

KOBE – Joint Meeting: BTC and RSSAC

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HIRO HOTTA: Hiro Hotta, root server operator from WIDE and JPRS, RSSAC.

JEFF OSBORN: Jeff Osborn, ISC, F-root server, RSSAC.

MERIKE KAE0: Merika Kaeo, BTC.

DUANE WESSELS: Duane Wessels, RSSAC.

MATT LARSON: Matt Larson, ICANN Org, RSSAC.

LITO IBARRA: Lito Ibarra, BTC.

FRED BAKER: Fred Baker, ISC, RSSAC.

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TRIPTI SINHA: Tripti Sinha, BTC.

BRAD VERD: Brad Verd, Verisign, RSSAC.

CATHY PETERSEN: Cathy Petersen, office of the CTO.

DANIEL MIGAULT: Daniel Migault, liaison IAB.

KAVEH RANJBAR: Kaveh Ranjbar, RSSAC, NBTC.

AKINORI MAEMURA: Akinori Maemura, BTC chair.

AVRI DORIA: Avri Doria, BTC.

NAELA SARRAS: Naela Sarras, ICANN Org and IANA liaison to RSSAC.

UNIDENTIFIED MALE: [inaudible], BTC.

UNIDENTIFIED MALE: [inaudible], ICANN Org.

KARL REUSS: Karl Reuss, University of Maryland, RSSAC.

LARS-JOHAN LIMAN: Lars-Johan Liman, Netnod, RSSAC.

KEN RENARD: Ken Renard, Army Research Lab, RSSAC.

WES HARDAKER: Wes Hardaker, USC ISI, RSSAC.

SUZANNE WOOLF: Suzanne Woolf, USC ISI, RSSAC.

RUSS MUNDY: Russ Mundy, SSAC liaison to the RSSAC.

RYAN STEPHENSON: Ryan Stephenson, Department of Defense, G-root.

KAVEH RANJBAR: Thank you very much. And we have RSSAC support staff. Yes, Carlos?

CARLOS REYES: Tom Miglan from NASA is online.

KAVEH RANJBAR: Thank you very much for pointing that out. And because of that, please when you speak, please mention your name, so remote attendants can know who's speaking.

One point of order before we formally start. At 2:46, we are going to observe a minute of silence in remembrance of people who lost their lives in the earthquake in 2011, same day. So, a few minutes before that, whoever is speaking, please [inaudible] stop that, hand the session to Akinori. He will read a script and we will also have a minute of silence.

With that, I want to start the session. First, to frame the discussion. The main topic from both BTC and RSSAC, actually, is the RSSAC 37, RSSAC 38, and concept paper. That's basically the governance model, proposed governance model, for root server system.

We went through both groups. Basically, this was the only topic they wanted to discuss, so all of these sessions we're going to focus on that. That's first.

Second, the framing of this. And I think it's very important, although it has been repeated multiple times and I assume it's very clear for both groups, but just for other observers and for the record, the document we are going to work on today and discuss mostly referred to as concept paper. At the moment, it's a document which is being worked on by ICANN policy staff, basically, at the request of BTC. That will become a BTC document, so BTC will be the owner of document and will be the decision-maker on how it will look like and what will be [inaudible].

After BTC approves the document, they [inaudible] to RSSAC and RSSAC ... Again, then it will be RSSAC's decision to provide comments and feedback and what they think. So, that's the formal process.

But to basically facilitate the process and make it more efficient, RSSAC was working with the policy staff writing the document to provide their input. So, when BTC receives the concept paper for concentration and basically adopting it, they know that there is RSSAC concerns are there and we basically don't need to do the

back and forth in the formal process which would take a lot more time.

I just wanted to make it very clear. This doesn't mean anybody ... So, the changes you see here which are proposed by RSSAC doesn't mean that BTC has a commitment to accept them, and also whatever BTC opens to RSSAC, even if it is 100% this document, at the moment there is no commitment that RSSAC will vote on that document. So, that's the assumption, but that's just for efficiency.

So, with that, there was a timeline and proposed plan on how to move forward with this process. Both groups have already seen this proposed path. We are both happy with the order of the things and hopefully with that dates, but the dates are indicative depending on the process, because the process might take longer – or shorter. There are votes in between and things like that.

Before going into the actual details and the meat of the discussion, I would like to ask Akinori to basically brief us if there is anything from the BTC side, as BTC chair. Akinori?

AKINORI MAEMURA:

Thank you very much, Kaveh. Almost the whole thing is already told by you. That's it. It's one of the options. I [inaudible] appreciate RSSAC people. First of all, for the patience, we

received RSSAC 37 and 38. There hasn't been very big progress. Only recently we had some progress.

One of the things is RSSAC 37 is for the root server system, then there is assigned to the BTC and the office of the CTU is working on how to – concerning the move the way forward. How to have it discussed is a totally different thing.

Then, finally, as Kaveh mentioned, our policy staff participate in the [inaudible] to craft the process for to have this proposal from the RSSAC, discuss through the ICANN community.

One item is that it is not only limited to the ICANN community but it has some expansion of the people who are relevant to this process. That is another point. So, this made some difficulty to the ICANN board and ICANN Org.

Finally, I am really happy to have the concept paper which was composed by the policy staff of ICANN Org and then now we are at this phase.

Another point is as this slide, point number one, I'll read this. After BTC approves, ICANN Org presents concept paper to the RSSAC. So, a concept paper is not yet officially handed over to the RSSAC for further comment. But at this stage, we already, as you know and as you discussed, the concept paper is already shared with RSSAC for us to seek your own comment and then we can

consider. We can take into consideration your thought. Then we can discuss how we can finalize the concept paper.

So, today is such phase, so I'm really, really happy and expect the discussion here and then we can craft – on that, we can craft further the concept paper. Thank you very much and I look forward to the discussion. Thanks.

KAVEH RANJBAR:

Thank you very much, Akinori. So, one thing which I want to remind everyone from BTC and from RSSAC, that's basically our main and only agenda item and there is [no] specific discussion points, so I expect everybody to participate. So, anytime you have something, please participate. Otherwise, this session will finish very quickly. So, I really expect ...

No, because if there is any unclarity, this is the best time to do it. We are working on an informal basis for this version of the document, but this is a very good time for exchange of ideas and better understanding each other's expectations and interpretation of things.

So, for BTC members, if you have any questions why RSSAC members want a thing in a shape or form, please ask. Same for RSSAC members. If you have any questions that why BTC or policy staff are proposing something, please ask.

One last thing before I hand it over to take your questions ...

AKINORI MAEMURA: One addition to that. For your information, the Board Technical Committee hasn't had any amendment for this concept paper. We are in the beginning of the discussion, how to improve that better. That's the reason why we expect much in this discussion. Thank you.

KAVEH RANJBAR: Brad, please?

BRAD VERD: Yeah. I just want to thank the BTC and the policy team for the opportunity to have this discussion and to give feedback ahead of any formal ... There's one thing we asked when we produced 37 was we didn't want ... Our fear was that the board would go off in a box and come back with something that was maybe not in line with 37 and we asked for this type of back and forth. So, again, thank you very much.

KAVEH RANJBAR: Thank you, and with that ... Yes, Wes, please.

WES HARDAKER: Yeah, let me add one. I was going to say the same thing, Brad, so let me echo that. I really appreciated the board, the BTC came to us with a rough draft that we could work together and collaboratively. I think as you remember at the last ICANN meeting in Barcelona, there was some discussions around lack of understanding between words and resolutions actually went out the door that were not fully understood by all the parties reading it. I think this is the exact type of thing that's needed in order to solve that issue. So, thank you.

KAVEH RANJBAR: Appreciate that. Thanks. Thank you very much. So, going to discussion. RSSAC, basically when we received the concept paper, it actually covered everything we wanted. But of course that was specific interpretation. We saw there are two main things we wanted more clarity and two main subjects and areas we wanted more clarity on. One of them, accountability. The other one, finance.

Again, this is an interactive discussion. From RSSAC side, by default, I would refer to Fred or Brad if we need clarification, but please feel free to jump in. That's just because yesterday we [inaudible] in RSSAC and I know they are ready to explain [inaudible].

So, to start with accountability issues, I think the best is if Fred frames the high-level issue and then we move to actual changes we propose to the concept paper which Carlos can present to us, or Bad.

FRED BAKER:

Okay, thank you. The accountability and the finance things came up from individual RSOs that had questions. I think, to follow that, you need to understand that RSSAC 37 is essentially a technical description of a process and the things that we go into it and didn't go into much of the business dynamics and didn't go into much of the history of the RSOs.

So, an important part of the question then became, so this does in fact affect the businesses of each of the RSOs and the RSOs want to be sure that there will be appropriate business conversations surrounding that.

So, this first sentence that is in yellow here came from one of the RSOs that wanted to be sure that that was an understanding that there would be an appropriate time, business conversations and business outcomes that would be acceptable to both sides. So, that's what that is about. Anybody want to chime in on that? If not, we can probably move on to the next comment.

KAVEH RANJBAR: I don't know if that's [really all] for everyone, first of all, but – because this one is one of the key ones as Fred mentioned. Many of these came from one or a few RSOs but as I said, this is informal so we haven't voted on it, but when we left the room, no one had any objections to the whole document, so we assume there is general consensus between RSOs on this text again in an informal setup.

This is one of the key additions I had, so I think it [works] if I read through it. Nothing in this concept paper presumes that any RSO intends to give up responsibilities of root service in any way without consideration, especially for BTC members, if you have questions why or what this pertains to. Yes, please? I have Avri first.

AVRI DORIA: I have a question and it's more to do with the meaning of words. Without consideration would mean without mutual considerations, without discussed considerations, without money considerations. So, considerations was difficult for me to understand as what you meant by the word consideration.

FRED BAKER: You can substitute the word money if you want.

AVRI DORIA: Okay. So, it is financial consideration is specifically what it meant.

BRAD VERD: I think that was the specific conversation point but it's not the specific requirement here. It was other considerations also, not just money.

KAVEH RANJBAR: Alright. Thank you very much. I need to break the discussion here. Sorry. Yes. We come to the moment of silence. I will go with that. On March 2011, the 11th.

CARLOS REYES: Akinori, I'm sorry, it's 2:45. It's 1:45.

KAVEH RANJBAR: Oh.

UNIDENTIFIED FEMALE: You're an hour early. We can do an hour of silence.

KAVEH RANJBAR: Yes. Avri, was that clear for you before I move to Wes?

AVRI DORIA: Yeah. That was basically ... Consideration was sort of an ambiguous term, so I was looking for specificity.

KAVEH RANJBAR: Thank you very much. Wes?

WES HARDAKER: Thank you. I think it may have started with a comment about financials, but I think considerations goes much bigger and the reason that the wording is generic is specifically to account for other things. Service continuity, reputation, things like that are all greatly impacted by any sort of change to the root server system and we need to make sure that both sides of any change in negotiation are well taken care of so that nobody's reputation is damaged. That includes ICANN. That includes mine. Whatever.

AVRI DORIA: If I can. So, reading it as without mutual considerations would be a proper meaning or not? Because ...

WES HARDAKER: That's a good question. I can only speak for myself, which for me, that wording still works because it still covers the issues in my head but I certainly can't speak for everybody here.

KAVEH RANJBAR: So, just to frame this discussion, of course we are not going to wordsmith here but it's good to have this because it might well be that when we get back this from BTC it has [mutual]. Again, if anyone from RSSAC has questions or concerns about this, please bring it up. That's the time to discuss it, to cut short the formal process because that can take actually a lot more if we need a lot of back and forth. So, if there are any concerns with [that word], it's fine. Please, let's discuss it now if anyone has any ...

FRED BAKER: Well, to come back to Avri's question and comment, I think I speak for RSSAC. What the RSSAC members were concerned about was commercial issues and related issues that relate to the RSOs.

Now, at the same time, I don't think any of us intend to harm ICANN and if we want to interpret this to be mutual, that's probably okay. But where we're coming from is the RSOs.

KAVEH RANJBAR: No other comments on this point? Jeff, please.

JEFF OSBORN: It's amazing what things can boil down to after hours of talking and then not be obvious when this took three hours. Of course you understand what we intended.

Much of the idea I think was that offering up things that looked like service-level agreements seem like a business agreement. An absent consideration from one, one doesn't give a service-level agreement. So, it was the asymmetry of that that we were trying to address here, where if things are expected of the organization that look like a commercial requirement, then one expects a commercial compensation. Is that reasonable?

KAVEH RANJBAR:

Thank you very much. Carlos, can we move to the next comment, please? Okay, please remind, the green was about accountability, correct? Oh, so green is about the money matters mostly. And they are intertwined, so it's not that ... There is no super clear line, but that's mostly.

So, the second one, the green one, basically reads policies. Carlos, can you read it? Because you are closer.

CARLOS REYES:

Are we going with the yellow or the green?

KAVEH RANJBAR:

With the green. Oh, sorry, the yellow we haven't. Please start with yellow. I thought that's the ...

CARLOS REYES: Okay, sure. So, this yellow [inaudible] is each new group and function would be reviewed periodically per the practices and processes established in the ICANN bylaws.

FRED BAKER: So, the concern there was raised by one of the RSOs who said that the paper kind of read as if we're going to put something together and that will be the solution to the problem and then it will be solved forever and it never works that way, so we wanted to make sure that there was appropriate evolution that was possible within that. You referred to Cherine's talk this morning and that happens. So, that's what we were addressing.

KAVEH RANJBAR: Any comments from the BTC members? I think that's basically in line with general practices. And the green one, Carlos, please?

CARLOS REYES: So, the green addition, I'll read the full sentence. The RGB, which is the Root Server System Governance Board, will also establish, modify, or revoke policies that may affect expected service-level expectations for the RSOs accepting funding. RSOs that accept funding and RSOs that forego funding must still meet the same service requirements and report on them using the same metrics.

The RGB should start with existing RSSAC document in IETF RFCs as a foundation for service expectations.

KAVEH RANJBAR: Yes, and that was a complete new addition, correct?

CARLOS REYES: Yes.

KAVEH RANJBAR: Fred, maybe a bit of clarification again.

FRED BAKE: Okay. Well, I think the sentence is actually fairly standard English. It says what it means. Yes, there will be some sort of service-level discussion. Understand that the RSOs fall into a couple of different categories. Some of them are able to accept money or have mechanism to accept money, are interested in accepting money. Some of them are not. We want to allow for the disparity among the differences among the RSOs there.

And at the same time, to serve the ICANN community, to serve the Internet. Our services need work and whatever that means. Now, obviously, what that means isn't laid out yet and we actually have a work party working on that at the moment. So, we would expect that there will be policies defined that cover those issues.

KAVEH RANJBAR: Thank you very much. Anyone else? BTC, RSSAC? All happy. Good. Thank you. Can we move on?

CARLOS REYES: I'll read the full sentence again. So, this is in relation to the composition of the Root Server System Governance Board. Therefore, the existing RSSAC and RSSAC Caucus may evolve in the new cooperation and governance model.

KAVEH RANJBAR: This was a change?

CARLOS REYES: This is actually from both BTC and RSSAC had the same issue, that it was too explicit about what happens to RSSAC.

KAVEH RANJBAR: Yes. I remember this was all brought up in the BTC session we had on Friday which one of the comments was at least one would understand that the previous sentence meant that RSSAC would go away definitely, but this says it will evolve. Brad?

BRAD VERD: Yeah, that's all. What this was replacing was the specific piece saying that RSSAC will change or will become something else. It's unclear what will happen.

KAVEH RANJBAR: So, we acknowledge there might be some evolution, but it doesn't mandate, at least not from this document that it should happen. Any other comments or questions? Avri, please?

AVRI DORIA: Asking a question again. Is there any notion of the time of the evolution? I mean, this could evolve is really quite open. It could also not evolve. It could remain the same. Is there any notion among the RSSAC of what kind of temporal expectation there would be for an evolution into something else? Would conversation start quickly? Would it just be allowed to sit there fallow and at some time in the future people would get stressed and it would get discussed?

If something is going to evolve, is there some plan for evolution discussions or is it just let it be and see what happens kind of thought behind it?

KAVEH RANJBAR: I have Brad and then Liman.

BRAD VERD: I don't think there were any temporal discussions around the evolution of what then would happen. I know we've had temporal discussions around how long it would be to implement 37, and in line with that, we've had discussions of what might happen to RSSAC and that was in line with the paper here. In 37, it was called the SAPF. Here it's called the RGB. I believe they're synonymous with each other. The thought was that when we were going through 37 that this seemed like the right home for RSSAC but we need to see what the community thinks.

AVRI DORIA: Part of the reason I ask is in addition to being in BTC, I'm in OEC which is the group that deals with SOs and ACs and all that stuff, so I'm looking whether it's something that comes onto their agenda rather quickly or it's something that someday in the future might.

BRAD VERD: Well, luckily, we just finished our review or we're finishing our review. We've got a five-year runway there.

AVRI DORIA: At least five year, yeah.

KAVEH RANJBAR: Liman?

LARS-JOHAN LIMAN: My personal interpretation of this is what RSSAC might morph into would actually come from the continuation of this, the cross-community discussions that we hope are going to happen and that would lead to a possibly obvious change for RSSAC and that would be the first step of the evolution. Then the future is very long. Thank you.

KAVEH RANJBAR: Hiro?

HIRO HOTTA: Thank you. I flagged the original version of this text problematic because it seemed to mandate the change. This text is much better because it's, "Oh, something might happen." I was worried it's because RSSAC is actually described in ICANN's bylaws. It's good that it's described in a very flexible manner, that is very wishy-washy in my opinion. But doing bylaws changes when we don't need to, I don't want to bother.

KAVEH RANJBAR: Okay. Before moving on, I wanted to point something that Avri mentioned as part of OEC. Actually, I really like that about BTC because we have members who are not only expressing technical matters but there are experts in other areas, like governance, policy and things like that, which would help a lot in this because if we catch this stuff earlier, that helps a lot in the long-term process because this will go through different public comments and we'll have a lot of engagements, but if we have people who have seen a lot of policy making and things like that, that helps and I'm very proud that BTC has members who are not only technical but have other expertise. Carlos, can we move to the next, please?

CARLOS REYES: Yes.

KAVEH RANJBAR: And if you'll please read it.

CARLOS REYES: So, this is in addition to the financial function. While the details of the new cooperation and governance model emerge as the process continues, it is important to remember the new services that the RSOs offer to ICANN and others constitute incremental effort. They also represent a change to the traditional

independence of the RSOs. As such, it is expected that there will be funding for existing capital assets and services in addition to ongoing operations that will be funded at some level for those RSOs that request it.

KAVEH RANJBAR: So, this is [inaudible] from the money matters part. Brad?

BRAD VERD: I'll channel the group here. This was putting down to words what we have heard from Goran state directly to us and to the SO/AC leadership and I believe I've heard him say it to a number of different board members which is if ICANN were to ask for some further services, the RSOs should be compensated for that. And this is essentially an attempt at that verbiage. Nothing more.

KAVEH RANJBAR: Thank you very much. From BTC, is it clear? Any comments?

UNIDENTIFIED FEMALE: Kaveh?

KAVEH RANJBAR: Yes, please.

UNIDENTIFIED FEMALE: So, what other services? Example.

BRAD VERD: Well, that's hard to give you an example because Goran hasn't provided an example. The example he tried to use and it didn't work well as we talked through it was DNSSEC. But some new service that if ICANN were ... Basically, think about it this way. If there was a new policy put through ICANN that required a service change on the RSOs, then they should be compensated for whatever change they have to meet that policy that comes from ICANN.

TRIPTI SINHA: It's not so much a new service. It's an enhancement on the current service, right? Okay.

BRAD VERD: Potentially.

KAVEH RANJBAR: Thank you. Okay. Seeing no other comment. Yes, please?

JEFF OSBORN: I just want to make sure we don't miss that I think the concept was not that it entirely requires enhanced services. It's the mere

fact that we're now being subject to SLEs. Previously, we were a bit of [inaudible] to ourselves. So, the establishment of a commercial relationship is required in order to owe somebody a service-level expectation.

KAVEH RANJBAR:

I think one example from the past could be IPv6, correct? Now with this kind of setup, if there is – for example, when IPv6 was introduced, if there was a mandate that all root operators should support IPv6 and we are under SLAs or SLEs, then this would come to play because someone else is mandating [inaudible] around your service, and if the change has costs attached to it, that should be somehow compensated. Is that ... Okay. Russ, was that a hand? Okay. So, seeing no other comments, can we move forward, Carlos, please?

CARLOS REYES:

So, this particular edit was in the context of how the Governance Working Group would operate and the edit is that the GWD should work openly and transparently.

KAVEH RANJBAR:

Yes. I don't think that needs any further explanation. And this one?

CARLOS REYES: So, the next series of edits relate to incorporating RSSAC into the final phase of approval. We can read all the steps or I guess I'll just defer to someone to explain because everything is consistent.

KAVEH RANJBAR: So, the actual ... That piece of text was where we made a change from actually not having RSSAC to include RSSAC. I think, Fred, if ...

FRED BAKER: Okay. Yeah. Because there were several places in the paper, as Carlos says, that basically said that the ICANN board should approve this and it was something that was a decision that was actually being referred to the stakeholders of which the ICANN community is one but there's also the IAB and the RSOs. So, we basically wanted to say at the point where we're tidying things up. Somebody needs to approve that and it probably ought to be the stakeholders.

And since the RSSAC has been deeply involved in the creation of this, we felt that it was appropriate to have the RSSAC be part of that conversation. So, as Carlos says, there are several places where this shows up, but that's the reference.

KAVEH RANJBAR:

So, basically the idea is ... So, ICANN is definitely facilitating these discussions and this work, but the way we, RSSAC, see it, it's larger than ICANN. So, ICANN is part of it. But as we mentioned in 37, we identified that these three stakeholders which is IETF, IAB, root server operators, and ICANN which we, by design, didn't want to define further because that's what you are doing now.

So, because of that, of course when there are decision points, we wanted to make sure all the stakeholders are mentioned. Not some, because in some places, it was only ICANN board, for example.

Also, RSSAC as a group which started this and stated this and at the moment, basically represented the RSOs and has a formal decision-making process and is a body in ICANN, we wanted to make sure they are part of the decision-making. Brad?

BRAD VERD:

And where the expertise lies.

KAVEH RANJBAR:

Yes. And that's where the expertise lies. From the BTC, any comments? Hiro, please?

HIRO HOTTA:

I'm a little bit afraid to say this, but the idea that ICANN ... That someone can take a decision on what ICANN should do overruling ICANN's board is not going to sit very well with governance people. It's just that there are things that we have to have ICANN's approval – ICANN board approval for.

I mean, if ICANN does something that is against what the stakeholders want, ICANN is being stupid and shouldn't do it. But if other stakeholders think that the language means that they can force ICANN to do something that ICANN is unable to do, for instance, because ICANN would go broke by doing it, that doesn't work either.

So, I see that ICANN board approves [inaudible] some places in the text, but I think we need to be very careful to not give the impression that we are letting ICANN board off the hook for being responsible for this thing.

KAVEH RANJBAR:

I have Liman. I just want to point out when we refer to our stakeholders, one of them is ICANN. But with that, I will give it to Liman.

LARS-JOHAN LIMAN:

It [inaudible] and the RSS. One of the stakeholders is ICANN which is represented by its board.

HIRO HOTTA: Was your intention to mean that approval has to be 100% consensus?

LARS-JOHAN LIMAN: It has to be consensus between the three stakeholder groups. So, the IAB, IETF will have to come up with a decision process for this. The root server operators will have to come up a decision process for this and the ICANN community will have to come up with a decision process for this which they already have. And all of them have to agree to yes for this to happen.

HIRO HOTTA: So, approval means approval by complete consensus.

LARS-JOHAN LIMAN: Yes.

HIRO HOTTA: Thank you.

KAVEH RANJBAR: I just want to point out that was actually one of the points Goran also brought up during the LA workshop earlier this year, that first of all, nobody has tried this. This is completely new and there

were maybe one similar thing which was IANA transition had some similarities which is making policies which is larger than ICANN itself. So, we are in uncharted waters for the start. But we want to make sure that is clear, at least from RSSAC side that is not only an ICANN decision. That was basically the message. Russ, did you have a comment?

RUSS MUNDY:

Yeah. I just wanted to point out that though this is a whole new thing, it is very similar to the IANA stewardship transition. So, it's not totally band new. We have examples in the past where outside activities beyond what is considered an integral part of ICANN have been involved in approval of the process.

KAVEH RANJBAR:

Yes. Fred, please?

FRED BAKER:

Hiro, I find it interesting that you're concerned that this would be interpreted as forcing ICANN to do something. In discussing this language, we were concerned that it might look like we were forcing the IAB to do something, and really we're not trying to twist anybody's arms. We're trying to give them an opportunity to object.

HIRO HOTTA: I'm currently imagining that you would have to twist the IAB's arm in order to make them make a decision.

KAVEH RANJBAR: Yes. Brad, please?

BRAD VERD: I think we all would agree with you, and I think at that point, this was meant to give them an opportunity and their opportunity might be we defer to the process over here with ICANN. But they need to make that call.

KAVEH RANJBAR: Fair enough. Okay. Yes? Tripti, please.

TRIPTI SINHA: So, perhaps this needs a little wordsmithing, because clearly, we've all walked away with different interpretations but I think the intent is quite good. Everyone is trying to be ultra careful not to offend the other party, so maybe wordsmith a little.

KAVEH RANJBAR: Sure. I don't know if you want to do it now. Okay. But I think what I want to make sure is there is alignment and especially the policy

stuff because they are the penholders, so if they understood the intention clearly. So, if you think that's clear, then I'm happy. If not, then let's discuss further. Carlos, do you think?

CARLOS REYES: So, we'll take feedback from this session. I'll generate a new version, make sure it gets circulated.

KAVEH RANJBAR: Thank you very much.

UNIDENTIFIED MALE: Maybe that's afterwards, not immediate.

CARLOS REYES: Correct.

KAVEH RANJBAR: Thank you. Sorry? Ah, yes.

CARLOS REYES: There's an edit at the top that doesn't relate to this discussion. This was in the category of separation of functions. So, the RSSAC added that the Governance Working Group would produce a report to address and ensure conflict of interest concerns with

ICANN Org performing the finance function, secretariat function, and its role as an RSO.

KAVEH RANJBAR: Fred, please.

FRED BAKER: Yeah. So, in RSSAC 37, we identified I think five different things that needed to be part of the game, and as we were thinking about them, our concept was that they were different. There's probably no particular reason they couldn't be executed by the same organization, but we assumed that pretty much they would probably be different organizations.

So now the concept paper takes the financial function and the secretariat and has them both operating in some variation on ICANN Org. So, the question came from some of the RSOs. Well, is that quite what we were thinking and is that okay?

I think where we came down was that actually probably is okay but we want to make sure that there aren't conflicts of interest. That's what we're going after.

BRAD VERD: Yeah. I think the proper checks and balances were in place.

KAVEH RANJBAR: Yes?

UNIDENTIFIED MALE: You still have ... You don't have any clear example, figure of who is doing the secretariat and who is doing the [inaudible] yet? Is that correct understanding?

BRAD VERD: No. Not in the paper. I know that we've talked about it but we felt that this wasn't the right place to have it come out but maybe those types of data points should come out from the Governance Working Group.

UNIDENTIFIED MALE: Okay. Thank you very much.

KAVEH RANJBAR: Okay, thank you. Any other comments on this point? Seeing none. Carlos, could you please ... Oh, that's it. Okay. So, that's basically our feedback to the concept paper. Any other comments or discussions about [inaudible]?

The concerns we had, as I said, two high-level categories – accountability and money. And we think at least on an informal consensus level that with these changes or something in line of those changes they will be addressed. I think then, from RSSAC

point of view, the document would be in a good enough shape to be ready for RSSAC decision, basically.

One other thing, if we don't have any other subject to discuss. RSSAC has a session with the full board on Wednesday. The idea was to discuss basically the high level. I don't think we are going to go to ... Like this session we go through every change in [inaudible], but we are going to discuss these issues in high level, probably putting some bullets together. If anyone has any idea also from the board or RSSAC or anything you want to add or inject into that session.

Also, with the board, basically RSSAC indicated that's the only thing they want to discuss. We don't have any other ongoing that we want to discuss with the board at this point other than this. So, just so you know, that's basically the sole agenda item for RSSAC and the board. Any suggestions on how to do that? Yes, [inaudible]?

UNIDENTIFIED MALE: It's more a question. I'd like to understand if the next iteration could be shared with ... In my case, I'd like to share it with the IAB, for example.

KAVEH RANJBAR: Personally, I think, because at the moment, as I said, this is an informal alignment. There is documents still being worked on by the Org. So, my assumption is as soon as at least BTC approves it and then of course they will send it to the RSSAC, that will be the right time because then that's where the RSSAC has actually formally received the document. This is now a work of Org which has not yet been approved by BTC. So, my suggestion is to wait for that and then as soon as it's ... I don't think there is any secret there, but it might change.

UNIDENTIFIED MALE: No, I was thinking of the next iteration.

KAVEH RANJBAR: My suggestion is, for liaisons, I think it's good to inform your organizations that such a thing coming maybe do a summary, but the actual document because it's really ...

UNIDENTIFIED MALE: No, no, not that document.

BRAD VERD: Let's not say the next iteration. Let's just say when RSSAC formally receives it, that is the time to share it with the IAB.

KAVEH RANJBAR: I think that's the right time. Thank you.

UNIDENTIFIED MALE: Actually, that's no problem, for example, for you to share [inaudible] of discussion. We can share a lot of revisions, intermediate revision, but it may be more confusing. We would suggest the [inaudible] version to the RSSAC should be shared. That's my point, I think.

KAVEH RANJBAR: Tripti?

TRIPTI SINHA: So, I have a question about what's on the screen. The other related matters, RSO independence and separation of functions. In particular, I'm more curious about separation of functions because we spent lots of time on 37 to separate functions. So, what is this one about?

KAVEH RANJBAR: Basically, the last point we discussed. So, two of the functions in the concept paper were at least proposed [inaudible] where they would be both done by ICANN. Looking into that, we didn't find any issue, to be honest with that, but we said we are also ...

Because we didn't study them in detail. When we designed them, we said, okay, they should be separate.

In theory, it might be possible to do it also by same organization. That's why we suggest that ICANN Org basically should do a true review of that function and make sure there is no conflict, and if there is no conflict, I don't think RSSAC has an issue with running them by [inaudible]. So, that was the main concern.

FRED BAKER:

And on the other point, RSO independence. This was actually raised by Goran. He wanted to be sure that ICANN wasn't doing something that RSOs were going to be bothered by. So, our work section seven, we're going to be discussing a first cut [inaudible] paper and going to be working that into some advice over time regarding RSO independence.

KAVEH RANJBAR:

Thank you for reminding me. Yes, actually, RSSAC is working on an advice document – a statement about RSO independence. So, we are working on that and hopefully that will be published. I will keep the BTC and the board updated about that. Yes, Akinori, please.

AKINORI MAEMURA: [inaudible] to Tripti's point. Actually, my first glance of that, the concept paper, caught that – the secretariat and financial function goes to the ICANN Org. Maybe that would be the point [inaudible]. So, that's my feeling. For me, that's not necessarily I am against, for that. Half of myself is thinking about it. That's the way. But at the same time, it would be maybe problematic. So, we need to have very clear reasoning why [inaudible] okay to the same ICANN Org we should separate it in this way. That's a really big focal point of the governance [inaudible]. That's my point, then. This would be for us to discuss.

KAVEH RANJBAR: Yes, please, Tripti?

TRIPTI SINHA: Just a few more points. Since we're done, can I just go back to some former discussions?

KAVEH RANJBAR: Please, yes, definitely.

TRIPTI SINHA: I want to go back to the point that Hiro brought up which is that RSSAC may evolve, and at some point, when this whole model is

ratified and so forth, it's not going to be may evolve. It will be something, correct?

KAVEH RANJBAR:

Yes, but the thing is we really don't ... First of all, it's all related, I assume. My personal assumption. Not only related to this because there are so many changes happening anyways. This whole environment is evolving, correct? If I look at the pending changes to bylaws and then many of them would affect other stuff. So, that's one.

The other point is because we really have no guidelines. We have never thought about it. We don't want to comment to something that we don't know. Personally, I think anyways it will change, but how? Because I don't know how. Personally, I'm not ready to comment to ... It will. But [to the if]. But I think ... Liman?

LARS-JOHAN LIMAN:

Yes. I also would like to avoid jumping into the future. We have an entire process in front of us with the cross-community work. If that ends up saying that, no, the board – please like to have an advisory board that's called RSSAC in addition to all of this, then it might still be there. I don't think that's going to happen, so I'm basically on your page but I don't want to lock out the future possibilities.

KAVEH RANJBAR: I think that was basically the gist of discussion we also had in RSSAC, that we all think it might change but why [inaudible] into something where we don't have enough information yet? Basically, that's ... Wes, please?

WES HARDAKER: I think the way that I put it is RSSAC now has a number of functions that it does on behalf of being an advisory body to the board, an advisory committee to the board, and certainly a lot of that functionality will end up transferring to other sections of 37 as it actually gets instantiated. But if there is anything missing that isn't taken over, then RSSAC may still need to exist to provide some of the functionality that we already have in the past.

KAVEH RANJBAR: Thank you very much. Please?

TRIPTI SINHA: Can we go back to the very first timeline slide? Oh, it's there. Yes. So, zero is where we are. That's now. So, you're going to take the input back, modify the paper. What happens next?

KAVEH RANJBAR: So, the penholder is organization at the moment, policy staff. They would submit the final revised version to the BTC. I assume BTC will discuss it and hopefully in one of the meetings will approve it. And when that happens, the expectations is they will post it, send it to RSSAC for RSSAC’s approval. Again, I assume RSSAC will go to a voting process or any other way they agree to basically accept that or provide feedback for changes if they think it’s unacceptable. After that, basically we will end up [at two] which goes to the board. Yeah. That’s the rest of the process.

UNIDENTIFIED MALE: Speaking about the timeline and the statement from RSSAC regarding RSO independence that you were mentioning, can we have the time when that will come out? Because I think it’s a key element and maybe we can have it around [inaudible].

KAVEH RANJBAR: Fair point. Brad?

BRAD VERD: I think that’s a fair request. I can’t guarantee a time, but I think we can guarantee that we are going to work on it and history shows that on a document like this usually we’re able to get it out in a fairly short amount of time. But we will work our best to get it out

before you workshop so that you have all the data you need to do your bit, but I can't guarantee that.

KAVEH RANJBAR:

Yes. I agree. I think it will be very useful if by step two, when we're entering step two we also have that document, if that can work out

It's, actually, maybe. Almost always the possible scenario, right? We may be able to do this. Maybe not. We may better take some more time to care for discussion. I gather this timeline is our want because it is a little bit slow pace than ... I need to get up the improvement in the [inaudible]. That's my gathering. But maybe we should try our best. Yes, please, Brad?

BRAD VERD:

Something from the timeline here and maybe policy can help is we didn't catch this yesterday – I just got asked it now. Is there clarification on the GWG documents? What are those documents that you're referring to?

CARLOS REYES:

So, in the concept paper, GWG documents refers to the charter, the work plan, and the operational procedures for that group. So, that means that we're going to look at other similar efforts that

have happened in the past and propose drafts of the charter and operational procedures and work plan.

BRAD VERD: So, you're going to create those documents.

CARLOS REYES: Correct.

BRAD VERD: They don't exist yet.

CARLOS REYES: That's my homework after this meeting.

BRAD VERD: Got it.

KAVEH RANJBAR: Yes?

BRAD VERD: Just to put it on the table, we all assume that – in our discussions we said that it would be the GWG that would take input from 37, from the concept paper, and from the public feedback to come

up with what the final model would look like. That's the assumption that we're working under.

KAVEH RANJBAR:

And that would be phase two. I think you have a slide, if you can put it on, just for everyone to be on the same page. So, basically, that would be phase two which is after GWG [inaudible] with all those documents, they will come up with a final model and phase three is, of course, implementation of that. So, that's the plan.

And one thing about the timeline that was shown and also Akinori made a comment. I agree that the dates are basically indicative but I just want to repeat and I'm happy that Akinori acknowledged that, but from RSSAC side, of course we want progress on this and we want speedy progress but for us, the due process and making sure that we spend enough time and everybody is in agreement and we have the right process followed is definitely more important than rushing to results. Brad?

BRAD VERD:

Just to echo that. It's more important to us to have it done right than to do it fast.

KAVEH RANJBAR: Yes. Thank you for that, and especially because this is a process which fundamentally, basically going to [add] governance to fundamental part of Internet operations. So, it is important and we really need maximum buy-in, not only from ICANN community but from as many stakeholder groups as possible. So, that's one of the other reasons that, for us, following proper process is very important just to make sure, so we can also demonstrate later. Think of in five, ten years someone asks, "Hey, why this?" We can demonstrate that. This was a process that we did our best and we did our due diligence to follow and include as many stakeholders as possible.

Okay. Do we have any other comments? If not, Akinori for closing.

AKINORI MAEMURA: Thank you very much for the discussion. We welcome [inaudible] there and then Hiro and Carlos will take on this and maybe he can do that quickly and then we will have discussion. Yes. We hopefully ... The plan is in the May workshop. We will do some [inaudible]. Thank you very much. Thank you very much for the participation for the discussion. Thank you.

Another thing. Maybe this is concluding. The observation, the moment of silence, is not now but I'd like to express the appreciation as the local host. The ICANN community is quite willing to participate in an observation of the silence of the

moment. That sentiment is most appreciated [inaudible] doing something in [inaudible]. Thank you very much for your sentiment. Thank you very much.

KAVEH RANJBAR: Thank you very much, and with that, we close the session. Thank you.

[END OF TRANSCRIPTION]