith: All right. I'm Bill Smith with Paypal/eBay. If you were at the breakfast earlier this morning you know that I'm part of the Business Constituency and the group that just says no.

However, I am very much in favor of getting not-for-profits to participate. I will say I am - I have some - I have a question and that is then where would - using U.S. terminology, where would 501(3) (6)'s participate?

And comments, using 501(c) (3)s also may not be sufficient if you're just - if you truly are looking for, I think, the types of organizations you are looking for, because it is possible to become chartered as a 501(c) (3) but not actually meet - but in fact still be a - in essence, a trade association.

So I'm wondering where organizations like W3C, the ITF, OASIS, those types of organizations as an open question to the larger group, where they participate in this - in the ICANN community?

Personally I don't believe that the BC is the correct place, okay? But because - well, having been a board member at several of these organizations, they have independent - they have needs independent of their members. I don't see - currently don't see a way for them to be represented here absolutely.

Amber Sterling: You - hopefully answer your questions in stages as you ask them. The membership requirements, while yet we do have to have demonstrable evidence of being a not-for-profit organization within your country, the next question is what is your mission and does your mission meet the requirements of the NCSB and thereby by the MCOC?

And so it is multiple reason - or there's multiple steps and multiple reviews that need to go on before membership is granted within the MCOC. And additionally, for organizations - as we spoke, unfortunately I am not completely aware of their missions and their purposes.

If they don't fit with us for whatever reason, if they don't fit with (you) for whatever reason, then hopefully within next year or two years you will have a new group of folks sitting before you asking for their support to form a constituency within the ICANN community to represent that voice more (unintelligible).

Steve Metalitz: Okay, I think our ICANN guests have arrived, if we could bring Akram in and the others. J. Scott, why don't you have the last word here? And I'm going to ask Chris if anybody in the chat room has a question that they've posed? No, thank you. So, go ahead.

J. Scott Evans: This is J. Scott Evans and I speak on behalf of my company now to say, for someone who has to work with non-profit organizations all the time to thwart the abuse of your causes or malicious activity, I applaud the fact that you all stepped up, taken the political heat you have to give your organizations a way to better work with this community.

Come up with responsible and thoughtful processes that will assist you all in making sure those people who are trying to donate to the causes and humanitarian causes that you all represent actually funnel the dollars to the causes. Because we've worked with you for many, many years over tsunamis and earthquakes and hurricanes and fires to thwart malicious activity and I know it's been difficult.

And I want you to know that Yahoo is behind you 100%.

Steve Metalitz: Look...

Debra Hughes: I just want to close by saying thank you again, Steve, for accommodating us and to the entire consumer stakeholders - Commercial Stakeholders Group - I'm sorry. Thank you for accommodating us. And if you support our efforts, please, the public comment period is open now. It closes January 23. Just two lines saying that you support our efforts would be certainly appreciated.

Steve Metalitz: Thank you very much. I hope you've gotten the message loud and clear and we appreciate your time. We now have a group of the - as I mentioned, the staff from ICANN. Let me ask them all to come up here.

I will vacate seat and they can introduce themselves. And they know that they're here at a meeting of the Commercial Stakeholders Group and they know what that is so we don't need to introduce that further. So please, come on up.

Man: (Unintelligible).

Kevin Wilson: We'll just filibuster here for a second and introduce ourselves while we're getting our technology set up. It's great to be here, appreciate this. My name is Kevin Wilson, the Chief Financial Officer for ICANN.

I'm the outgoing chief financial officer for ICANN and it's been a great opportunity to service you this last three and a half years and I'll be leaving in January and just wanted to say thank you very much for the all that you do for ICANN.

And I know this last budget cycle was a great learning experience, I think, for all of us particular the ESG and I hope you'll see the - from the mill of that, that process you'll see some of the fruits of that labor - mix a few metaphors.

So I'd like to pass it over and introduce our - Juan, sitting - Akram, would you like to introduce yourself and then Juan...

Akram Atallah: Hello, everybody. Thank you for the opportunity to present to you here our budget plan for next year and please, make it an interactive session. We'd like to hear your comments.

My name is Akram Atallah. I'm the new chief operating officer for ICANN. I've been here two months so I don't have my lingo quite right yet, so the acronyms and the right way of saying things is not very clear. But I think that this is a great opportunity. The work that you guys do is amazing.

I'm still surprised with how - by how many volunteers and - make up this community and how much work these volunteers put in the community. And I'm looking forward to helping you get your job done. Thank you.

Juan Ojeda: Good morning, everyone. As Kevin previously mentioned, my name is Juan Ojeda and I'm the new controller here at ICANN. And I thank you for the opportunity to take a few minutes of your time of your busy day to go over some new enhancements that I'm kind of excited to roll out in regards to the budget development phase.

So - and my search from here - Kevin has actually briefed me that were some enhancements that needed to be made to the budget development phase

and it's just a (thick) - with this particular stakeholder group he had communicated to me that there has been some dissatisfaction in the past.

And with the spirit of truly honoring our commitment to allow for more active participation from the stakeholder group and the budget development phase I want to be able to - I want to go over some of the enhancements that we've made.

One of the things that we'll be doing today is clarifying the process for the budget development overall and again, specifically on how the stakeholder group, at what points in time they can provide input towards the development.

We want to clarify the current fit of basic tools and services that ICANN is providing to this group and at that point so we can talk more about some special services. We also want to - we'll be clarifying the budget timeline, again so we can have a clear and concise process of how the development will take place.

And at the end, as Akram mentioned, have an interactive forum and be able to hear your thoughts so we can hammer out a well thought out process in development.

Some of the enhancements that we want to share with you are the strategic plan in the budget development phase whereas in the past these were two distinct six-month processes and the completion of the strategic plan was a prerequisite for the commencement of the budget development phase.

Now we've tied in the completion of the strategic plan to the first ICANN meeting of the fiscal year. The next phase of the budget development is the development of the framework. That is now tied in to the second ICANN meeting of the fiscal year which will be in San Francisco in March.

And the last phase which is a development of the final operating plan and budget will be tied into the June meeting in Asia.

One other thing that I wanted to mention is that in response to community feedback for having earlier input into the budget development phase, we are opening up the phase where we're developing the actual framework to allow for input from the stakeholder group with any requests, any particular services that they deem needed and that require resources from ICANN, so we'll be going over that in a future slide.

Whereas, before stakeholder groups could only provide input once a framework had been posted for public comment, the stakeholder groups will now have, again, the ability to provide more meaningful impact into its actual development rather than after the fact. And again, we've widened out the timeline too,(to) give you ample time to do so.

So the strategic plan as I previously mentioned now is tied into the first meeting of the fiscal year. As you can see by the green arrow representing the framework development phase, we're now taking earlier input rather than waiting for the actual completion of the strategic plan.

With the goal of framework being finalized by the time San Francisco meeting takes place in March and again, to allow more time for input from the stakeholder group. The draft adopted - the draft budget plan will begin towards the tail end of the framework development with the will of completion or submission to the board for approval in the June meeting.

The different starbursts that you see on each arrow represents an opportunity for public comment. So now that the draft strategic plan has been posted it's open for public comments, anybody would like to see that.

The goal for the framework is to have that posted up in mid-February for public comments and have the draft operating by - posted by the 17th of May

as required by the bylaws for public comment and again, for adoption in the June meeting.

The chain of events that will be occurring from now until that point in June are as follows. So right now we're currently in discussion for finalizing this basic set of tools and resources that ICANN provides and the process for submitting requests for specific services above and beyond the set - the basic tool set.

Once Finance receives these requests we will be cost estimating them based on current information that we have and based on allocated resources internally as well as outside expertise. These will be summarized and included in the framework that will be posted for public comment in February.

Based on that feedback we will be then developing the draft by - which again will be posted for public comment in the month of May and finally reporting that for board submission and finalization in the June meeting. Any questions so far? Great.

So this is an overall set of tools and services that we're providing to GNSO generally. These services include anywhere from secretarial support to (ranway) services, finance and legal team support, subject matter experts whether it's internal staff or outside experts.

In addition to this basic set of tools and services we're also providing travel support. Just keep in mind these amounts are annual amounts so if you're trying to get a per meeting basis just divide that by three. Now again, these are the basic set of services.

If this stakeholder group deems that - requires or wants to make a specific request for a project, a study or anything that it believes has a strategic benefit, we've developed a process for doing so. Budget requests, again for the special - yes?

Akram Atallah: So just to be clear, the additional requirements on staff time, additional support for the - more of a bandwidth from the staff or calls or more confidence meetings and stuff do not need to follow the special requests process.

That's - you know, we will handle with the department, like the manager policy. You'll talk to him and then he will allocate more people and stuff like that.

And it's important to do that as well, if you can see that your workload is growing so that they have the right time to plan the entire pool of staff resources that they have for the next fiscal year. But that's not what needs a full - a formal requirement, a formal request. Sure.

Marilyn Cade: I have a clarifying question. It's Marilyn Cade. And just - I'm asking the question because I want to know whether you're going to address it later. If you are then we can address it then and if not, then I'd like to add it.

So you're talking GNSO - the heading here was GNSO support, right, wasn't the previous heading - Kevin, right? In the operating plan and the budget there's a category called constituency support which has several million dollars in it.

Are we going to talk about that, because as you guys know we object to the terminology there - that we object - but it does also have work in it that is of interest to these constituencies such as enforcement and compliance.

Juan Ojeda: I mean - I guess we can't - it's your meeting so I can't stop you from talking about it, but the plan was not to talk about the actual budget. The plan was to talk about the process so that we make sure that we get the input in before the framework as opposed to after the framework.

I think Marilyn's question was, is this the time to provide input on the overall entire budget? I'd say that's not the - I mean we're - like I said, it's your meeting.

You can ask any question you want to, but we're not - we haven't - there's not - that process is starting now and the only thing we're adding at this time is the clear direction on support services and things that you need so that when we're building that framework staff and filling that framework we're not working in a vacuum.

We get the direct communication and there won't be some of the communication challenges we had in the past.

Marilyn Cade: Sir that you were expecting these three constituencies to be providing you input on those other areas as well, not just thinking it was going to be about the GNSO support, right?

Juan Ojeda: Yes, of course.

Akram Atallah: So I believe that the entire process is conducive to provide feedback on the - you know, when we post the framework which shows the entire budget there is a public comment period where we can provide, you know, comments on all of the different pieces of the budget. Thank you.

Juan Ojeda: Thank you, Akram. So again on the budget request for specific services, these should be received by SO and (HC) leadership. Let me go onto the next slide in terms of the actual template form that these requests should be submitted in.
                  But those template forms should be sent via email to controller@ICANN.org.

                  Once Finance receives these submissions we will be cost estimating them as previously mentioned and they'll be added to the framework for public posting, at which point the prioritization process will begin based on public

comments received during the open period. One thing also I'd like to mention is that although if...

Chris Chaplow: Chris Chaplow. Just so I get it right, when's the framework getting published (unintelligible)?

Juan Ojeda: It will be published for public comment in February.

Chris Chaplow: In February. Because last time around we all felt that the - it wasn't granular enough and it was also too late and then when we spoke about it - you know, we need information earlier.

So really I think we should have some sort of draft version that was more granular than last year's that we can work with, because I think come February we'll get a version that's not granular enough and then we'll be told that we're too late. I'm a little bit concerned.

Akram Atallah: So the plan is to have the framework that's posted in February, to do public comment on the framework and then there is a draft that is posted again for public comment in - when is it, May 17.

So that draft is what goes to the board for approval so there is plenty of time to look at the framework and provide comment on the framework so that we can make adjustments and get it into the draft that goes to the board for approval.

So - and one of the concerns was actually, do we have enough time to provide comment on the framework and adjust to the draft? So that's why we did this and then we also extended the period for submitting requests from just before the framework goes out to like the final draft - the draft being posted.

So we'll accept requests even through the second phase after the framework is posted to be doing the draft.

Chris Chaplow: Yes and there's something like that and we look forward to (unintelligible). So I can ask Kevin if he's given input to make sure that some of these items like Marilyn has mentioned constituency support which included lots of stock activities.

And then when we tried to unravel it, it was actually quite difficult. And I know you work on improving the system of the account codes or whatever that these items can be separated.

Akram Atallah: Yes. And we're working on another - on a new cost accounting. We didn't want to get into the financials of the organization, but we're working on new cost accounting models. We are also installing a new software to actually allow us to be - do - to be more granular and (trap) the data any way we would like to and be able to show things in different ways.

The new software will not be installed until the end of the fiscal year, so we're hoping to start next fiscal year - the ledger with the new software so that gives us - you know, I can't promise yet how much (fiscal year) will give us, but for FY12 through all the (indez).

So that doesn't provide too much reporting, but depending on the history that we will have input into the new software (root) and have more reporting done. So we'll see as we - as the software installation progresses.

Kristina Rosette: Kristina Rosette. I want to make sure that I'm clear on this because I need to come at this from two angles, first as a member of the (ICC) and second as a GNSO councilor. So just so that I'm clear, when you're talking about(SOHC) leadership for purposes of this room are you talking about the requests would have to come through the GNSO council?

Man: I mean this is a new process to where we're - and its evolving, so the stated thing is SOHC leadership. I know for example, we've talked to Chuck and he said that's not me, right, so any - and some of the other stakeholder groups that talk about how they would delegate that down.

So I think the smart thing to do - I mean it's - I guess it's up to Akram and Juan. The smart thing to do is to follow the lead of the community on this. So if the Business Constituency thinks that they want to submit theirs as well, we would probably just need to vet that with the - you know, through the...

Kristina Rosette: So it sounds as if what we need is the GNSO Council motions saying that for purposes of this process that each stakeholder group and constituency can submit its request directly, would that work?

Akram Atallah: So let me just address the reasons for this. The reason for this requirement is we didn't want every individual to be able to submit a request and then we would be flooded with requests that we would have to vet.

And so the purpose is not to prevent work. I'm talking of - for supporting the teams that want to actually do work, so I don't think it's an issue. I don't think even we need to require a resolution for this. We just work on the language of who will be able to submit and (we'll change).

Kristina Rosette: Okay. That would be perfect. And then just as kind of a related question, coming at it from the GNSO Council perspective there's this ongoing discussion of WHOIS studies and making budget requests. Is the budget requests for ongoing WHOIS studies something that would have to go through this?

Juan Ojeda: So the budget process is primarily a staff responsibility to develop the budget, right? Last year there was a conscious effort to - for the GNSO to send a message that they wanted this funding to be done and that was submitted as part of the public comment process.

And I guess added more weight by the GNSO vote so that was actually added as part of the changes from the framework to the draft. So I would say it's not a budget requirement that the GNSO or any group do resolutions or pass amendments.

Of course, if we see that then that would probably add more weight than an individual who's (kind of involved) in (unintelligible) and in random requests for something. So that's going to add more weight, but that adds more meaning.

Kristina Rosette: All right, thank you.

Steve Metalitz: All right. So why don't we just have the team here complete their presentation and then we'll open it up for questions.

Juan Ojeda: All right, thank you. So this is a submission template, a form that we'll be using for submitting requests for the requests of specific services. As much information as you can provide, obviously, the better, the better it will be for us to be able to provide an accurate as well as responsible cost estimate.

And I believe these have already been distributed to the teams. Great, thank you. So this is the time line that we've previously discussed throughout the presentation. We've already had the November pick up calls for all of the community teams.

We're currently now having discussions with all stakeholder groups and all (SO)s and (HC)s. On the completion of the (cartahenna) meeting we'll start accepting the specific requests via template form through the end of January with the hope - with the intention of having these cost estimated and included in the framework for public posting in the month of February leading to the period of public comments from February until March.

At which point in the March meeting in San Francisco the framework will be discussed in conjunction with these public comments. Beginning at that point we'll begin working on the draft operating plan and budget which will be posted for public comment by the 17th of May per the bylaws then leading to the (fording) of the final operating plan and budget to the board for approval and at the June meeting in Asia.

Steve Metalitz: Thank you very much. We have - I know Ron and Phil Sheppard had questions. Did anybody else want to be in the queue with a question?

Ron Andruff: Thank you, Steve. Ron Andruff, member of the Business Constituency. I'm sure all of my colleagues here are very happy to see you and welcome you both and look forward to working closely in the next months and years to come.

I also would take a moment to say, thank you very much, Kevin, for all the work you've done. A good collaboration and we're very appreciative of it. So thank you very much.

I wanted to just bring up a topic that we spoke about in Brussels. And so Kevin will help work with you on this, I'm sure the conversation's happened internally. But we had some questions and concerns about compliance.

One of the problems that we've had as a body within ICANN is making sure the contractual compliance has been up to speed and met the standards that were established in the contract and it's been very difficult. So that's been one of the problems we as a community have not really been able to master.

Now we're in a situation where after the June meeting in Brussels we lost our compliance officer. And I understand there's still two other positions within the compliance department that have not been filled, so three people and the head of it, obviously, very important.

And I brought this up yesterday in the open forum with Kurt and he didn't really respond when we asked, where do we stand with compliance?

Our two issues, I think, from the cross constituency group as well as from the BC are one, do we have enough budget in there for compliance? And that was a question that we had talked about in June so I'd kind of like to get an update on that if we could. And two, Akram, where are we with our compliance officers?

Juan Ojeda: Well, I mean I think the question that came up last year was that we didn't implement what we had planned to do in the FY10 plan. That should boil it down to that's sort of the essence of it. So we did have a budget in there.

Obviously there's - in the FY11 plan and there wasn't criticism on the dollar amount because the criticism was the actual plan that wasn't fully developed and we obviously had the batching issue that needs to be resolved.

Akram Atallah: So we've actually done a couple of things. We've moved the compliance team to report to John Jeffrey so that - because - not as his role of legal but as a manager of the compliance.

And the reason for this is that we believe the contractual compliance - so the legal team can give a lot of feedback on the contracts to the compliance team and it could be - it should be more efficient to do that.

We are also working on a posting of a new old chart that will reflect all of the changes that have been done in the organization. I hope to get it done January sometime, passed by the board so that we can post it.

That's had the open (vat) that our day for compliance have been funded in the budget and we haven't yet looked - you know, identified the people that we are working on finding the people for that (facet), you know, to have it fully staffed.

Ron Andruff: Do we have a set of - timeline on that? In your vision what does that look like, end of January, February? My - I think my concern and I can't speak to - on behalf of the others, but my personal concern is that as you just said when you joined us, "I'm not up to speed on the acronyms and I'm just getting a handle on it."

                 And believe me, this is a whole new country with a whole new language and society and so forth, so it takes awhile to figure out what's what, who's who and how do I work through this. So we really need those officers on board and for us it's a real, real high priority. So I'd kind of like to know from your point of view, any sense of that?

Akram Atallah: So, you know, the hiring is a - is not a science, but I believe that it is very important for us to find the right people instead of one month earlier or two weeks earlier.

                 So I - and we've moved right now to a consensus hiring process which means that actually within the staff, before we hire anybody they have to be interviewed by their manager, a couple of similar level people as the manager as well as the people they're going to work with.

                 And if they are going to have some people reporting to them, some of the people that will be reporting to them and then we do a consensus. So the process is taking a little bit longer even when you have the resumes and the people to interview and stuff.

                 So I don't want to talk about the timeline but I'm hoping that within the next three months we should be able to have identified some people for this.

Ron Andruff: Thank you for sharing that process. That's helpful.

Akram Atallah: Thank you. So...

Man: (Unintelligible).

Akram Atallah: ...good. And it's posted that - these positions on the ICANN Website as well and we do appreciate any references, for sure. Thank you.

Philip Sheppard: Thank you, it's Phil Sheppard. I'd like to return to the point Kristina was making earlier and your observation about the huge pool of talent that does lots of volunteer work here.

It's great you're formalizing the process for input. Please do not require additional volunteer work on a unreasonable scale in order to facilitate what you're trying to do.

Now, if you're going to do it at the SO level, the GNSO level you've now got a whole negotiation taking place, a council by averting them away from the good work they should be doing on policy. So we don't want to go there.

If you go to the stakeholder group level, the registries don't give a damn and the very strong don't give a damn because constituency equals stakeholder group. That doesn't work for us.

If you do it even at the stakeholder group here, we may have to have a - or at house level, again we've got a negotiation happening before we get to you. And we don't want to go there.

If you do it, even at the (CST) level, we're still in negotiation between three of the groups there because of our uniqueness and the way that we're instructed to put together and also don't really want to go there.

So the only logical delineation is in my mind, the constituency level because that way we can manage it and I think volume-wise you can manage that too. So I would adjust your language, please, and make it constituency level.

And if we want to make it broader and if we do the negotiations because they all want to do something this important, then great. You might get two identical ones or you might get a combined one, but the minimal delineation to be constituency, please.

Akram Atallah: So I appreciate the clarity. I think that the only question I have is if - you know, we all know how we live within limited budget. The question is back to you, are you not interested in prioritizing all the work that you want to submit? So if you don't get it up to the GNSO level then how does the prioritization - or at the minimum to the...

Philip Sheppard: That might happen and that could - and if something is all sufficient important it's fine, you might also get that. But it shouldn't stop the ability to input at that level, otherwise you're forcing everything down to start negotiating on non-policy related work within these bodies with volunteers and that just, you know, strikes from my (kind of) (stee) mission.

Akram Atallah: Understand.

Steve Metalitz: Okay, just a second. On the queue we have Marilyn and we have Bill. Did anybody else want to ask a question? And let me ask this, is there anybody in the chat room or anyone on the phone that wants - we have multi (mowdel) here.

Is there anybody on the phone that wants to ask a question? Hearing none, Kevin and then Marilyn.

Kevin Wilson: Yes, I just want to - also that the earlier point that Phil made about the efficiency not regarding who it comes from, who the (unintelligible), but the - Marilyn, you okay?

The - one of the friction points we noticed before was the community members, many of them are in here, are - were spending an ordinant amount at the time drafting good ideas and they just weren't being able to get through the mill so that they would pop up in our framework or in the budget.

And so this is a - this form and the process is addressing that to make it so it's concrete so it actually would take what the intention is. Well, you can judge us on whether we achieved this, but the intention was to make it so that it's easier for you to submit the request, the community member leadership to submit the request.

And it's easier for us to evaluate it, estimate it, cost estimate it and put it into the process and then easier to get into the community feedback. So that's the intention. We'll see if we're able to achieve that.

Akram Atallah: An experiment.

Marilyn Cade: Marilyn Cade. And I'm just going to first of all make a point as chair of the BC. We have a vice-chair finance and operations and we have a finance subcommittee, so for us we have a point. We get responsible people and then the other members will be able to work with them.

But I want to make a point that's important, I think and I know the understanding the acronym is - the GNSO is a supporting organization. It is not the council. The council is the council.

And so that's just important to understand because I think some of the points others were making is that getting something through the council if it's about something other than GNSO policy it can't be their priority. While the SO, for instance, broadly might have a priority on (SSR).

And so that wouldn't fit within the council's area of responsibility yet the various constituencies, stakeholder groups might all want to be providing

input. So I do think we're going to have to keep working on what makes sense in order to contribute to - both to the input and to the prioritization.

But I do want to thank you for convening those first chair calls and I think we ought to keep that up.

Akram Atallah: Thank you.

Bill Smith: Bill Smith with Paypal. I'd like to second the comments on contract compliance. We at Paypal are - remain concerned about compliance. I understand it takes time to hire but we did see things in the plans a year ago.

Understand that it didn't happen, don't want to beat you up about that but it is a concern for us. Another comment I would make on compliance is I'm on the WHOIS review team.

One of the issues I see is (teasing) out instead of the WHOIS policy statement. There isn't a clear place to go. This is the policy with respect to WHOIS. It's buried in the contract in several places I believe and that's - I think is problematic.

A suggestion on a going forward basis would to - I would have is to simplify the language in the NIFA, pull out the WHOIS policy, make it a separate document. It's referenced from the contract, it can change.

Akram Atallah: You'd like it indexed?

Bill Smith: I'm just suggesting that as a possibility because again, as somebody who's trying to do a review of it, we have to become contract experts. So read the contract language and say this applies, this does not apply, this piece of the contract some of us believe applies, others do not, okay?

In particular, it is the information. Whose responsibility is it to make sure the information is accurate? Some claim not our job. It's the registrant's job to provide it, make sure that it's accurate. That's pretty clear in the contract. I argue it's also clear that there are other parties that are obligated to make sure that it is accurate.

Akram Atallah: Yes, we'll relay that to our contract department for sure.

Steve Metalitz: The team's been very generous with their time. I just want to make sure that - we have additional questions here. (Liz)? Is there anybody else that wanted to ask a question?

And I guess after this, Akram, if you have any other issues I know we've talked - we've focused on the budget here but that your portfolio is obviously much broader than that and so if you have any other issues you wanted to raise or...

Elizabeth Gasster: Just to bring up - I'm Elizabeth - one of the - my reading of the existing (new draw) of the registry which was side for (UTOD). If the compliance board are not within the organization and therefore no other people are necessary, but that the compliance (unintelligible) with the applicants.

So when I went through the detail of that there was a significant change from the way in which function (unintelligible) within ICANN and then it's verse to say the new (DTLD) applicants that are going to be responsible for their own compliance have to warrant that they have indeed complied with their contract and then there's a random order of process that goes through.

Now that's very different from what has happened in the past and it would be helpful just to be not letting up now but it's a very detailed issue with respect to the utilities contract.

If I've misread it then that's very, very important for new TLD applicants to understand what their cost will be to run their own compliance - not dissimilar to running a financial audit and then having (unintelligible) whoever ICANN auditors are to come in and - well, whoever it is. You know what I mean. Who is it? (Moss) whatever, (moss apps) whatever their name is.

So, you actually bear the burden of (moss apps) cost to then sign off that you have indeed had audited accounts and you meet the requirements for your contract. My reading of the new TLD registered contract is that's indeed the way.

That we're going to do it, and I think my conversations with Dennis Jennings and other board members say that, if I understand Dennis's intention correctly, is that the compliance would indeed sit with the applicant, not with ICANN.

So, it's interesting to hear that people want people hired, but for the future where there's a lot more TLD's under management side would question whether that - I see a disconnect between what has been a Legacy approach and then what we would expect in the new environment with, let's say 500 new TLD's under management. But some clarity around that would be very, very helpful.

Man: Thank you and again that's a new TLD issue and we will forward the concern at this time. Thank you.

Man: As you can see, as Kevin knows firsthand, compliance is a very important issue for all of these constituencies, even when we have a budget topic we're talking about compliance. So, I want to - unless any of you have any last - oh, there is a question from the chat room. Excuse me. We've got a second.

Man: Yes, I just got a question in from the chat from Berry Cobb that I'd like to hear from Akram. What is his vision for his new role as COO and how he plans to improve ICANN's operation and go-forward strategy?

Berry Cobb: It's just a minor question but Akram we're...

Akram Atallah: No problem. No problem. I just don't want to stand between you and lunch, but I only have half an hour to discuss the changes in operations. I think that after two months on the job I - you know, and looking at operational lender infrastructures that we have with ICANN, we don't have anything that I would say is a broken system.

                     But definitely we lack in the systems being up-to-date, which means we do a lot of things manually in the corporation and we don't have a lot of automation that needs to be done so that we can free up our staff to do more of the meaningful work.

                     So instead of doing tactical stuff, doing more strategic stuff across all of the organization whether its HR, finance, you know, or legal, all of the stuff that we do is simply managed.

                     So what I would call the plumbing of the organization is it needs an upgrade and that's what we will focus on bringing up to date. We're looking at the controls and we would like to improve the controls as we improve the automation of the processes. So nothing that is, you know, really broken but I think there are a lot of improvements in this stage that we can do.

                     And I would like to look at different ways that we can actually, you know, maybe provide some funding, some additional funding to support different working groups to do their jobs.

                     And I know that we tend to grow as an organization with a lot more work too every year and we have to find a way to get more efficiency without having to

have a bigger budge every year to be able to meet the needs of the community.

So I think there are a lot of challenges for the future. There are some low-hanging fruits that we can address very quickly in the infrastructure and that's really what we're going to be focusing on.

Man: I just wanted to address the contractual compliance issue too and I think that message has come through loud and clear over the last few years actually from before I started and not just from the very beginning of ICANN.

But one of the things that you all done this time, which I thought was very effective was being very specific in the suggestions rather than just saying we need to throw more money into the pile on contractual compliance and make that slice of the pie grow bigger.

I think that Akram, one, and the executive team would really appreciate it when you talk about specifics, a specific objective, milestones, you know, whether it's the advisory group or a number of auditors or - because that's I think would have - what I know in the past we struggled with.

Is how do you - I mean you could literally spend billions of dollars in compliance pretty easily if you really - to, you know, certainly hundreds of millions of dollars if you did everything you could possibly imagine to go after malactors, so I just want to kind of encourage that.

I think maybe last time you didn't get quiet the feedback that you sensed that we really did listen and read those. I just want to make sure I do my part in communicating that you - please do. I think that they will really, really benefit from those specific suggestions.

Steve Metalitz: Okay. Well, thanks to all of you. I'd like to second I think what Ron said, to thank Kevin for his valiant and dedicated service. He gets a bronze star and

he maybe gets a purple heart too on some occasions, but we wish you all the best.

And welcome to Juan and to Akram and we hope we'll have you back at our next meeting and certainly we look forward to building the same strong relationship that we had with your predecessor, so, we're very much looking forward to that and thank you very much. Bye.

And if the other two, my co-executive committee members want to come back up to the podium, we do have a couple of more items before we move into our closed session.

Okay, I think - I know one item we had identified and it's very - it fits very well with the last couple of comments, was just to update folks on the proposal for improvements to the Registrar Accreditation Agreement and this fits in well with what Bill and - what Bill was talking about and others.

I don't have a presentation on this, but I think people are familiar with the fact that a drafting team of - anointed by the GNSO Council, has come up with a report that is now before the council and it calls for, among other things, starting a new negotiation process with improvements to the Registrar Accreditation Agreement.

It lists a number of high and medium priority topics, many of which are of great concern to us. It's drawn on suggestions made by the ICANN staff actually and also by law enforcement as well as by others within the ICANN structure.

And it calls for a new method of negotiation that would involve observers, not just ICANN and the registrars, but observers from the affected parties - excuse me affected non-parties to the agreement, which I'm sure would include the interests represented in this room.

I know this is technically on the agenda for the council meeting. I don't expect there will be any action, any formal action - well, there may be some action taken. I don't expect that - our report to be approved on Wednesday. There's obviously a lot of concern expressed.

I gave a presentation on this at the GNSO Council session on Sunday and there were - really was concern expressed, if I can summarize it, on two fronts.

One, there is very strong objection from registrars to any process that involves observers or at least some from registrars, any process that involves observers or non-parties being part of the negotiation or - we - there's a range of views on the other side.

But there is, I think, a lot of feeling that the last time the registrars and the staff went into a closed room and came out with an unacceptable product, which we basically had to accept and got a promise that we'll do better next time, so now is next time.

The other question that was raised and I didn't have any answer to it because the drafting team really didn't consider it was how would the observers be selected or how would - if there were observers in the process, how would they be selected?

So, I really just wanted to update people on that and to encourage them to look at this report and to discuss within your constituencies how best to proceed because I think - I take Liz's point that in some cases the sum of the burden on compliance at the registry level may be shifted to applicants in an audit - self-auditing process.

I don't know if that is a good or bad thing, but as in the status quo we're in now, particularly in the Legacy TLD's and in particularly the Legacy Thin who

is TLD's, in other words .com and net, the registrar compliance is absolutely critical.

And we need - we do need a strong contract compliance function, as we've said several times, but we also need to have better and stronger provisions and clearer provisions in the contract they are required to live up to on issues like proxy registrations and registrars engaged in cybersquatting and many of these other issues.

So I don't know if there's any - people have any comments or questions about that. I'll - Marilyn does. I don't know if anyone else does. We can talk about them now, but Marilyn, go ahead.

Marilyn Cade: I just have a - I think it's maybe just a historic statement than a question, Steve, which you or someone else may be able to respond to. I participated in POLCYB, Vancouver. POLCYB is the society for the policing of cyberspace.

It is primarily a gathering of enforcement representatives - senior enforcement representatives from commercial players, very large ones. Some of them are members of the BC and other parties and law enforcement.

And the - a GAC representative presented the RAA, the paper from the GAC on the RAA amendment, and I took note of a significant amount of consistency in several of the things that the GAC was asked for and the concerns that have come from these three constituencies individually.

And I guess my - one of the things that was included in the GAC amendments was establishing some kind of accountably for the resellers who are affiliated with an accredited registrar but who are bypassing accountability and the registrar is also accountability. So I wanted to mention that as a - kind of an interesting point and one that I thought was very relevant.

And then secondly to say that excluding brand as string applications, I guess I'm very concerned about the idea that there is really no recourse - there's - it's difficult to see what recourse would exist for a registrant if they encounter problems and there is no compliance or enforcement process stable, informed, trained and funded at ICANN.

Steve Metalitz: Let me - on your first point, let me respond that that issue about resellers was - is on the high priority list in the report of the drafting team. In the most recent RAA, for the first time there is a reference to resellers and to registrars being responsible for the activities of resellers.

But unfortunately the term resellers isn't defined and some registrars have a very different view of what a reseller is than we might and of what their responsibility is.

So to me this in indicative of how flawed the product we got from the last process was but it's on the list anyway and I will say the request to have a definition of reseller came from a registrar representative on our drafting team.

On the other one, yes, I kind of agree with you. I don't see how you can take compliance - external compliance out of the process but that maybe - you know, that's kind of a going forward issue. Let me ask if there are any other comments or questions on this topic. If not, we did have a breakfast - oh, I'm sorry Bill, go ahead.

Bill Smith: Bill Smith with Paypal. On the RAA, I hope that we are not taking out ICANN's responsibility for compliance. I did a quick look at the latest RAA dated 2009. I haven't looked at anything beyond that and as best I can tell it remains there.

But I - again, my prior comment when the ICANN staff was in the room, it's buried in legal language and is subject to, I think, very broad interpretation and I think it will be better to pull some of this stuff out into a policy document and make it especially clear. It does not need to be legal language if it's a policy and it can be clear and say, you know, as ICANN has an obligation to its on-contract compliance in this regard.

Steve Metalitz: Yes, I think that Liz's comments actually weren't about the RAA at all, they were about the registry agreements and what the obligation of the registry would be, but your point is well taken.

Marilyn Cade: I need to ask a point of clarification. We all do understand that when we use the term policy we understand that is not binding unless it is consensus policy, while if something is - this is a fact, I'd be an expert on that having been burned twice.

On the other hand, if something is in - if something is in a contract, it - sometimes it is actually easier to get something in a contract than it is to get a PDP, which may take 18 months and in order to be binding it's - oh, sorry. In order to be binding, it's 2/3, right, of both houses. It's a weird vote of both houses.

Bill Smith: Okay, play (by) - this is Bill Smith, if I could come since. If that is the case, and I believe that is, to me that points to an organizational issue. Okay? This could be done another way structurally, it could be an addendum to a contract, a codicil, any number of ways to do it that could be easier to modify than the contract itself.

My point is there needs to be a way to, from the contract language, to point to something else, typically a policy in a corporate setting, okay, that says you agree to - in the contract you agree to be bound by the policies as modified or amended from time to time.

Marilyn Cade: Bill - that exists already. My point was that - so that requirement exists but getting - sorry, for a consensus policy. So that's there but the issue then becomes getting a new policy element approved as consensus policy.

Bill Smith: I understand. I'm talking about difference use of the word policy, okay? Not a consensus policy.

Man: And he may mean it differently.

Bill Smith: As an example, there is a financial policy for this organization, no doubt. Is that a consensus policy that received a 2/3 vote? I doubt it. I expect - I imagine the board adopted it. Finance committee did vote. I believe this would be something it could as a corporate entity do on its own, on its own accord.

Man: Well, yes, I think we should pursue that offline but one of the goals of the new RAA processes is to get a clearer agreement so that there's less dancing around about what registrars are required to do so there might be a number of ways that that would be carried out. Kristina?

Kristina Rosette: I just want to second Steve's point to further emphasize it. There is no way the NCSE is going to agree to this motion that I've entered, which is not going to pass at this meeting.

                  But there is no way that they will support it unless I develop a process for identifying like the observers that they feel is fair and ethical, you know, obviously what they believe. Ethical is not necessarily what we're going to believe is fair and ethical.

                  But my point is please start thinking about how we go about this and what might work versus what you perhaps think would not work and send those suggestions so that we can try and start pulling together this so this can get

passed in our house. But I think realistically speaking we are going to have to have almost an amenity in our house in order to get this changed.

Marilyn Cade: Kristina, this is just an opposite kind of question here but, you know, we've established a process and I just want to focus on our half for a minute. But we have established a process now for nominating review teams members, which has maybe some characteristics.

So we started thinking we would think about a process - because this may not be the only situation where we might need to come up with observers. So your suggestion is we'd begin to try to have sort of a standardized agreement on how observers could be nominated and be put forward?

Kristina Rosette: Not necessarily because I think that would be a much longer term objective, I can tell you with some degree of certainty that the process that that would use at the council level for putting forward names for the arts review team will not work here.

So, you know, would it be great if we could come up with something that we could apply here and further on? Absolutely, but I think realistically in order to keep up the momentum, we really need to keep focusing on this particular...

Marilyn Cade: So is there - so your view, you know, maybe is a certain number of observers, a certain criteria and that's what you would like us to start thinking about?

Kristina Rosette: Absolutely.

Steve Metalitz: Okay, any other comments on the RAA topic? If not, before we move into our close session - we did have a breakfast this morning - breakfast meeting this morning with the - with a number of members of the ICANN board and senior staff, and I know many of you were there.

One issue that was brought up there and that has already been a lot of discussion of, and I - I just wanted to flag it because I hope you can pick this up in your constituency meetings.

On last Friday, ICANN posted its latest version of the economic study relating to new gTLD's, and of course we weren't able to put it on this agenda since it didn't come out until 72 hours ago or something.

It is now on the ICANN site for public comment, and to the extent that I can determine, the close date of the public comment seems to be Friday because it's on the same page with all the other new gTLD material.

And therefore, I would encourage you, both individually in your companies, but if it's possible to do it through the constituencies to at least make a very brief comment and send it in to the public comment forum.

I think it would be - it would be useful and I know from my perspective the fact that this economic study seems to exist in a parallel universe to the whole new gTLD process and it seems to have no impact to the new gTLD guide book is very troubling.

And the fact that the ICANN board still publicly is stating that they're preparing to vote on the, you know, on the proposed final guide book as early as Friday without - essentially without having considered anything that's in this - that's in this economic study is troubling.

So, I just wanted to flag that issue with something you may want to add to your constituency agendas, we couldn't, I'm sure, unless you're a lot more clairvoyant than I am, you don't have it on your agendas yet, but - because it just came out last Friday night, but I would encourage the constituency's to address this in their meetings.

If people have other observations or comments from the breakfast this morning, this would be a good time to share them. And I think Marilyn has one and Kristina has one, and does anybody else? Ron? And we'll use that cue.

Marilyn Cade: I'm going to comment on this but I want a place to holder down. We also need to discuss briefly - and I want to introduce the topic and then we'll come back to it.

In Brussels, at the close of our breakfast, the board asked the chairman of the board, and strictly supported by Dennis Jennings, one of our outgoing board members, asked us as a group to consider the - whether the breakfasts that we have should continue, whether - how often it should continue, and what form of interaction we should have with the board.

They did not include the term senior staff, but our breakfast does include a large number of the senior staff, so we had a consultation on that - a discussion on that within the breakfast this morning. It is very much a live topic, a very important one, and I think within each of your constituencies you should take that topic up and treat it very seriously.

Then we need to come back together as a CSG and we'll probably start with the leadership and figure out how to keep going back and forth between the members on what proposals we want to put forward because there is a strong wind to completely reconstruct how the interaction happens and how frequently it happens.

So having said that, I want to make a follow-up comment to Steve's comment on the economic study. The reality is that the staff are in the unfortunate position.

And it is unfortunate for them that they are literally analyzing and subjectively trying to incorporate any comments that they hear, whether they're in

constituencies, they're in working groups, they're in the halls, blah, blah, blah, blah, they come in writing and feeding those into the board on a daily basis, which is very difficult situation for the staff and very difficult for us.

And the board seems to be planning on - you know, the question is up in the air on what decision the board - they will make on Friday, what decision the board will make on Friday.

But the fact that they are not providing adequate time to take comments and consider what I think is new information, that's my perspective in the economic study.

I would just think the constituencies would need to be discussing what their views are about the process and whether the board is actually fulfilling its obligation as it is required to in the bylaws to take into account new information and to adequately respond to it. I think that's probably a constituency discussion.

Ron Andruff: Thank you. It's Ron Andruff speaking. I just wanted to put a sharper point on what Marilyn brought up via the, what the board thinking is for breakfast. As I heard Peter Dengate Thrush this morning finish up, he said he's viewing this as a very different way.

And that there will be a meeting where we will go into their meeting room and sit with them, get our hour, leave, then comes another group, and that the social elements will be something else and people will compete for dinners and breakfasts.

So, I think that's a very important issue. It seems to me that decision has already kind of been taken and we need to make sure we come back with a strong voice because I think that the communications we had this morning were unfiltered in an informal environment and this is the only time that we get to have the board exclusively, so we need to be very strong on that point.

The second issue has to do with public comments. Last night, I had the occasion to meet with Karla Valente who was actually doing exactly that. She was going back to now collate a bunch of - and summarize public comments.

And I lamented the fact that we comment all day long and we continue to put them in and what's happened now is that the staff has just worn us down, so people don't bother to even put comments anymore.

And in fact, Steve went to the microphone yesterday and said we've commented on this particular topic multiple times and we've been ignored every time, so I'm assuming I already know the answer to this question.

So when I said that Karla said please, please, please make your comments, do add your comments in. The board does read those comments, it's important that we comment. And if we don't comment, they view that as passive approval. So let's - please, even if it's two sentences we can all get in there personally or from our constituencies, let's get them on the board. Thank you.

Steve Metalitz: Okay, Kristina and then...

Kristina Rosette: I apologize for being fast, but I have to actually have to leave for a moment. First, I thought I heard Peter say constituency. And if he did in fact say that and he did in fact mean constituency, then I'm not as concerned about having separate meetings.

But I do think it would be difficult given that we don't always have the same perspectives on issues to try and cram all three of our constituencies into a one-hour time period.

Second, if staff are excluded in the future then let's have a breakfast for them, easy solution. Third, if it is in fact going to be the case that there will be this whole kind of new and improved way of interacting, fine. Let's play the game.

Let's just make sure that we come up with the most interesting, most fun event, and, you know, best location, et cetera so that they'll want to come. I mean, if that's how it's going to go, why not? We'll have fun too.

Marilyn Cade: So I just want to make one - I just want to make one point. Peter has fairly held - strongly held views, several of the other board members do not yet concur with them.

Man: I think for the CGS's breakfast, that's a very good chance for us to convey our point to the board, but that breakfast meeting to be continued. It's very important that that is also beneficial for the board, so probably I will discuss this matter in (consept), but we have to think of - seriously think about that point.

Steve Metalitz: Thank you. Ayesha, did you have a comment?

Ayesha Hassan: Thank you, I'm Ayesha Hassan from the BC I think that what I'm hearing from colleagues is that we see what the utility of this breakfast is and want to make sure that we are going to maintain our ability to have the kind of interaction we want.

My sense from talking to the board members is that we also probably should be open-minded to the format. I think, you know, it's right that there is an opportunity to do things differently and make it a practice so it's just a no-brainer that they'd want to be there.

I also think that there is some ability to test a new format for one of meetings (here). And if that doesn't work properly, then we could move forward.

But keeping a very strong message to the board that the constituency, and I would like clarification because my sense is some of the board members think the (BC) would meet with them one hour.

I agree with Kristina and others that would not be the most constructive thing. Now, I do understand the pressure that they are under with new constituencies and how everybody's going to agree with everybody else, et cetera.

Maybe we should just try to work to make sure A, our priorities are heard, we are going to get what we need, whatever format (takes) experiment, but B, to make sure that we're not accepting a format that isn't going to comply with what we (unintelligible).

Steve Metalitz: I'll recognize myself. Thank you, Ayesha. I agree with you. We need to be very flexible and it is just somewhat ironic that the reason we have a breakfast is because we had the other format before, which was that the - well the board came to see the cross constituency rather than us coming to see them, so that's a difference.

But they came in and the meetings were terrible. And they felt very much on the spot it was everything - It just didn't work and so that's why we've moved to the breakfast several years ago. But it's definitely worth seeing whether we can make it more attractive for both sides.

Marilyn Cade: Just a thought. I mean, there's some thinking that can go into this, but also it depends on the room. If we're going to have a meeting with them in a room like this it will be less constructive then if we're meeting in a room where we're all around a table. I mean, little things like this actually would be helpful to support the portfolio.

Just real quickly, historically, so you guys know. We've had three approaches in meeting with the board. One of them literally involved the entire board and

the general council coming in and sitting in a row in front of the three constituencies.

And the only people who spoke were typically the chair and the CEO and the general council, and the board members found that very uncomfortable - the other board members found that very uncomfortable, they didn't like it. They complained. They wanted to participate. They wanted more interaction.

The second approach was for individual board members to be assigned to constituencies to sit in the constituency and participate. That has totally petered out, if I could use that term.

But, you know, I don't want to spend more time on this because I know we have to go and - into our private session. But maybe we need a kind of a mixed sieve of people from each constituency to do a little brain-storming and come back.

Steve Metalitz: Bill, do - you'll get the last word on this.

Bill Smith: Okay. Bill Smith, Pay Pal. To Marilyn's point, I've been involved in organizations that have done all of these. From my perspective, the breakfast actually works the best. The one thing I would say is when we get to the more formal part - today's three items, we tend to loose people. So my suggestion would be to - yes.

No, but it's - it would be to stress the informal nature as opposed to the formal stuff. And if the board is going to choose to sit for eight or ten hours while different constituencies, organizations, and what-have-you troop through, I think they will find very quickly that that is an extremely difficult thing to do, having done exactly that. So...

Steve Metalitz: Okay. This concludes the open portion of our meeting so I would like to ask
                    that the Adobe room be closed. I'd like to ask that the telephone connection
                    be closed. Okay, Chris, can we confirm that everybody on the...

Coordinator: ICANN meeting.

Steve Metalitz: We need to discuss what our - what voting system or selection system we
                    want to follow. Obviously, the - my understanding is that the voters in this
                    election are the GNSO Council members from our respective constituencies.
                    So ultimately, those constituencies will have to instruct their council members
                    about how to vote and how they should proceed in this area.

                    That is one topic. The other topic, which is a little bit over the horizon but not
                    very much and very important is that the other thing that happens in this
                    House is that the House elects a member of the ICANN Board of Directors.

                    That's the seat now held by Rita Rodin Johnston, whose term expires I
                    believe in June. She is told - I understand that she is not standing for re-
                    election, although she is eligible to do so.

                    So we need to think about both what's the process going to be for electing
                    that person, and I think it would really be in our interest to find a very good
                    person or well, preferably one person to be that candidate. And again, this is
                    something I hope you will - the people will discuss in their constituencies.

                    This is our one opportunity, of course, to elect somebody to the ICANN Board
                    of Directors, though we do need to use it wisely. So these are the two topics.
                    One is the vice chair election and the other, a little bit farther down the road,
                    is the election of an ICANN board member.

Man: So back (unintelligible), so there're three drafters of the process that were
                    agreed on jointly in the House upon deciding that he was going - so we will

be at some point both looking at the process the contracted party House used and looking at any other ideas, but we are not doing that now.

There will be no formal discussion about the BC - about the board's (big) election because leadership of the CSG feels election needs to be acquitted other elections.

Steve Metalitz: Yes, that's correct. And I should clarify one thing I said. The electors, the people who vote in the election for vice chair, as I understand it, are our council representatives plus the nominating committee at (point T) to the council that is assigned to our House.

And that's all because of - so that the universe that we're looking at. But there is, I think, a very live question about who would vote in selecting a board member. That's a separate question and we're not (unintelligible).

So let me - why don't I open the floor for comments and suggestions first on the vice chair question both as to a method and as to how - again, I think it's up to constituencies to instruct their counselors, but I think it'll be very helpful to have a discussion here amongst the three constituencies.

Philip, did you want to be recognized, and then Mike is also in the queue?

Philip Sheppard: Yes. On vice chair, just a clarification, perhaps some people who were also present when we did it the first time around. My feeling at the time was when we were discussing Olga there had been not necessarily an explicit but maybe an implicit understanding that there could be a reciprocal arrangement in terms of vice chairs, one side formerly part of negotiations.

I had personally a discussion of it wondering what else others felt about that term at the time or if that or if that (unintelligible).

Kristina Rosette: Let me try to describe what happened at first. First of all, we had no procedure. It was the first time we had done this and their rules that say that

the chair of the council - the chair - let me think how I'd phrase this. Once the chair of the council is selected, each House still gets a vice chair and the vice chair from that House cannot be from the same stakeholder group.

So what happened last time was the - and I will tell you that they're - the recollection of each of the parties who seems to have been involved in this is a parable of The Nine Blind Women and the Elephant, so everybody has their own view.

But the - we ended up practically accepting sort of a forced march that if we could put Olga forward as the chair candidate from our House, we did not have another candidate at that time, and the paced agreement we worked out was that if she did not win that she would be the vice chair candidate.

So we didn't actually have a vote at this - the vote was not about the vice chair. That was a negotiated conclusion, and I was very heavily involved in negotiations and building support for Chuck Gomes because at the time there were potential other candidates coming for chair from the registrar side of the House.

Based on feedback from our House, from our (SG), it seemed much more helpful to our interest to have Chuck be the counselor's council chair rather than having it be Stefane, who was the candidate at that time.

So that was, I think, discussed, Philip, but I do not recall, nor would I say that - I think Sarah's online, but I don't recall that we agreed to that as an understanding. And before I yield the floor, I'm just going to say there is another problem and that's why I mentioned the issue having to do with the requirements.

If the - if we were to have a chair candidate next year, which is possible, and I would like to think that's the case, we don't want to screw ourselves on being

able to put a chair candidate forward because there's some kind of explicit agreement that we are going to just automatically shift back and forth.

And my final point would be if there is a breakthrough and there is a non-commercial user's - non-profit organization constituency. And if Rosemary actually gets on the ball and delivers a consumer-oriented constituency, that stakeholder group looks different in a year or the board's not going to renew those mandates.

Steve Metalitz: Okay, we have Mike and Tony. Did anybody else want to get in the queue on this topic of vice chairs? Mike, go ahead.

Mike Rodenbaugh: I was also very active in the negotiations last time. I actually volunteered and I wanted to be the vice chair, but I said I would if our group wanted it, pretty lukewarm. We did agree on Olga. Of course, she's not from the (non-course) Stakeholder group. She's (unintelligible), you know, so last year's last year.

This year and going forward, we've got to decide what to do and there's really two options. Either we can come to a friendly agreement with them so that we essentially alternate each year, but there would need to be some exceptions made.

For example, both of us could agree to break that pattern for one year. Chairmanship, and of course the alternation would have to break as well because the Chair and the vice chair would need to come from - so it seems to be that that by far that is the simplest way to deal with this issue.

The vice chair is not any superior to any other member of council and they don't have any privileges to set the agenda even than other counselors do. You do that simply by motions. So it's an important job to help manage the council, no doubt. It needs that.

And it's - it is important who's in that role, but I don't think it's so important that it's worth a fight every year with the NCSG. We've got too many other substitute issues to deal with. That is what both of our stakeholder groups should be about is developing policies, not deciding and fighting over administrative stuff like this.

So obviously, my view's very clear. I'd like to do a simple rotational system with those guys rather than some sort of complicated ballot scheme, majority, majority plus one arguing over the rules first of all, then arguing over the candidates and who's going to win. I think it'd (unintelligible).

Steve Metalitz: Okay, we've got Tony and then Bill and is there...

Tony Harris: Yes, I'd just like to make a brief statement that our constituency involved in this process, we decided to forward (Walter Ricknovin) as vice chair and we do hope that the rest of the other constituencies were (unintelligible).

Steve Metalitz: Bill?

Bill Smith: Bill Smith from Paypal. I guess I'm looking at this and what I'm hearing is, as an example, but separate, we would then instruct our - our people on the council to vote in certain ways.

I think - for me, that calls into question why we elected them or put them in the position in the first place and we would want to A, a strong opinion, but in terms of for me in organizations I've been in, electing a chair or vice, et cetera, that's up to the (unintelligible) itself to determine how to best operate.

I just did a quick read through the GNSO Council stuff about elections and it is mind-bogglingly complex. To me - I don't know. I just - I don't understand this. I'm sorry. I know I keep saying these, but I don't understand why we make it so hard. You put 10, 15, 20, 30 people in a room who operate by some set of standard procedures you elected chair.

In this case, we might have three or four vice chairs, okay, at each - because of the way it is organized and each group would be entitled to a vice chair that they would elect in some manner. To me, it just seems a very pragmatic, easy way to go about things. I know there are other issues, but every time we get groups together that have to decide how you elect someone or what your process is, you'll never get anywhere.

Steve Metalitz: Okay. Marilyn, and then...

Marilyn Cade: Bill, the reason I don't really fully agree with you is that ICANN is increasingly trying to create shrinking funnels of who they interact with and so the people who are in the leadership positions do have to be held responsible for those to have an effective consultation process so that they know what the views of a growing membership are.

The election process on the council was devised by staff as far as I can tell and I think staff did the best they could. We can take up that discussion in the future on whether or not the chair's process was the most effective or blah, blah, blah and how - but for right now, until we devise an agreement on election process, RSG has to devise - our House has to figure out how they're going to elect a vice chair.

My comment - my question is for Mike because Mike was I think - I just want to get clarification. Mike was proposing alternating, but in fact there's also an NGA NCGA involved.

And so my question was if he was proposing a triangularization where the NGA gets it on year and then a House gets it and then another - sorry, an SG gets it and then another SG gets it because what I've been told by some in the other SG is that they consider that an option.

Mike Rodenbaugh: I haven't heard that from any of them I've been talking to this week, so I'm definitely not proposing that. However, the NGA could be the choice of both stakeholder groups. They could agree to put the NGA in the vice chair role and then resume the alternation scheme and the next.

Okay, so (Travis). I wanted to make one more point also that I forgot to mention and that's just about this particular election that I hadn't really realized was an issue until yesterday in speaking with some of the folks from the NCSG.

And that's the diversity and what the three vice chairs would in fact be (white men) if we elect Wolf rather than Mary Wong. And I think that diversity has been expressed as an important goal by many around here, many contacts and so I just state it for what it's worth.

Steve Metalitz: Okay, I think we had a couple of people in the queue or do we have anybody else that wants to be in the queue? Wolf? Philip? And I'll put myself in the queue. Thank you.

Wolf-Ulrich Knoben: I'm the one who is (unintelligible) patiently for (the polls) though I don't like interfering in (unintelligible) discussion here so far. I have my opinion. I am looking from the point of the council's point of view and there are other views here that the council has to work together in the future.

So we have to find a mode together in council, also with the other part of the House, often if you have stakeholder rules. That's my point here, so I would like to have the situation - find the situation that is more or less complicated feature and discussion overwhelms.

Let me say, our future ability to grow the council, so that it means that it interferes in personal relationships. And then I got the feeling in the last days that comes up more and more when I talk to my friends, let me say to my

friends on the council or the other part of the House and then the other stakeholder groups.

It's a feeling that due to a lack of right communication it might have an interference on the - on our corporation's ability on (counsel). I really ask you to take that into consideration and talk about potential) things. I personally would like to have it as easy as possible (unintelligible) with the future. Thank you.

Steve Metalitz: Thank you, Wolf. Philip?

Woman: Chris, can you just send an email - a message to make sure that none of them want to say anything?

Philip Sheppard: I'm not sure of the fix for this time around, but it has stuck to me as the more we can avoid problems and using up, you know, brownie points in negotiating on issues like this are better.

We're currently in a position where we've got four stakeholder groups, a chair, and two vice chairs. If we had an additional vice chair, we would almost (fix) and then you'd have a chair from whatever, the rest of the other three could have a vice chair.

Man: A possible fix for the future.

Marilyn Cade: I thought we wanted the vice chairs to be divided in administrative and management and I would turn to Wolf who wants a stand to this role. But my understanding of the vice chair role is it is not representative and is supposed to be about the governance of the business working, the scheduling, blah, blah, blah, prior to...

Wolf -Ulrich Knoben: (Unintelligible) now. So we're now talking about it and I believe it is representative.

Marilyn Cade: Actually, I'm not so I'm not sure who is. But I mean if you're saying that's what people are doing, I - and I'll just give you an example. I did put forward - I was asked to and this is forward the proposed voting, two options on voting.

And my view is that in order to win the election you have - you should be required - you need to be able to draw at least one vote from the other SG rather than just it being an SG plus the SGA...

Wolf-Ulrich Knoben: Yes. It's one of our records, one of our elections.

Marilyn Cade: ...the count of proposal we've gotten back is only seven, which is six from one SG and one from NGA. The problem with that is it could go the other way. The NGA next time might be particularly friendly to our SG and that would totally disenfranchise.

To your point of - it needs to be simple but it also needs to ensure buy-in. The numbers for the vote are going - you know the...

Wolf-Ulrich Knoben: Leave it up to the committee.

Steve Metalitz: We have a couple more people in the queue, but I'll recognize myself first and then these (unintelligible). Yes, I hear what people are saying about the need for simplicity. I think this has really grown to be a more thorny problem than we need to make it. My personal view, which I will advocate in my constituency and this, we should have an election this time.

We have two candidates. We should have an election. And we either should have an eight - a requirement of 60 percent, eight votes, or also we should say the majority but at least one vote from each SG so that six from one SG plus one NCA does not win.

I think Marilyn's point is well taken that there could be somebody with support from both. And my recommend - I'm going to recommend that my counselors vote for Wolf. I think he would do a good job and I think he's a strong candidate and we should support him.

My - the other thing I would recommend is that we reach an agreement with our sister stakeholder group that whichever stakeholder group or whichever stakeholder group loses this election will have the option to propose a candidate for vice chair in the next election and that the expectation would be that that person would be elected. So it's kind of a rotational thing as Mike has suggested, but it's not (unintelligible).

The - I also don't think it should necessarily extend beyond, you know, the next time. We'll take a look then and see if we need to change it, but that's my personal view, which I will be advocating in - Nick, you wanted to speak and then (unintelligible)?

(Jonathan Makowski):   Las Vegas Sands, I've been listening to the discussion, it's taken quite a long time over the nuances and I requested - requesting some clarification as to why alternating wouldn't work because it seems intrinsically fair. Both stakeholders are important, commercial and non-commercial, so why would there be any objection to alternating?

Nick Wood: A question for clarification. So the vice chair position may be administrative and (unintelligible)...

Man: Not inevitably because there were two vice chairs now and one of them was elected, or I think has been elected, as the chair. They said process over to (bout) to elect and the other didn't, so I suppose it puts you in the running, but no, there's no automatic.

Steve Metalitz: And again, I guess under what I've suggested, and I think what Mike is
                    suggesting, if you were vice chair this year then you wouldn't be vice chair
                    next year unless the other stakeholder group wanted you.

                    Okay, are there any other comments on this or can we just remit this to
                    discussion in your constituencies and please report back to - through your
                    member of the executive committee? Okay. You're - I'm not sure what you're
                    saying, Marilyn, but I think they - I think this will be discussed.

                    It's up to you how to discuss it in your constituency, but please report back
                    through your executive committee members so that the CSG executive
                    committee knows if you've decided.

Marilyn Cade: And so just to clarify, this discussion is closed to (unintelligible) but to Steve's
                    point whether or not you discuss it in an open forum or a closed forum in your
                    own, but be aware that it's probably better not to be publicizing decisions that
                    aren't fully made because they can easily be...

Steve Metalitz: Okay and the other agenda item that we mentioned was the board election.
                    And as Marilyn has indicated, there is a team that is working on the
                    procedure for this. I assume, Marilyn, that if there are other people from one
                    of these constituencies who want to participate on that team that they would
                    let you know that it is - it may be possible to add them.

Marilyn Cade: We didn't create ourselves, we were created by the - a meeting, so I certainly
                    am happy to (unintelligible). I don't - I'm not authorized to expand a
                    committee. I'm - I certainly would say anyone who wants to offer comments to
                    work with John and I, not only would we welcome you, we might even
                    (propound) you.

Steve Metalitz: So, and I - particularly, this is for the two constituencies that don't have
                    somebody on this team right now because exactly who did not volunteer, so
                    let - you know, you're encouraged to do so. And I don't know if anybody has

other comments they wish to make? Anybody else on the question of the board election?

Man: Something does strike me with regards - so from a personal perspective, the reason that I put my foot in this particular (unintelligible) in the first place was to try and be more of an agent of (census) collaboration (the worst). If we alternate back and forth, how to find separately elections would require outreaching.

So - and my - and it's true and I do believe it's true, then I think the eight day target is the best as that - that's another aspect of outreach and collaboration and connection as opposed to well, I got mine. This is fun. You get (yours).

Steve Metalitz: Thank you. Good point. Any other comments before we close the meeting, or that is to say adjourn the meeting? Yes, we will announce - did you have a comment you wanted to make?

Akram Atallah: (Unintelligible):

Steve Metalitz: Yes, go ahead and then we will adjourn.

Akram Atallah: Yes, as far as it goes but the reality is - I know you haven't been around too many elections around here but, you know, the reality that elections, even over fairly insignificant, you know, relatively insignificant administrative matters like this end up getting blown off to let feelings get hurt and it really affects the ability to work together on the substance of policy issues. That's just a fact.

Steve Metalitz: Much about ICANN is counter intuitive. Okay, I want to thank everybody for their participation in this meeting and the constituencies will meet this afternoon. I know the IPC is meeting at 2 o'clock and I believe it is in this room if this is Barahona Four. Is it? I think it is. Okay. So we'll be back here at 2 o'clock. And as to the constituencies?

Woman: I'm trying to remember. It's on the agenda I sent out to all of you. We are meeting at 12:45. It is a closed member's meeting. We will have two guests that will be joining us who are applying for membership, so that'll be - and we will have these guests also Akram and Juan will come back for an informal get acquainted session with us

But the BC is furnishing lunch for its members. So it's on the third floor, 2A, 2B I believe. You'll recognize it by the sandwiches. We will - that lasts until 1:30 and at 1:30 we start our formal agenda, and all of you BC members have the agenda.

Akram Atallah: For the ispCP constituency, our meeting is on the third floor at 2 p.m. and it will be (Comecion) 3A or B. You'll find several rooms that are called (Comecion), either 3A or B. Thank you.

END