Policy Process Steering Committee (PPSC)
Policy Development Process (PDP) Work Team (WT)
TRANSCRIPTION
Thursday, 19 March 2009 14:00 UTC

Note: The following is the output of transcribing from an audio recording of the
 Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT)
meeting on Wednesday, 19 March 2009, at 14:00 UTC 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,
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http://audio.icann.org/gnso/pdp-wt-20090319.mp3
http://gnso.icann.org/calendar/#march
(transcripts and recordings are found on the calendar page)

Participants on the Call:
Jeff Neuman - Work Team chair - Registry c.
David Maher - Registry c.
Mike Rodenbaugh - CBUC
James Bladel - Registrar c.
Paul Diaz - Registrar c.
Jean-Christophe Vignes - Registrar c.
Kristina Rosette - IPC
Wolf-Ulrich Knoben - ISP
Alan Greenberg - ALAC
Cheryl Langdon-Orr - ALAC
Marilyn Cade - Individual

Icann Staff:
Liz Gasster
Margie Milam
Marika Konings
Glen de Saint Géry - GNSO Secretariat

Absent apologies:
Bertrand de la Chapelle - GAC
Brian Winterfeldt - IPC
Liz Williams - CBUC
Sophia Bekele - Individual

Coordinator: The recordings have started sir.

Jeff Neuman: Thank you very much. Okay. Welcome everyone to the first call of the
                 Policy Development Process Work Team of the TPSC. That's a lot of
                 abbreviations. And I was at a meeting yesterday where someone
                 actually did a glossary, which might actually help for this as well.

                 So I'm going to turn it over to Glen to do a roll call to see who's on the
                 call and then we'll get started.

Glen Desaintgery: Thank you Jeff. On the call we have Jeff Neuman who is interim
                 Chair; (Emily Murray) who is standing in for Brian Winterfeldt from the
                 IPC; Paul Diaz, Registrar constituency; James Bladel, Registrar
                 constituency; Mike Rodenbaugh, Business constituency; David Maher,
                 Registry constituency; (Wolf Ulrich Knoben), ISP; and Marilyn Cade,
                 individual.

                 And for staff we have Margie Milam, Marika Konings, Liz Gasster and
                 Glen Desaintgery, myself. I have just seen that Kristina Rosette from
                 the IPC has also joined the call. Thank you Jeff.

Jeff Neuman: Great. Thank you very much Glen. So the agenda for the call will be to,
                 I might be switching one or two things around here, to start with just an
                 update on statements of interest. Not to discuss what should be in the
                 statement of interest but rather to discuss who we have received
                 statements of interest for, who we have not yet and to discuss any
                 questions that people have about the statements of interest that have
                 been submitted.

                 Then we'll go to the agenda item of electing a or selecting a Chair of
                 the PDP Work Team and then followed by a discussion of the

document that was sent around either yesterday or the day before yesterday on the first cut at a work plan which will also address, you know, questions and issues about next steps.

So is there anything anyone else wants to - and I'm sorry. And then finally we'll end with a discussion of calls and, you know, logistics bout future calls. Is there anything anybody else wants to add to the agenda?

Okay. Hearing silence, I'm going to - it seems that we have about 24 people in the - in this PDP Work Team. So Wiki needs to - Glen is going to update the Wiki to make sure that everyone's name is on the Wiki. I think we're missing a few that may have joined fairly recently.

I'm going to turn it over to Glen to just talk about who we still need statements of interest for and then I'll open it up to anybody if they have any questions.

Glen Desaintgery: Thank you Jeff. We are still requiring a statement of interest from Brian Winterfeldt. And for the ISP members Jaime Wagner and (Tania Tavaris). I will use their statements of interest that they have provided for another workgroup, work team.

And if anybody has any changes or updates to make, could you let me have them as soon as (unintelligible). I can send an updated list out after this call.

I see we've just had (Cheryl) Langdon- Orr join us...

(Cheryl) Langdon-Orr: Yes.

((Crosstalk))

Glen Desaintgery: ...for the (ALEC).

(Cheryl) Langdon-Orr: I was going to say (Alan) made it to (Sandy) Hilton. He's going to be there for a small part of this (maybe in just a little bit).

Glen Desaintgery: Thank you.

Jeff Neuman: Great. Well welcome (Cheryl). Does anybody have any questions right now about any of the statements of interest? Glen has sent around the ones that we've received so everyone should at least - was able to access them through a link. Has anyone gotten any questions about this?

Okay. Any concerns?

Marilyn Cade: Jeff, it's (Marilyn).

Jeff Neuman: Sure.

Marilyn Cade: I do have a concern. I really - I think that at the - I think we need to be aware that many people do not take the time to click on and download links. So at the start of a group and when there's an update, I think that the document probably ought to be posted rather than just relying on people clicking on links because the purpose of making an interest statement is to make it clear what ones interest and potential conflicts are.

And when there's an update that might be significant. So, you know, this is a view that I have about ICANN and interest statements overall, but I - particularly because there are 24 members. That means that people have to go through and click on each link to get the detail.

The second point I'll just make it is - you can tell me. I don't think it belongs in this group. But I think that as we think about the PDP process and the overall policy development process there needs to be some standard guidance for - particularly for new people who are coming into the process about what needs to be included in an issue statement - in an interest statement.

Jeff Neuman: Okay. Well I think (Marilyn) that's a good point about sending them in kind of a Word document or a document form and posting into list is a good idea. Glen does that sound something like something you can do easily or is to form some document to send that around.

Glen Desaintgery: We've got a template that the Policy Team has set up Jeff.

Jeff Neuman: Oh yeah. I'm sorry. I was actually talking about (Marilyn)'s first comment which was is there a way to combine everyone's statements of interest into one document and then post that around instead of posting a link?

Glen Desaintgery: Oh sorry. Yes. Well that is what I have tried to do by sending out the email to the list so that it's on the open public list and all the links have been - the contents of the links have been put in the last email.

Jeff Neuman: Okay. I have not gotten to that yet but I'm actually looking at it. (Marilyn), did you get that email? It was sent - well there was a final

revised - there was one sent out last night for us on the east coast in the U.S.

Marilyn Cade: No, I haven't. I mean I'm sure I did and I'll take a look at it so that answers my question. Thank you.

Jeff Neuman: Great. And the second one (Marilyn) I think you had a second question in there which was there is a standard form template that we've kind of all weighed in on as part of the PPSC and OSC Work Teams kind of as a joint effort. And that template does I think - I hope for people that filled out the statements of interest forms I hope sets out exactly what we're kind of looking for.

If anyone that's filled out a statement of interest that got that form thinks it was unclear, if you want to - does anyone on this call think it was kind of unclear or think we need to clarify certain things?

(Cheryl) Langdon-Orr: Jeff it's (Cheryl) Langdon-Orr here.

Jeff Neuman: Sure. Yeah.

(Cheryl) Langdon-Orr: It's not that I'm unclear in any way. It just happens to be a topic I'm particularly passionate about. One way that we've got around I think as part of the follow on question that (Marilyn) was posing is by having as a standing agenda item in some of the boards that I'm on the simple matter of continuous disclosure.

Therefore it's always an opportunity and a (solitary) reminder for everyone involved regardless of when they come into a process. But

it's also incumbent on people to update it by a statement if something changes.

Jeff Neuman: Okay. I think we can pretty easily do that. It's just include it as a standing agenda item updates if there are any updates and there may not be. So it's something we could probably quickly get through for each call. So I think that's a good idea.

(Cheryl) Langdon-Orr: Usually a zero time agenda item being there just makes it glaringly obvious that it's incumbent on participants to (unintelligible) on the table.

Jeff Neuman: Right. Does everyone hear a beep or is it just me?

Woman: I hear it.

Glen Desaintgery: Yes. Everybody - and I've asked the operator Jeff.

Jeff Neuman: Okay. I thought it was me going crazy here. Actually I thought it was my handset at first that was just running out of battery but I guess it's not. Okay we'll try to - we'll try to figure out what that is hopefully soon. But in the meantime we'll try to continue through this.

Is there anyone else that's got a question on statements of interest or concerns? Okay. I think with that I'm going to throw the call over to Margie to talk about the Chair, selecting a Chair.

Margie Milam: Sure. Thanks Jeff. We have a nomination for Jeff to be Chair of this work team and I believe there are no other nominations that I've seen on the list. Does anyone on the call have any nominations for Chair?

Okay. It sounds like there are no other nominations. So Jeff has been seconded and I think the best thing to do would be to go through the list and just get an affirmative yes or no to be - to nominate or to select Jeff as Chair and then we'll follow up with others on the list as well just to get their vote.

So I have the list in front of me I'll go down. Paul I guess you're the first one. Yes or no.

Paul Diaz: Yes.

Margie Milam: James.

James Bladel: Yes.

Margie Milam: Mike Rodenbaugh.

Mike Rodenbaugh: Yes.

Margie Milam: David Maher:

David Maher: Yes.

Margie Milam: (Wolf).

(Wolf Ulrich Knoben):   You mean me?

Margie Milam: (Wolf Ulrich).

(Wolf Ulrich Knobel):   Yeah. Okay. Yes.

Margie Milam: I'm sorry. (Marilyn).

Marilyn Cade: Yes.

Margie Milam: Christina.

Christina Rosette: Yes.

Margie Milam: (Cheryl) Langdon-Orr.

Margie Milam: Yes.

Margie Milam: And is there anyone else I've missed? Okay. So Jeff you're confirmed as Chair of the work team and I'll also send an email out to the rest of the team that (unintelligible).

Jeff Neuman: Okay. Thank you very much Margie. Thank you everyone. Again, just to state for the record that's my role as Chair here. I am a gTLD registry operator. My statement of interest is online or has also been sent around to the group. But I'm here as the Chair and not as a representative of the Registry constituency; and that's David Maher.

And if there are any concerns, there are mechanisms. I'd ask that you bring them up with me but there are mechanisms also to deal with anyone who's got a concern about that. I'm going to try my best to be neutral but I'm human and certainly fallible. So I'd hope that you guys can help me out and point out any concerns that you guys do have.

With that I want to move on to the next agenda item which is to discuss the draft that was sent around by, I'm sorry; I can't remember if it was Marika or Margie. It was sent around by ICANN staff two days ago on Tuesday although for some of you in Europe and then Asia which I guess probably on early Wednesday that it was sent around.

Just a couple notes on this draft and I want to thank ICANN staff, particularly Margie and Marika for putting a lot of work into this. This is just a start off for discussion point. It's not any kind of - it's got no official status. It's not a work team document at this point.

But it's just to try to get on paper some of the ideas and concepts that we discussed at the face-to-face meeting in Mexico City and to kind of put some words into what an idea that Liz Williams had had during that meeting. And then it was followed up by (Bertron) to kind of put things into certain stages.

You'll notice that in this document, and I'm hoping everyone - does anyone on the call - does anyone not get it? I know it's also posted on the Wiki as well. Wow. Okay. The goal of this document is to really develop the tasks and figure out the milestones and timing so that we can just adequately plan the activities of the work team from here through the completion of our work.

You'll notice that there are two tasks, two overall tasks, that we all - that we came up with. The tasks are not meant to be necessarily chronological. In other words, you don't have to do Task 1 and then do Task 2.

It's quite possible and likely that both of those tasks that are here will be done concurrently as the second task relates more to the overall issues and overall themes that came up from our discussions in Mexico City including a brainstorming session that was held earlier that morning.

And the first task is really to develop a breakdown of future policy development process including relevant subcategories to serve as a basis for the work.

So what we did is we tried to take all the topics and issues that came up as a result of those slides and the brainstorming session and put them into essentially five different categories that we had discussed in Mexico City.

The five categories for, you know, the planning or initiation stage of a policy development process and whether PDP is the right term to use at that stage is something - is an overall issue.

Then what do you do after the initiation as far as proposal - reviewing the proposals that have been received and different questions about voting thresholds in order to launch the formal PDP if that's what we call it in the future.

The third item is the policy development work itself. Some of that or a lot of that is actually work that's going to be looked at by the working group work team but there's certainly items that we will need to consider that are more within our scope and certainly ones we'll coordinate with the working group work team.

The fourth element is okay now that we have a policy development process and the outcome is a policy then how do we go about adopting that policy at the council level and above and then how do we - how does the implementation of that policy work and what is the intersection between implementation and the policy development process?

And the fifth item is okay now that we have implementation of a policy, you know, how do we go about assessing the effectiveness of the policy and assessing compliance activities associated with that policy?

Does anyone - before I go further on that, does anyone have questions on those five different phases, think there should be more, think phases should be combined? If anyone's got any questions. Okay.

And while I - while I'm kind of on the topic, it's a little bit of a divergence but since I'm asking for comments, one of the things that we've done with other workgroups or working groups or work teams has been to use a software tool associated with Adobe called Adobe Connect which actually is kind of much more interactive than the systems we use now.

And it would actually allow people to chat amongst others in the group, will allow people to virtually raise their hand so I'll know, and other people will know, someone's got a question and it's much easier to do a queue for that. It's something that I think we'll talk about as one of our last logistics items but it's something I just wanted to bring up.

So now that we have - we have the five phases, what we tried to do, and ICANN staff did a pretty good job in doing this, is to take the

issues that we had come up with during the brainstorming session and put them into categories.

Again this is a draft document for discussion. You know, if you all think that we missed some questions or missed some - missed some issues, put them in the wrong category or they're in multiple categories, you know, this is the kind of feedback that we're looking for, you know, after the call.

So I don't know if people have had a chance to read it and have any questions. Is everyone awake? It's fine. I know you all just got the document. We just sent it around a couple days ago. This is open. It's not like we're closing this document after the call. So you'll have plenty of time and I would hope that you all provide feedback in writing.

Man: Jeff, I would think also obviously as we go through our work, you know, this can change. Things to be added, moved around, et cetera, obviously, right?

Jeff Neuman: Absolutely. This is - again this is - the basis of this is to form a work plan as kind of the basis for what we do in the future. But it is a living, breathing document.

It can be changed at any time by the group; and like I said, if we find, you know, as we're exploring these issues that wait a minute, this one issue that was put in this one phase actually belongs in another or overlaps with another, we certainly can go around and - or if three are issues that come up that we just didn't think of now but we think of as we're doing the work, absolutely. We can include those. That's what it's meant - it's meant as a guide.

Marilyn Cade: Jeff it's (Marilyn). I'd like to be in the queue.

Jeff Neuman: Absolutely. Anyone else after (Marilyn) just to get a queue? Okay. (Marilyn).

Marilyn Cade: I'm assuming just to clarify that since this is being recorded - can I just clarify? Will there actually be a transcript of this as well as the recording?

Glen Desaintgery: Yes there will be (Marilyn) and it will be posted on the GNSO Council calendar page.

((Crosstalk))

Marilyn Cade: Okay. So you'd like us to introduce ourselves whenever we speak then?

Jeff Neuman: Great idea (Marilyn). Thank you very much. Yes.

Marilyn Cade: Okay. So this is Marilyn Cade. Jeff, my comment - I'm not sure where this belongs but one of the things, and perhaps I missed it, but one of the things I do not see is the data gathering analysis, economic assessment and sort of the development of the neutral fact based white paper about an issue that has been talked about not only within the GNSO Council but in numerous public forums with the Board about improvements to the policy development process and called for by the (GAC). And I don't see that in here unless I just missed it.

Jeff Neuman: Well I think, and then Margie or Marika can jump in, I think that overall topic is in the planning phase in A and it's the last bullet but it can probably be expanded to I think you worded it much better than we did at this point. But it says build in flexibility to allow for additional research and/or fact-finding.

Marilyn Cade: I'm sorry Jeff. I can't - you know, the other request I would make is that we in documents, we need to increase the use of numbers or letters instead of bullets so you're going to have to tell me where I am. I...

Jeff Neuman: Okay. It's the second column in issues to be addressed and there are - now are bullets. It would be the last bullet before B.

Marilyn Cade: Okay. I'm not - yeah, I read that and did not - that sounded to me like, you know, I could do a Google search. I am really talking about taking up and, you know, perhaps this is a topic to come back to but I think we're seeing now the evidence of the failure to do an economic analysis on an existing - on a PDP that has now been approved and we're trying to implement.

                 So I'm really talking about extensive changes to the data gathering analysis issue paper development, et cetera. And, you know, we can just flag that and come back to talking about it in more detail. But I do consider it a major gap.

Jeff Neuman: So, you know, I think we've taken your comment and I agree with you (Marilyn). I think we should expand and put sub or put other issues. We thought we captured that but obviously we didn't. So we'll put in extra bullet points to make sure that that's captured. Do you agree that that will be part of the planning/initiation phase?

Marilyn Cade: So, you know, this is obviously a pre - it's obviously a pre - it takes place before we make decisions to create a PDP. And if that's what we're now calling the planning initiation stage, I'm fine with that.

Jeff Neuman: Okay.

Margie Milam: So can I - this is Margie. Let me just follow up with (Marilyn)'s point. So are you suggesting (Marilyn) that there would be an economic analysis every time in the initiation phase or merely that it's a topic that should be addressed depending on, you know, what the PDP would be covering? Because it - I'm just trying to understand whether, you know, that's really something that happens in the initiation phase or more in the work phase.

Marilyn Cade: Well first of all, you know, as someone who - it's (Marilyn) speaking. As someone who managed a policy development process for a multinational corporation, we made a big investment in, you know, much more detailed research. And so I think there maybe (unintelligible) where an economic analysis might not be required but other kinds of analysis would be required.

And so maybe, you know, maybe we just need to spend some time thinking about the kinds of research. If one were to look at an OECD scooping paper, you know, you would - you'd get a better sense of the kinds of research that sophisticated thorough analysis would require.

Now that may not be necessary for every PDP but, you know, we need to have a template of the kinds of analysis that is needed and research

that is needed so that we can then factor in what the additional staff cost, resources, et cetera, will be to have an informed PDP process.

Jeff Neuman: So then to add to that, something I got from the joint, I forgot what it's call, the Advisory Committee supporting organization session that was in Mexico City on the policy development process. I think it was a statement made by (Mason) if I believe - if I remember correctly where he was talking about an impact analysis on the different parties, either...

Marilyn Cade: Right.

Jeff Neuman: ...from creating a policy or the impact in not creating a policy. So I think that's also one of the analysis that could be done. It's not just economic. I think as you said (Marilyn) that was kind of one example of the types of analysis.

Marilyn Cade: Right. And so, you know, right now the present statements from the constituencies ask for the constituencies to speculate really about the impact on them. But we have to remember that many more parties, many more parties, however I would say that, that are presently members of ICANN constituencies are affected by ICANN's policies and we can just use a very broad and divers response to the gTLD guidebook as an example of that.

So yeah Jeff I think you're right. It's - there would be a list of examples. They might not be all inclusive but they would provide a framework to come back to.

Jeff Neuman: Right. An impact analysis or something like that at this stage would be a lot different than an impact analysis after or during the policy development phase where maybe a solution to the issue is thought of.

You know, that's a different impact analysis than an initial one, which could be impact of, like I said, having a policy or impact on consumers of not having a policy, right. It could be - it could be any of those types of things.

Marilyn Cade: And so then I would just say, it's (Marilyn) again, that keeping the last bullet, still remains relevant because there may be in the - during the PDP you would need the flexibility if needed to ask for additional research or fact finding.

Jeff Neuman: Right.

(Cheryl) Langdon-Orr: Can I get in the queue please Jeff. (Cheryl) Langdon-Orr.

Jeff Neuman: Sure (Cheryl). Anyone else after (Cheryl)? Okay (Cheryl).

(Cheryl) Langdon-Orr: Jeff, just to echo in supporting exactly where this conversation is going and putting on my consumer advocate for a moment. Here within the telco industry in Australia something we're very keen on at the moment is the requirement for industry to come up with consumer impact statements in the prior planning stage for code and guideline development.

So it will fit very comfortably where we're hitting in consumer land with what you're discussing now.

Jeff Neuman: Okay. Great. Any other questions or comments on that topic? So another thing that came up, you know, that's something as a team can discuss is, and I don't know where this would fall or if it's in one of the bullets, you know, is some people have suggested - again I'm not issuing judgment on this.

Some people have suggested that a workshop at an ICANN meeting is something that just happened during a planning or initiation phase, you know, to kind of get more people to weigh in on some of the issues that might arise. Margie, Marika, do you think that fits into one of the bullets we already have or is that another one? Well we'll take that down as another one to create a bullet or - in our list there.

Marilyn Cade: Jeff, it's (Marilyn). I think that's a really good idea. If the - if the workshop can be done in a way that it is broadly informative and not position based and maybe we would want to describe the purpose of the workshop as being an informational workshop. Because if, you know, if we were just thinking about - if we go to opinions, that will negate the neutrality of the learning experience.

Jeff Neuman: Yeah. I understand what you're saying and it was kind of something that we tried to do with the brain - it's like the brainstorming session that we had for this group. It was not the solution but really to come up with the issues that may need to be examined. I think that's good. Anybody else have anything at the initiation planning?

And again, this document is open. So after the call if you haven't read it or even if you have and you have other ideas then we can certainly add those.

Marilyn Cade: So Jeff, it's (Marilyn). I have one more and I'm sorry about this. I've said it before but I'm going to go - I'm going to flag it again. One, two, three, four, five is called the role of the Office of the General Counsel. I think - I think a better formulation of this is ongoing role of legal advice to the policy development process.

Jeff Neuman: So say that again, the ongoing...

Marilyn Cade: Role of legal advice to the policy development process.

Jeff Neuman: Right. Okay. Anybody have an issues with that? Okay. Margie and Marika, we could certainly make that change.

Margie Milam: Yeah, that's fine.

Jeff Neuman: And I kind of, you know, thinking - looking at it again, I'm looking at - I think you're right. I think it's - we know it's a role of the Office of General Counsel but I think you're working change makes sense. Anybody else on that phase?

(Alan):   I have nothing on that phase but I'll - it's (Alan) just letting you know I'm on the call now.

Jeff Neuman: Well we can ask you now if we could put you on the spot and make you come up with...

(Alan):   I'm not sure what the question is.

Jeff Neuman: That's even better. Your answer would be much better then.

(Alan):   Forty-two.

Jeff Neuman: Ah, hitchhikers got to the galaxy. Sorry that was an inside reference I guess for those...

((Crosstalk))

Jeff Neuman: ...that have read the book.

Man: We got it Jeff.

Jeff Neuman: Well, you know, not - maybe everyone hasn't. It also seems during the call that (Zonker Stoff) has joined as well. So welcome.

(Zonker Stoff):   Yes I am and quite pleased of the hitchhiker reference Jeff.

Jeff Neuman: Okay. So what we're doing now is going through the document that was sent around, the work plan document. It is a straw man document. It is meant to be changed constantly but it's meant to be as a guide to developing the final work plan. And even after the final work plan is developed, if we - when we're looking at these issues if there are changes that need to be made that we can - we can make those - certainly make those changes.

There were five phases that we kind of brainstormed in Mexico City to look at in the overall policy process and one of the things that we're going to need to work on is when we use the term PDP or policy development process because actually there's a lot of work to be done before there's a formal launch of a policy development process.

And we just talked about the - some questions and issues in the first phase which is the - what we've called the planning and initial phase. But then the second phase, which we're on now is the proposal review and voting threshold phase.

So a little background on this one is, you know, there were topics discussed as far as well look there could be a lot of ideas, a lot of good ideas that come through the planning initiation phase. Should there be some sort of, this is my own words, not anybody else's. Should there be some sort of intake process or prioritization amongst all the issues that come in. If so, who should do that and how should that be done?

And once you get that, you know, there are some voting thresholds that have already been approved by the Board as part of the new improvement process. But there's lots of questions even around those numbers that have been approved.

For example, you know, whatever the, and I didn't commit this to memory yet, but whatever the voting threshold is amongst the new GNSO Council for initiation of - or for the creation of an issues report, those thresholds may have been set.

But, you know, there's plenty of issues around that as far as, you know, is it - the vote - is it that percentage of the amount of council members that are present or is it of total members? You know, how that all is done.

So there's a list of questions or issues that we've gleaned from the brainstorming the first one being how do you maintain flexibility on launching a policy development process.

Is there some sort of appeals mechanism in the case where GNSO votes against initiating a PDP by and Advisory Committee or other supporting organization? Because right now remember it says that if another supporting organization or Advisory Committee or even the Board itself wants and issues report then it's done. There's no GNSO Council intervention in that process.

The issues report is automatically drafted. That doesn't mean the PDP is automatically launched. It just means that there's an issues report drafted. You know, what do people think about that?

(Alan):   Jeff, to interrupt, my recollection is that if the Board requested the issues report, the Council doesn't have a choice. I may be wrong on that but that's my recollection.

Jeff Neuman: Yes. And I believe it's the same way with - it may be the same way with an Advisory Committee.

(Alan):   Well Advisory Committee - the Council still has to vote as if they initiated it with a low threshold.

Jeff Neuman: Okay.

(Alan):   My recollection is that if a Board - the Board requests the issue report, there's no choice but the Council will have to go ahead. That's my recollection. I'd have to check.

Jeff Neuman: Okay. So that - so this phase is meant to look at those issues.

Marilyn Cade: Jeff, this is (Marilyn). That is - that is a factual statement. And I'm sorry, who was just speaking?

(Alan):   It's (Alan).

Marilyn Cade: (Alan). That is - that is true. The Board - the Board request, and this is (Marilyn). The Board request will generate an issues report without further intervention. Could we maybe...

(Alan):   Both the Board and the Advisory Committee will generate issues report. My recollection is that the Council doesn't have to vote on the - to initiate the PDP with a threshold if it was initiated by the Board. But I...

Liz Gasster: It's Liz Gasster. Actually it's the Board or an Advisory Committee. They do not vote.

Marilyn Cade: Right.

Liz Gasster: They only vote when it's Council initiated.

Jeff Neuman: So that's again - and I'll get back to I think it was...

((Crosstalk))

Jeff Neuman: ...was that (Marilyn)?

(Alan):   I'm not sure. We're going to have a vote this week on, or next week, on starting a PDP for an issues report requested by an Advisory

Committee. There's three different paragraphs in the bylaws. Any case. We can check that. We don't need...

Jeff Neuman: Right. So - and that's the things to examine during - as part of this proposal review is voting threshold phase. Those are the issues that the work team will discuss.

(Marilyn), did you have something else to add?

Marilyn Cade: I did. I did. I think we probably ought to - that's why it's going to be really important to think about what is needed to validate what goes into the issues report. You know, if we're burning staff resources, as treasured as you all are, I just want to be on the record on that.

If we're burning staff resources, we have some amount of awareness that, you know, we have X number of staff hours and staff can keep us informed. But if we're - if we're building a, not a bicycle, but a small truck meaning we're going to go out and do additional research, et cetera, et cetera, we may want to look at the issues report process a little differently as well and think about whether it should be divided into a preliminary stage in which initial research is done and then more detail as research is authorized while keeping in mind we have to be careful about elongating the timeframe too much.

Jeff Neuman: Right. Anybody else have comments on that?

(Alan):   It's (Alan). I just checked the bylaws and I'm correct. An issue raised by the Board goes into a PDP without a vote of Council. The other two require the low threshold vote.

Jeff Neuman: Okay. So there's a lot of issues that have come up even now and I'm sure more in the future that the PDP Team will address. The third phase is the actually policy development work itself. And the question that the issues that came up during the brainstorm session that we had were, how do you maximize the effectiveness of working groups? How do you prioritize PDPs?

How do you link policy development with ICANN's strategic planning and budgeting, timing of the policy development work that's done by the working group? And should implementation guidelines impact - I'm sorry, should implementation guidelines impact and feasibility be part of the work of a working group?

A lot of this does overlap with the working group work team. But, again, it's certainly expected that this would overlap. And once we come up with a final list of issues, one of the things I'd like to do is take this to the working group work team and see where there is overlap and what issues they are working on; what issues we are working on; and provide a mechanism where both teams could comment on it but not necessarily both teams working them independently on their own.

It would just seem - be a little bit inefficient. Is there any questions on the -that phase?

Marilyn Cade: Jeff it's (Marilyn). I do have a question. You know, what do - and it's the one, two, three, four, five - it's the last bullet point, the fifth bullet point. Somewhere in the policy development process - and we have done this on - when I was on the council we did this on some of the PDPs where the council worked as a whole, so I was familiar with this.

We had -- I am going to call them -- feasibility discussions or implementation discussions with what is now called the Services Team. Would that fit into this fifth bullet?

Jeff Neuman: Yeah, that's what I was thinking about (Marilyn). Like, when we had - when we had - for example, we had a transfers -- I don't remember if it was a task force or whatever.

Marilyn Cade: Right, right.

Jeff Neuman: We had a transfers group that came up with a policy.

Marilyn Cade: Right.

Jeff Neuman: And then we had a separate group that was established that actually said, okay, here is the policy; let's all as a community figure out how we're going to implement it.

Marilyn Cade: Right.

Jeff Neuman: Whereas, today what's done, or at least for the past few policies, is the policy is created and then the staff is directed to come up with the implementation. And, yes, there is a public comment period, but it's not done by the working group. Is that kind of what your point was?

Marilyn Cade: No. Actually, and I think I was the chair of that task force group but not of the - but not of the implementation. You know, I still think implementation belongs with the services team. I'm actually talking about in the policy development process and in the work of the working group, making sure that there is interaction with the services team who

are going to have to take the policy and turn it into implementable activities and making sure that there is a flow and a ongoing appropriate interaction across - with (Curt)'s services team.

Because, you know, I think we could all - we can all see that - and we did some of that in the new gTLD process at various times (Curt) and his team set in the policy development process. So that was what I was really getting at.

Jeff Neuman: Oh, okay, so just to clarify for the recording and the transcript, when you are saying the services team you are talking about ICANN's operational or services team as opposed to our registrar or registry service team?

Marilyn Cade: Yes.

Jeff Neuman: Okay.

Marilyn Cade: Yes, and so to elaborate on that, I do understand your point and certainly would expect that a part of that process might also be a dialogue with those who are going to have to implement a policy change or who are going to be affected by a policy change. Oftentimes that may go below - I don't - I am thinking of an (isostack) maybe -- that may go beyond the contracted parties.

And the one thing we have to think about is does the impact assessment get to that or is it important to have a different kind of interaction with representatives of parties who will be directly affected during the work group process? Or are we going to assume the work

group composition will take care of that? And that's not a question for us, probably.

Jeff Neuman: Right, okay, anyone have questions on that? Any other comments on that third stage before we go to the adoption and implementation? Now these next two phases are - you know, we don't have too many bullets here. And we are looking for guidance from the group to help us create more bullet points and issues. And it was only briefly touched upon, although we all kind of recognize the importance of it. And it was kind of late in our discussions.

But the two phases are the adoption and implementation of the policy. And then the last phase is the assessment of the effectiveness of the policy and also assessment of compliance of the - with the policy. These, like I said, need to be expanded, but I think they are all crucial in what happens as part of a policy development process.

So in other words when the working group makes their recommendation - one issue that we talked about is when the working group makes a recommendation, generally it's been given to GNSO Council as a whole as opposed to allowing the council or others to take pieces of the recommendation and not the whole - you know, you do not to reject it as a whole if you disagree with one part of it.

You know, again, that's all up for discussion and is something that the team will definitely need to think about. Yes.

Marilyn Cade: So right now if the GNSO council approves a policy recommendation and sends it to the board by consensus -- well, by any means -- the board can - the board cannot change a policy recommendation, but it

can send it back for more work. Are you including in this example the idea that the council could say, okay, you have given us recommendations A through F. We understand and can endorse A through D. We are sending you back E and F for further work?

Jeff Neuman: Something like that. It may not even be not agree. It may be the working group came up with - let's say there were ten issues that the working group was supposed to address. And it turns out that eight of them had consensus support, and two of them didn't at that point. Could the GNSO Council say, well, the eight that did we want to put through to the board. The two that we didn't, either the council could say we are done and close the working group or send it back.

That, again, I'm not offering any judgment as to what I think. I'm just saying that that's what's come up.

(Alan): It - Jeff, it's (Alan).

Jeff Neuman: Sure.

(Alan): Is it clear when you look at the gTLD process that what (Marilyn) described of, you know, accept all or send back was the philosophy that was being used at the board GNSO interaction level. But it's clearly proven that that's not acceptable on the - at the real implementation level. Things might not be implementable.

And I think we need to build a process into this new PDP process that allows for that to happen and doesn't say that the board cannot make a change at all but staff can. And I think we need to address that and

make it - make some more pragmatic rules that allow for more
interaction and more alteration of the policy as it proceeds.

Jeff Neuman: And balance that with the need of - you know, a lot of this stuff went up
for public comment. And if you do alter it in a way, does that change
what people commented on, right? Is that of such - is that change of
such a nature that people that may have commented one way would
now comment a different way?

(Alan):   Well, that's one way of looking at it. But even if you look at today's
process, there are additional public comment periods. And maybe what
we're doing today is the perfect way of doing it. But I think we need to
document what the process is for making changes in the details of the
policy after the GNSO has approved it or to handle the case that you
are saying where the GNSO may not give full approval to all of the
details.

I think we need to look at that and put down in place some rules which
actually can be implemented instead of doing an on-the-fly modification
of the rules as we go as are doing now.

Jeff Neuman: Right.

Marilyn Cade: It's (Marilyn). I think we should talk more about this as well. But I am
just going to say that policy is different from implementation
procedures and guidelines. And very often people who develop policy
also want to become very granular and become in charge of
implementing the policy to make sure it does.

But I think we have to be careful about distinguishing between what policy development is and what implementation and enforcement of policy is and not try - not put the council in the position of taking on the latter two things. At the same time I understand the interest in talking about this further. But I'm cautious about the nature of a policy council wanting to actually take on -- and cautious about the board -- both wanting to take on the implementation aspect.

(Alan):   I have a comment on that Jeff.

Jeff Neuman: Yeah, I'm sorry. Who is that?

(Alan):   (Alan).

Jeff Neuman: Okay, sure, sorry (Alan), yeah.

(Alan):   Two things. Number one, there have been certain cases where policy gets changed during implementation because of, perhaps, unimplemented - (unimplementability) of the policy or for other reasons. The more recent one is our policy was not deemed to be satisfactory to the (unintelligible) and therefore staff, perhaps unilaterally, made changes. And I think we need to address that kind of process and formalize it more.

                And second of all, we can only make policy on things with - that are within the picket fence. Although we are a policy council, my understanding from all the discussions we've had is -- and including that with council -- that we have the right to make recommendations to the board and the staff even if they are not policy if they believe - if we

believe they are important to carrying out policy and to implementing policy.

Marilyn Cade: So it's (Marilyn) again. I have a clarifying question. I would say -- as someone who has spent a lot of time on that last issue when I was on the council -- I think that is right even outside of the picket fence council based on stakeholder, hopefully, strong support could put forward a recommendation that is not considered consensus policy.

And that means it's optional rather than mandatory in terms of being implemented in the contracts. Could you - what is the example that you have of a consensus policy where the board did not accept the GNSO council's recommendation?

(Alan):   An example - no, the board has accepted it.

Marilyn Cade: But...

(Alan):   You know, an example is the geographic regions aspect of the gTLDs -- that the board accepted but that's not what we have in the implementation.

Marilyn Cade: The geographic regions is still a working effort, right?

(Alan):   Well, yes, but at this point in time...

Jeff Neuman: All right, so we have...

(Alan):   ...there is an issue there. There are other ones also, but...

Jeff Neuman: Yeah. Let's save that for the discussion of the actual substance. But I think we - I think we have captured - or I'll ask Marika and Margie, have you guys captured the issues?

Woman: Yeah, I'm going to - I'll update to include some of these bullets.

Liz Gasster: This is Liz. I don't know if it would be helpful to share an example that I think might be less - might be more illustrative of one concern that we are talking about -- vis-à-vis making policy versus implementation -- that is not focused on new gTLDs. But in a recent example, there was a PDP on domain tasting where a drafting team many of you participated in worked on a resolution that was ultimately supported by the council and then adopted by the board in which there were terms that were not - that the drafting team didn't define.

                 They were terms that - or they defined to a point but not completely. Like the two terms that come to mind are extraordinary circumstances and reoccur regularly. So as part of the implementation, staff had to define those terms, basically, or decide how those terms would be implemented as part of the responsibility for implementation.

                 So the drafting group at the policy level -- and (Alan) and Mike and several of you wrestled with these questions -- Kristina -- about how far should the drafting team - how far should the council's policy activities go in defining terms that are - that were controversial at the time and that different people and different constituencies had different views about?

                 And at some point, I think, after a point of definition the group decided not to go further and to essentially leave it as an implementation

matter. So that's something, just maybe an illustrative example we can hold over to the deeper discussion that doesn't focus on new gTLDs but is maybe a judgment call about how far does the group feel comfortable is or able to reach a consensus on a particular term or definition as part of an overall recommendation and where some judgment is deferred to the implementation activity to develop an implementation that makes sense from those terms?

(Alan): I can certainly give my opinion of that one. I think that one ended up quite reasonably. You know, any law should be written in general enough terms that it can be implemented and implemented based on the needs of the day. It turns out, in fact, that we probably over-specified because of some things that have happened since then. And maybe we could have been a little bit wiser in how we did that. But I think that level of who does what was a good call.

Liz Gasster: So it might be a good example, I guess...

(Alan): Yeah.

Liz Gasster: Of maybe one that worked or where - of where you draw a line in terms of what the policy effort should define how specific it should be versus some judgment and discretion that the implementation process has versus another situation where too much may have been deferred to the implementation.

Jeff Neuman: And that, actually, is a good transition to the last phase which is the assessment of policy effectiveness and compliance. If I remember the discussions in that group, you know -- and I was a member of that group -- it was, well, we are struggling with defining it. But we are going

to build in a assessment process, you know, that within six months after its implemented we can get back together and see whether we truly need to refine it even further.

It was kind of -- and people can jump in -- it was kind of one of those things that said, look, it's really tough for us to define. We want to get this policy in place. Let's just kick that over to the assessment analysis to see if our fears or our concerns have played out.

(Alan):   Interestingly Jeff I completely support that flow. We have absolutely no process right now to reopen the issue other than initiating a new issues report.

Marilyn Cade: It's (Marilyn). You know, this sounds like something we lost - Jeff, we lost track of because we talked about this during the time that (Bruce) was chair as, you know, instituting this occasional assessment of, you know, policy. But I think (Alan)'s right. I don't think we actually ever came up with how we would pull a policy back into reconsideration.

I think you would have to go back into, you know - if you are just talking about updating, maybe that's something that the PDP team should talk about, you know. As policies age in a company or in an organization like ICANN, what is the periodic review? What is the process? Does the services staff identify a number of gaps, document those gaps, and then back to the policy council?

Does the community have the ability to identify the gaps and say this policy needs to be refreshed or updated? And what would a truncated approach to, you know, to dealing with a policy improvement process be?

Man: Yeah. I mean good example is on the domain tasting one where we put in place a process that says registrars can exceed the 5% limit if there are exceptional circumstances that they couldn't predict. We have now seen cases where they could predict them, and we want them to do it anyway. And the words didn't cover that. You know, where registrars are now doing defensive registrations to make sure that phishing attacks don't work.

Jeff Neuman: Yes. Let me...

Man: But, you know, so as we are going through this - and I think we need to think about if we are going to have a formal assessment process, how do we reopen the issue without going back to square one?

Jeff Neuman: So for the transcript purposes and for people in the call, what (Alan)'s talking about relates to the Conficker situation that's going on now where there have been algorithms that have been broken where we know that on certain days certain criminal forces will register, in this latest variance, 50,000 domain names a day for their purpose of using those names to spread malware viruses, worms, and you name it -- all the good stuff we love.

                So one of the defensive mechanisms that some have used, you know, some registrars have affirmatively registered those names and in theory could delete those names within a five-day period, but that would put them over the threshold. And while the policy talks about fraud, you know, an extraordinary circumstance would be to - if there was fraud committed on a registrar, the registrar could show that fraud. They could get an exemption.

But they don't believe it - we had thought of the prevention - you know, registering names to prevent fraud which is a different situation. So that's kind of - just to clue everyone in just for those that weren't following that discussion and reference. Another issue that was discussed was - so when the GNSO Council approves a policy and it's sent to the board, the question is how is it sent to the board?

The staff write their own reports to summarize the policy for the board to read. Is that a good idea? Is that a bad idea? Should the council or - should the council have - work with staff? Should the working group work with staff to develop that to the board? All of those kinds of questions, again, not offering any opinion one way or the other, but that might want to be looked at by the work team.

So is there any other questions on those five phases? Again, this document's being thrown out for comment. And so if you have future additions, changes, suggestions, let us know. The second task I want to just briefly do is -- because I know we have already been on the phone for an hour -- is to - you know, there were overarching issues that didn't really neatly fit into one phase over another. And so it was kind of put into this separate chart.

You know, those issues include things like the development of definitions. And I kind of hinted at this earlier but, you know, what is meant by the policy development process? We use that as an overarching term. We use that in two ways. We use it as an overarching term for the entire process from beginning to end. But it's also used as the specific process that is voted on by the council after

an issues report but before implementation, all right. It's that phase in between there as the policy development process.

The terms are very confusing. And the question is, do we come up with new terms? What does it actually mean? Things like that. Discussion of definitions between -- as (Marilyn) had discussed earlier and I think (Alan) -- you know, there is discussions on picket fence and what is the role of the policy process with respect to things that fall within the picket fence or outside -- clarification of terminology between a request for an issues report and PDP.

We throw the terms around constituency. We also throw terms around stakeholder. What's the difference? And how do they play into the policy process? And what's meant when we use terms like in scope and not in scope as these relate to the voting thresholds, right? Because the - in the improvements process there is one threshold for voting to initiate a PDP in its classic sense.

If something is, quote, in scope versus out of scope, but what does that mean -- or in scope versus not in scope.

(Alan):   It's (Alan). Marika and I have just been having that discussion with relation to the post-expiration domain name recovery. And the terms are not being used, apparently, by council in the way that I thought. And it is something we need to be more explicit on because out of scope apparently is a different meaning than with outside the picket fence.

So I think anything we are going to put our name in as a recommendation for new policy -- for new our PDP process - and that

includes also what do we call a PDP process and what do we call the previous stages -- I think we need to be explicit and to try to make them as bulletproof as possible because clearly there is nothing but a veil of confusion over all of this.

Jeff Neuman: Right, anyone else have any questions on that? So the other topics that came up were overall issues -- things like translations. At one point - at what point - at what point are translations provided? How do they fit into the commentaries without, you know, delaying the PDP? There were issues of overall timing of the PDP. How long should each phase be? Or how long should the total timeline be with also allowing flexibility to build in additional stages if we need it like workshops or requests for specific information, right?

We had talked about a difference between public comments on a solution versus public comments on the issues. Things like, well, how do you align - how do you align the policies on the process with contractual requirements and the bylaws? And another topic, overall topic, was development of standard materials. You know, is there a form that a charter should be? Although I think that might be within a working group.

And requests for issues reports, things like that -- do we develop a form or is there an electronic submission process when you want to request that an issue be brought up? So those are some of the other issues. Anybody - it sounds like (Marilyn) may have a question on that or a comment. Nope, all right, anyone else have comments on those issues?

(Alan): I think there are things that we need to discuss. And I don't think - it's (Alan). I don't think I want to go into the details now, but I think there are some semi-substantive issues there.

Jeff Neuman: Right, so then what I want to kind of get into now is logistics on how we tackle these issues. There is a lot of issues here. There is a lot of work to be done. And we need to come up with next steps and timing. So once we - in the next week or two, once we kind of get these bullets and/or issues into a - I don't want to say final because it's - it won't ever be final because I'm sure there are issues that we haven't even thought of.

But once we get into a comfortable stage is to, okay, what do we do next? And I want to get people's thoughts on - there was some people in Mexico City that thought breaking into individual teams to tackle some of these issues, at least initially, was a good idea. Others thought that that was a bad idea because every phase affects every other phase.

From a purely logistical standpoint, there are 24 people on this work team, and everybody working on every issue just seems to be not very feasible. And it would be great if it were possible at some point to break the group down into sub-teams to, at least initially, tackle these with the caveat that - with the caveat that everybody will have a chance to weigh in on everything -- maybe a good way to go just, again, for feasibility sake.

So I want to kind of throw that out there as far as what people in the group think for logistics.

(Alan):   It's (Alan).

Jeff Neuman: Yeah (Alan).

(Alan):   I think what you've just described is close to my model -- that is we get small groups or individuals, depending on the section, to draft either bullets of the issues that need to be discussed before something, a document, can be drafted or draft a (straw man) directly which can be talked about. To have vague discussion I think is not productive enough. And we need something on paper to talk to on each of these subsections.

               I don't favor breaking down into groups and sending them away to do something final. We do have 24 people on the - on this group but not all of them are going to be equally active. So I would favor trying to break it down, get small groups of volunteers or individuals to draft something that we can talk about and critique.

Jeff Neuman: Right. And on that, also, just I talked about with Marika and Margie is doing this chart with the current PDP process as like a - as an example. So what we would is - for you guys is say, okay, in the planning initiation phase, this is what the current PDP says. So people can see something in front of them and be able to say, oh yeah, I like that. I don't like that. It doesn't include this -- and maybe use that as a tool to go forward.

(Alan):   That's good.

Jeff Neuman: So I think we're going to - we'll take that on as just our own interpretation. Again, it's our own interpretation of what goes on now as

- and as opposed to, you know, people may differ. So I thought we would do that. What I said - what I want to do - and I'll leave that question open because, you know, for people to think about on the list and comment on.

Now (Liz Williams) sent around a note that was just sent out a few hours before the call, I'm not sure if everyone read it. And I just had a chance to skim it. But her view is ultimately that we would develop some sort of document like the guidebook that came out for new gTLDs in the sense of - what I want to paraphrase. Let me go to the actual e-mail.

So she wants to see something like a PDP guidebook produced that has all of the information in it that any participant in a PDP process would want to use. This would be an online document that enabled anyone to initiate the PDP process electronically. It would incorporate the bylaws, rules of procedures, and other documents.

So, again, she submitted that comment. That may, in fact, be what we might strive for ultimately. I think it's a little too far down the road to actually think about at this moment, but that may be an ultimate deliverable. And if people have comments on that, certainly put them on the list.

(Alan):   Jeff it's (Alan). I have two things that I think we need to do up front, and maybe I've missed it and some of them have been done already.

Jeff Neuman: Okay.

(Alan): Number one is we need to have a discussion early as to what part of this is going to be done in the bylaws and what is outside of the bylaws. I mean right now the whole process detail is in the bylaws which makes it very, very difficult to change. This good argument for putting things in the bylaws so that they can't be, you know, changed without due process. On the other hand that may not be the right place for it.

And the second one is what really has to be done by June? I mean we have a flawed PDP process, but we are still making use of it, and we are still producing policy. And the question is what aspects of the current policy must be changed because of the change in council structure? And we may need to make some interim changes quickly in time for June, and then reinstitute the brand new PDP at a much - at a later or a much later date.

Jeff Neuman: Okay. My recommendation on that is - Margie and Marika can we create that - the last item that (Alan) talked about as kind of a task three?

Woman: Yeah, actually that's a good point (Alan). I've been working on the bylaws for the other GNSO improvement issues. But I was under the (inception) that the new PDP process would be adopted later. But you are exactly right. I'm sure the existing process addresses, for example, constituencies and doesn't talk about stakeholder groups and, you know, like some of the basic structure.

(Alan): And that may be okay, but we need to look at it and see...

Woman: Right.

(Alan):   ...if there are any things that need to be changed. There may be very little.

Jeff Neuman: Right, and on that first item where you talked about -- I think it's interesting -- you said basically a discussion of maybe there are elements that the group thinks should be hard coded in the bylaws while others are more of a recommendation for GNSO rules of operation or something like that...

(Alan):   Yeah.

Jeff Neuman: ...which could be changed by a vote of the council. I think that's - I would put that Margie in task two as an overall issue.

Margie Milam: Okay.

Jeff Neuman: If the group that's tackling - well, if the group as a whole thinks, yeah, this needs to be hard coded or whether it thinks that this is something that's more of a rules of operation as it tackles each of these issues.

Margie Milam: That's right. That's right. And so we'll have two topics -- one related to kind of the transition, and then also related to what will eventually be, you know, hard coded versus, you know, something that's more flexible.

Jeff Neuman: Okay, I think those are good suggestions. Anybody else have any comments? Okay, so what I propose is we had agreed in Mexico City, at least initially, to meet every other week which would mean not next week but the week after that. I'm hoping this time is good for most

people, but we will send out a note on this to make sure that the people who couldn't attend today it was just because of one (off) and not that it's a standing conflict. So we'll try to find that out.

Between now and then I really want to kind of nail down at least the - a good (straw man) of the issues to be addressed and put all of the other tasks that we talked about - make sure that we incorporate everything from this call in those documents and come to a decision on the next call as to how logistically we are going to do all of this and, you know, think about things like breaking down into teams.

But as (Alan) said, it's not teams that would go off and do a document that's final and, you know, that's how it gets submitted. It's more breaking into teams just to get the (straw man) in place to get something in writing so that the group as a whole could discuss it. Does anybody have any other suggestions?

All right, is there anything anybody else wants to bring up on this call? Great, I appreciate everyone showing up for this. And the next call let's - unless there is a huge amount of conflicts -- and we'll find that out on the e-mail -- the next call will be scheduled for April 2. Is that right? April - yeah, April 2 at the same time. Okay, I don't know if - (Cheryl) what time is it for you out there? Are you still...

(Cheryl) Langdon- Orr: For me in the (unintelligible) it's coming up to 20 minutes past 2:00 in the morning.

Jeff Neuman: Wow, okay.

(Cheryl) Langdon- Orr: It's not (unintelligible). It's okay.

Jeff Neuman: Okay. All right, well, we'll make sure that the time works for everyone. And I apologize that it's so late or early for you however you look at it.

Man: Yeah, she's only here because I couldn't be here for the first part. So it's not a mandatory one for her.

Jeff Neuman: Okay, great, great -- I mean not great that...

((Crosstalk))

Jeff Neuman: ...you are not...

Man: She likes working at this time of the day.

Jeff Neuman: I'm sure everyone does. Okay, thank you, everyone.

Woman: Bye-bye.

Man: Bye.

Man: Bye-bye.

Man: Thanks Jeff.

Woman: Great.

Man: Bye.

END