Fifth IANA Stewardship Coordination Group (ICG) Face-to-Face Meeting – Wrap Up Working Session

09:45 – 13:00 ART / 12:45 - 16:00 UTC, Thursday, 25 June 2015

Meeting agenda and archives

Buenos Aires ICG Participants

Alan Barrett (NRO)	Lynn St Amour (IAB)
Alissa Cooper (IETF)	Manal Ismail (GAC)
Demi Getschko (ISOC)	Martin Boyle (ccNSO)
Hartmut Glaser (ASO)	Mary Uduma (ccNSO)
Jandyr Ferreira dos Santos (GAC)	Milton Mueller (GNSO)
Jari Arkko (IETF)	Patrik Fältström (SSAC)
Jean-Jacques Subrenat (ALAC)	Paul Wilson (NRO)
Jon Nevett (gTLD Registries)	Russ Housley (IAB)
Kavouss Arasteh (GAC)	Russ Mundy (SSAC)
Keith Davidson (ccNSO)	Wolf-Ulrich Knoben (GNSO)
Keith Drazek (gTLD Registries)	Xiaodong Lee (ccNSO)

Remote ICG participants:
Daniel Karrenberg (RSSAC)

Liaison:
Kuo-Wei Wu (ICANN Board Liaison)

Apologies:

Elise Gerich (IANA Staff Liaison)	Michael Niebel (GAC)
James Bladel (GNSO)	Mohamed El Bashir (ALAC)
Joseph Alhadeff (ICC/BASIS)	Narelle Clark (ISOC)
Lars-Johan Liman (RSSAC)	Thomas Schneider (GAC)

Secretariat:	**ICANN Support:**
Jennifer Chung	ICANN Technical Staff
Sherly Haristya	
Yannis Li	

1. Thoughts from the ICANN week

- Cooper stated that she has received confirmation that CWG-IANA will send the Names proposal (with approval from all Chartering Organizations) to the ICG at the conclusion of their meeting today (25 June, 10:00 ART). She noted that the ICG work will start accelerating towards the public comment period planned for August.
- Subrenat brought to the ICG's attention, a concern raised by ICANN CEO Fadi Chehadé during the CCWG-Accountability meeting on 24 June that there may be a heightened risk for the transition due to the complexity of the CCWG proposal and the possibility that governments would have a greater say in the final solution than was initially envisaged by the NTIA conditions, thus US Congress may oppose the transition. Subrenat mentioned that in response, CCWG co-chair Weill pointed out it

was CCWG's job to sense what was coming from the communities, and the US Government would have to face up to the fact there is opposition to a certain type of type of solution.

- Drazek and Arasteh gave their apologies for leaving the ICG meeting due to time conflicts with the CCWG-Accountability meeting. Arasteh mentioned that similar apologies have been made to the GAC on his behalf, and also that he must be present at the CCWG meeting in order to present his compromise proposal to the CCWG.

2. Response to NTIA letter

Cooper explained that she has incorporated the three phases referred to by Larry Strickling on 21 June and Fadi Chehadé during the ICANN 53 opening ceremony in the updated draft. As a point of coordination, Cooper mentioned that the CCWG-Accountability co-chairs would have draft text early next week, thus the ICG response contains placeholders to cross-reference the CCWG response to NTIA.

Suggestions to the draft response:
- Knoben suggested inserting language that ensures the ICANN Board creates no modification on the proposal to NTIA in phase 1 paragraph 1. In phase 1 paragraph 2, he suggested removing the reference to an additional public comment period since there was no consensus in the ICG on this and suggested explaining the contingencies of the process in a more general manner. Lastly, he suggested removing reference to the expiry of the contract, since that is the purview of the NTIA and not the ICG.
  - o Subrenat proposed a change for phase 1 paragraph 1: "... in time for the ICG to deliver the final proposal to the NTIA, via the ICANN Board, in the time frame..." (*Adobe Connect chat*). Arasteh agreed with Subrenat.
  - o Arasteh suggested adding 'if any' to indicate some condition on the ICANN board's comments on the ICG proposal, that the ICG 'do not invite ICANN to ... comment...[but if they do, to]put it separately'.
    - ▪ Ismail referred to the suggestion on the internal-cg mailing list and also agreed with Arasteh.
  - o Cooper agreed that it is too aggressive to discuss the expiry of the contract, but that the ICG should give some indication of when it thinks that all of the work will be complete.
- Wilson suggested stating that the ICG plans to have the final combined proposal by two weeks prior to ICANN 54.
  - o Cooper clarified that the ICANN Board has promised a turn-around time of 14 days upon receiving the final combined proposal.
- Wu, in his personal capacity, proposed for ICANN and ICG to have a meeting once the combined proposal is submitted to ICANN so that both parties can share consistent views in order not to jeopardize the whole process.
- Boyle expressed concern regarding getting the order right in reference to Strickling's remarks on 21 June, and enquired if the ICG chairs has had a conversation with NTIA on the precise ordering of things impacting phase 1 and 2.
  - o Cooper responded that it is her understanding that the main requirement immediately after the proposal is transmitted to NTIA via the ICANN board is to have the bylaw changes adopted. She added that as far as the other implementation steps go, she is not aware of any particular required order.
- Arasteh suggested against giving examples in phase 1 second paragraph.
- Lee expressed concern regarding the time needed for the set-up of entities (PTI, CSC) proposed in the CWG-IANA proposal. He suggested that the ICG ask an expert about organization development based on California law (for PTI) in order to have a clearer timing on the CWG-IANA's implementation plan.

- Mueller reminded the ICG that the DOTCOM Act of 2015 has been passed in the US and it requires the NTIA to submit a report (to certify the proposal meets NTIA's criteria and the required changes in ICANN's bylaws have been adopted) and Congress has a 30 days legislative review period (4 to 5 months) before the transition can take place. He asked whether the ICG has taken that requirements of this law into account.
  - Cooper confirms the 4-5 month listed for phase 2 does encompass this requirement.

Cooper closed the agenda item with the Action Item 1 below.

Action Item 1: ICG Chairs to incorporate edits discussed, coordinate with CCWG-Accountability's response, and share the updated draft response to NTIA letter to the internal-cg mailing list early next week.

3. Report from the communications working group

Subrenat gave a general overview of the ICG's communications strategy as circulated to the internal-cg mailing list. He explained that the document is a high-level strategy meant to outline how the ICG will conduct communications work in coordination with ICANN and other entities, and touched on the following points:

- The communications working group (CommWG) has met with ICANN Communications Team, and a key point that was emphasized was that material produced needs to be clearly identified as coming from the ICG.
- Communications materials will first be vetted by the CommWG then sent to the full ICG
- ICG Secretariat will triage all incoming requests and forward to the CommWG.
- CommWG should remain in activity as long as the ICG itself.

He requested that ICG members approve the communications strategy, so that CommWG may proceed with the meeting with ICANN Communications Team scheduled after the ICG wrap-up working session.

Discussion:

- ICG members asked for few days to review the communications strategy in more detail, but gave their general approval for the CommWG to move forward discussing the current strategy with the ICANN Communications Team after the ICG wrap up working session.
- Ismail asked if there are specific things that the ICG needs to approve now.
  - Subrenat responded that the CommWG would like instructions on the following three points:
    1. Consistent set of materials developed for both official and informal communications.
    2. Spokesperson to be the Chair in official settings, other the ICG should use all opportunities to make the ICG work known.
    3. Proactive media outreach to be done by the CommWG in conjunction with ICANN Communications Team.
- Cooper asked the ICG members to let the CommWG know if their constituency has communications support or if they would like to collaborate with the ICG to do transition-related communications.
- In regards to the overall communications strategy, St. Amour suggested that the ICG and CommWG create appropriate linkages with the three operational communities, and also advisory committees such as the GAC.
- Lee re-emphasized the points raised by the CommWG and others that it is extremely important that the broader public know that the communications come from ICG and not ICANN.

- Wilson stated that the CRISP team and RIRs have formed a communications group and will take an active role in covering this area. He highlighted the importance of consistent messaging across the board, and the need to ensure that communications are well-coordinated between the groups.

- o Cooper stated that it is the intent to create a larger communications mailing list to coordinate efforts between the different entities and communities' communications groups. Wilson confirmed that this is a good idea.

Cooper closed the agenda item with Action Item 2 below.

Action Item 2: ICG Members send comments to the internal-cg mailing list regarding ICG communications strategy document v4 (http://bit.ly/1BEgQuc) by 1 July 2015 23:59 UTC.

4. Future call and meeting schedule (Patrik)

Fältström gave an overview of the call and meeting schedule plan after ICANN 53. He highlighted that the ICG will have five deliverables in July: i. Names proposal assessment; ii. Combined proposal assessment; iii. Combined proposal introduction and executive summary; iv. Public comment web site material' and v. Outreach and communications materials for the public comment period.

- Housley suggested that the ICG meet after ICANN 54 considering that the CCWG-Accountability proposal may receive approval during ICANN 54. He reminded the ICG that if the ICG is going to make a major decision, it needs to do it in a session with live translation.
  - o Cooper proposed to decide the Dublin meeting date later in July when the ICG has more details.
  - o Fältström acknowledged Housley's point regarding translation.
- Cooper stated that the ICG needs to decide on how long the public comment will be. She noted that there are different guidelines in different communities, and that ICG has its independence to decide based on the calendar and how much time the ICG thinks that the public needs.
  - o Housley stated that the ICG needs at least four weeks.
  - o Boyle and Uduma both stated that it will be beneficial for the ICG to conduct 40 full days of public comment.

5. Executive summary/introduction/public comment web site (Alissa)

Cooper referred to recent developments during the ICANN week and raised three points related to the ICG's roles as written in [Strickling's recent blog post] and delivered in [his speech on 21 June]:

- "ICG's role is crucial, because it must build a public record for us on how the three customer group submissions tie together in a manner that ensures NTIA's criteria are met and institutionalized over the long term."
- "The record should also reflect that the community considered alternatives and the community needs to document the judgments and the evidence that support the ones that are being put forward over the others that were considered."
- "It's also important that the community address and answer as many issues as possible now and not leave them for further discussion and decision."

She invited the ICG to further discuss how to reflect these points in the combined proposal.

Discussion re building a public record:

- Mueller suggested including the ICG assessments of the communities' proposals (including alternatives considered) as appendices to the combined proposal. Cooper suggested a similar idea and called it an ICG report, where it provides a defense of the combined proposal.
- Davidson stated his opinion that the US administration may be looking to the ICG to provide a substantive authoritative resource to avoid having to go through a notice of inquiry.
  - o Nevett agreed with Davidson.

Discussion re 'alternatives':

- Mundy liked Cooper's suggestion of an ICG report, and suggested that ICG could point to the 'primary source of information as being the record of what the communities themselves did'

without critiquing it. He emphasized that the ICG charter with respect to the communities' process is that it is 'open and inclusive' and 'not how it works or what it is'. He further stated that to look at and make evaluations of the alternatives is a 'very substantial change to the ICG remit'.

- Karrenberg reiterated that the ICG should 'generate as little text as [it] can', and 'be careful about not describing the processes used by the communities too much.' He disagreed with Mueller's suggestion to recapitulate the communities' alternatives considered, and warned the ICG against 're-judging the process'. He suggested that the ICG 'push back' on alternatives considered, stating his opinion the question regarding alternatives was mainly targeted at CCWG-Accountability.
  o Subrenat agreed with Karrenberg and added that it would not be fair to change what the ICG expects of the operational communities as described by the ICG RFP.
  o Arkko agreed with Karrenberg and Mundy and added that the ICG should spend time on answering the primary criteria, rather than focusing on the alternatives question.
  o In response to Karrenberg's 'push back against the description of alternatives considered', Mueller responded that US federal administrative law requires a public record.
- Boyle agreed that the ICG should not create large amounts of text. He reframed the 'alternatives considered' question as Strickling's suggestion that the operational communities need to be able to show that they have been thorough in their overall consideration of the proposals put forward. He further emphasized that the ICG needs to highlight this very clearly in the combined proposal.
- Nevett and Mueller stated that the ICG is being asked for 'an independent assessment', and 'new writing' written by the ICG, and to not just forward what has been received from the operational communities.
- St. Amour suggested and received support for including supporting materials (including additional commentaries from the operational communities regarding alternatives discussed) when the ICG puts the combined proposal out for public comment, as a way to build the public record without having to burden the combined proposal.

Cooper summarized the general agreement on the need to build a public record that demonstrates support for the NTIA criteria and their institutionalization in the long term; to create an ICG report to accompany the proposal; to leverage the words already written as much as possible (both by the ICG and those contained within the communities' proposals); and to build a strong defense to the combined proposal.

- Parked action item to be discussed after the Names proposal assessment:
  o Initially, the ICG planned to have an action item for this agenda item in which the ICG chairs would reach out to the operational communities for their alternatives considered. After some discussion regarding the wording of the action item, it was then proposed that the ICG read the communities' proposals first instead of asking them because the information exists in the proposal.

Summary of Action Items:

1. **ICG Chairs to incorporate edits discussed, coordinate with CCWG-Accountability's response, and share the updated draft response to NTIA letter to the internal-cg mailing list early next week.**

2. **ICG Members send comments to the internal-cg mailing list regarding ICG communications strategy document v4 (http://bit.ly/1BEgQuc) by 1 July 2015 23:59 UTC.**