

Twenty-third IANA Stewardship Coordination Group (ICG) Teleconference

11:00-12:30 UTC, Wednesday, 23 September 2015

Meeting [agenda](#) and [archives](#)

Participants:

Alan Barrett (NRO)
Alissa Cooper (IETF)
Demi Getschko (ISOC)
Hartmut Glaser (ASO)
James Bladel (GNSO)
Jandyr Ferreira dos Santos (GAC)
Jari Arkko (IETF)
Keith Davidson (ccNSO)
Lynn St Amour (IAB)
Manal Ismail (GAC)

Martin Boyle (ccNSO)
Michael Niebel (GAC)
Milton Mueller (GNSO)
Mohamed El Bashir (ALAC)
Narelle Clark (ISOC)
Patrik Fältström (SSAC)
Russ Housley (IAB)
Russ Mundy (SSAC)
Wolf-Ulrich Knochen (GNSO)

Apologies

Daniel Karrenberg (RSSAC)
Elise Gerich (IANA Staff Liaison)
Jean-Jacques Subrenat (ALAC)
Jon Nevett (gTLD Registries)
Joseph Alhadeff (ICC/BASIS)
Kavouss Arasteh (GAC)
Keith Drazek (gTLD Registries)

Kuo-wei Wu (Board Liaison)
Lars-Johan Liman (RSSAC)
Mary Uduma (ccNSO)
Paul Wilson (NRO)
Thomas Schneider (GAC)
Xiaodong Lee (ccNSO)

Secretariat:

Jennifer Chung
Sherly Haristya
Yannis Li

ICANN Support Staff:

Mike Brennan

Agenda

1) Reports from PTI Subteams

This discussion is based on [Day 2: Action Item 2](#) from the ICG face-to-face meeting in Los Angeles:

Sub-team Slide 2: Housley, Barrett

Barrett gave an overview of the [circulated summary from sub-team slide 2](#): No actions are needed from the ICG for points B1, B2, B3 and B7; some proposed ICG actions to ask for clarification on points B6a, B6b, B6d and to incorporate the responses into part 0 (details for each point, see previous link).

- Regarding B6d on Post Transition IANA (PTI) compliance with IANA Functions Review (IFR): Mueller stated that his impression is that the IFR applies to ICANN rather than PTI. He explained that one of the big policy goals of creating PTI is to separate the IANA functions from the policy functions. Mueller theorized that the reason why the ICG received so many questions about sub-contracting is because it is perceived as the threat to the separation. He agreed that sub-contracting is possible under the current arrangement, but it also seems like a refusal of the sub-contract is possible.
 - Barrett responded that the ICG could take an action to recommend to ICANN that the ICG thinks the three parts of IANA functions should be kept together and that implies ICANN should subcontract numbers and protocol parameters to PTI.

- Mueller added the recommendation is not they should be together, but the IANA Functions Operator (IFO) should be separated from ICANN the policy maker. Mueller further suggested that while the existing IANA department is still the IFO, the protocol parameters and numbers should make sure that they subcontract or contract directly to the PTI, instead through ICANN.
 - Barrett and Mueller agreed to further discuss on the internal-cg mailing list. Barrett noted there probably is an action for the ICG to strongly suggest that the three functions should be put into PTI, and not give ICANN the option keeping part of them.
 - *Adobe Connect chat*: For B6d, Housley suggested it could be changed from "whether PTI compliance is mandatory" to "whether ICANN and PTI compliance is mandatory".
- Cooper asked Barrett to include in the question to the operational communities (OCs), any references in the proposal that discusses IFR and special IFR decisions. Barrett agreed to do so with Housley.
- Cooper recollected that the discussion in the LA meeting resulted in an action to clarify in part 0 that the expectation is all of the IANA operational functions and staff will move to the PTI and also the arrangement between ICANN and PTI via the sub-contracting will be made. She noted that these are the agreed upon actions for B1 and B2 and she will be circulating the text by Sunday 27 September.
 - Barrett said that he will change B1 and B2 from 'no action needed' to 'edit part 0 to clarify'.
- Cooper asked if the sub-team can provide question text to internal-cg mailing list by 20:00 UTC today.
 - Barrett agreed. See [Action Item 1](#).

Sub-team Slide 3: Knobn, Arkko, Barrett

Knobn gave a [summary from sub-team slide 3](#), concentrating on points C3 and C4. He stated that there are two broad categories of comments with regard to PTI Board: the board's power and its remit; and the board selection process and composition. The subteam suggested framing clarification questions on the following three issues:

- i. PTI board's power – a clarification question regarding the text in Paragraph 1112: "As a separate legal entity, PTI will have a board of directors and have the minimum statutorily required responsibilities and powers." Whether the "minimum statutorily required responsibility and powers" applies to the PTI board, as indicated by the CWG legal advisors Sidley Austin.
- ii. PTI operational issues – a clarification question that requests for specific text regarding where the ultimate responsibility for PTI performance lies: ICANN board or PTI board?
- iii. Remit of PTI and PTI board – a clarification question to confirm the following understanding: that PTI should operationally take over 1:1 IANA's present tasks and should be limited to this. PTI's board obligations shall cover the operations oversight.

Knobn added that there were comments that raised issues with the PTI board selection process, and stated this may belong in the implementation phase. He noted that different requirements were discussed by CWG, but there are no solutions yet. Regarding ICG action, Knobn suggested that if the ICG were to ask a question on this, it should ask for a more specific framework, rather than for a specific procedure.

- Mueller confirmed that accountability and composition of the board was extensively discussed by CWG. He recollected that paragraph 1112 was intended to apply to the PTI board. He agreed with Knobn's suggestion for the ICG to send a clarification question for point i. For point ii, Mueller explained that the outcome of the CWG discussions was that ICANN would have the ultimate responsibility for the performance of PTI. For point iii, he agreed with asking for clarification but suggested adding "taking into account the neutrality and implementation role of IANA in the non-policy making role".
 - *Adobe Connect chat*: Boyle agreed with Mueller regarding the extensive discussion in the CWG, and that the PTI board's role is very limited.
- Arkko noted that from the comments he has read, all the issues have been adequately discussed in the community working group process. He suggested that the ICG clearly note that the communities have done their job, and clearly characterize any requests for clarification from the public comments as such.

Arkko added that the ICG should not directly carry proposals based from individual comments because each comment proposes something different.

- Knoblen stated that if the ICG's opinion is that PTI board composition and selection procedures are implementation issues, then the ICG should not send this question to the CWG.
- Cooper highlighted the three takeaways from the last few speakers: that the ICG should ask CWG if they accept the proposed one minor text change for paragraph 1112; that the ICG does not need to send any question related to board member selection; and that the ICG can point CWG to the received comments regarding the separation and obligations between the ICANN and PTI boards and let CWG decide if they want to provide further clarification.
 - Knoblen agreed to redraft the questions to CWG based on the discussion. See [Action Item 2](#).
- Boyle asked whether the ICG will be collecting, explaining and reporting back the areas where the ICG has decided to take no further action.
 - Cooper, Ismail and Mueller agreed that the summary document will be a good place for that.
 - Boyle concurred. Regarding point ii, Boyle noted that the IFR brings broad community oversight into the process, and viewed that the issue brought up by that particular commenter has narrowed down the range of activities or assumed that every level in the process needs to be multistakeholder. He added that this has been discussed in the CWG.
 - Cooper said that actions on the summary document will be assigned on the internal-cg mailing list.

Sub-team Slides 4, 5: Boyle, Mueller, Wilson, Arkko

Boyle referred to the [circulated summary on point D1](#). He stated that one of the issues is that PTI will be the IFO for the names community and the subcontracted IFO for numbers and protocol parameters. Boyle suggested that the ICG needs to address OCs separately and frame the questions accordingly.

Boyle stated that comments asked for more clarity about the escalation process prior to separation, and clarity on the trigger points that would allow a separation process to begin. He noted that the names community has a process to replace PTI with another operator. He added that the mechanisms for resolution and escalation path for separation process are well-defined, however how the separation review team will be formed is less clear. He stated the other two OCs have their escalation and separation processes and suggested that the ICG flag this for the three OCs to look at whether they think more detail is needed at this stage.

- Arkko stated that the discussion about escalation process has been a significant topic in the protocol parameters and numbers communities. Arkko pointed out that the IETF proposal has a lot of material on escalation from the operational practical level to IESG; escalation to the IAOC or IAB level; and also final dispute resolution. He stated that it is a clear community opinion that “any additional steps or process[es] will be harmful to [the IETF’s] ability to ensure that the people [are] accountable and [the processes are] running well”. Arkko recognized that people have been asking for details but did not think that a question needs to go back to the IETF regarding this. He suggested that the ICG could refer to material and provide a better explanation of the processes in part 0.
- Mueller agreed with Arkko and he viewed that it is also true for the names proposal. He stated that the names proposal has specified and elaborated the process clearly with many oversight committees. He perceived the idea of specifying particular criteria that would lead to a separation would eliminate options for the community to hold the IFO accountable.
- Barrett commented that in the draft SLA from numbers community, there is a section on dispute resolution. He said that the numbers community would be reluctant to put any more details on criteria. He stated his personal view was that if there is a need to change operators, it will be an unforeseen event and it is unreasonable to write the details on how to do it.
- Based on the discussion, Cooper suggested adding overview text in part 0 that points to the separation process in each of the communities’ proposals. See [Action Item 4](#).

- Boyle noted that the issues raised in [D1a and D1b](#) would be under the purview of the Separation Cross-Community Working Group (SCWG) ([P1: Annex L](#)). He proposed asking the OCs if they agreed with this suggestion, and if so to send verbatim text.
- [Point D1c](#) on the separation coordination process: Boyle supported the solution put forward by [Karrenberg and Fältström on the internal-cg mailing list](#) to ask the OCs whether they agree to establish some cooperation.
 - As a procedural point, Cooper suggested reflecting any agreement on coordination in part 0, rather than asking each OC for verbatim text. She pointed out that the ICG could refine the precise wording on the internal-cg mailing list. Boyle agreed.
- [Point D1d](#) on the concern over the expanded GAC role in the SCWG: Boyle stated that his reading of the comment is that there will be wider implications. He also stated that the CWG and CCWG have discussed this issue at length and there is no clear conclusion at the moment. Boyle expressed hesitation to reopen the issue, thus he suggested flagging this for the names community's confirmation.
 - Mueller agreed with Boyle's suggestion. There were no objections, thus Cooper confirmed the ICG will proceed with the suggested action on [D1d](#).
- [Point D1e](#) on the RIRs dispute resolution process: Barrett provided a [link to the draft SLA from the RIRs to ICANN](#) on Adobe Connect chat. He stated that it is unlikely that this will be the final contract that the RIRs are negotiating with ICANN, however the dispute resolution section will likely remain in a similar form. Barrett stated his view that it is sufficiently detailed and clear.
- Cooper asked if the subteam can cover all the remaining points on slides 4 and 5 today.
 - Boyle agreed to take this action. See [Action Item 3](#).

2) RZM questions for CWG (Mueller)

Cooper presented the [draft questions for CWG-IANA](#) and opened the discussion to finalize the text.

- *Adobe Connect chat*: Mundy stated he was fine with the second item, and suggested including the URL for the published proposal from ICANN/Verisign on the first item and in other places where the CWG talks about things related to the RZM/IFO. Mundy stated that he sent text on this late last night.
 - Cooper confirmed that the URL will be included, and will look at and incorporate Mundy's text.
- Mueller asked what the brackets around “[and the members of ICANN or a special IRR]” meant?
 - Cooper replied that when the ICG interacted with CWG-IANA about the IANA IPR, the brackets were meant to be placeholder text that was not actually agreed by the group. She added that the RZM question will solicit an answer from the CWG.
 - Boyle referred to [Annex S](#) produced by CWG legal counsel, and explained that the brackets were put in as placeholders by the advisors. He agreed with asking the CWG for further thoughts on that.

Cooper stated she will circulate the updated draft to the internal-cg mailing list for ICG members to review later today. Cooper suggested sending the questions to the CWG in two batches, as the ICG has some questions ready, but has not done the slide 5 analysis yet. Cooper proposed that for the questions the ICG has clear agreement on by 20:00 UTC today, she will send to the CWG with an indication there will be a second set when ready, hopefully before the end of the week. *Adobe Connect chat*: Boyle agreed. There were no objections to the proposed way forward.

Summary of Action Items:

1. **Barrett to provide text for OC questions from slide 2 analysis by Sept 23 at 20:00 UTC.**
2. **Knoben to provide text for CWG questions from slide 3 analysis by Sept 23 at 20:00 UTC.**
3. **Boyle to send his analysis about slide 5 points 2 – 6 to the internal-cg mailing list by Sept 23 at 16:30 UTC.**
4. **(Cooper) to add text to part 0 section about PTI that points to places in the rest of the proposal where escalation is discussed by each of the communities and the big picture for how escalation works is described.**
5. **ICG Chairs to request specific authors for summary document sections related to today's discussions.**