

**ICANN**

**Moderator: Maryam Bakoshi**  
**February 23, 2018**  
**8:00 am CT**

Maryam Bakoshi: Evening. This is the NCUC Pre-Policy Call so Pre-Policy Writing Calls of 1300 UTC for 60 minutes. On the call today we have Rafik Dammak, Olga Kyryliuk, Monica Trochez, Mohibullah Utmankhil, (Automan Kuel), (Vicur Zasied), GZ Kabir, Claudio Luceno. And we have Aresene Tungali, Renata Aquino Ribiero on the audio bridge. We also have the trainer, Jim Trengrove. From staff we have (Liana Feil), Benedetta Rossi, Adam Peake and myself Maryam Bakoshi. I would like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much and over to you Jim.

Jim Trengrove: Thank you Maryam. This is Jim Trengrove. And I'd like to thank you very much for joining this Webinar. I appreciate the opportunity to talk with you to listen to you and to exchange some knowledge and some ideas during this Webinar and for those who would be at ICANN 61 in Puerto Rico I look forward to meeting you and working with you during our scheduled training. Some of you I know already during my time at ICANN.

We're together to invest some time and energy into making ourselves better communicators in order to become more successful particularly as members

of the ICANN community and the Non Commercial Users Constituency. Now NCUC members -- and this probably applies to the newer members -- you know, are trying to balance professional lives with volunteer work within the ICANN community. Now some of you might be overwhelmed by the continuous flow of policy development processes that ICANN unveils and you might be struggling to keep pace. I know I did during my time there. But hopefully this training and what we do in Puerto Rico will ease your burden somewhat and even make writing public comments fun.

So a couple of thoughts as we begin. During the first part of this Webinar I'll be sharing some practical information about public comment writing, some of the best practices I've come across in research and developing this program. Then we'll look at some examples of public comments I've chosen, break them down a bit to show what I think works and what does not work. You may disagree and we'll be able to discuss that.

Hopefully you have the links to the full comments. It didn't work for me to put all of the text on the slides but I've pulled some of the highlights from the comments and we'll discuss them. This exercise will work better when we're face to face at the training session in Puerto Rico. But this today should give you a flavor of what we're going to do and actually allow you to go into some archived public comments and make your own analysis on substance and style. And of course we'll be writing in Puerto Rico in groups and as individuals.

Now preparing for this some questions arose which I don't necessarily have the answers to but hopefully with your guidance we will be able to come up with some answers by the end of this. First of all do you comment on everything and when to comment as a constituency and when do you

comment as an individual? And if English is not your native language than how easy is it for you for you to write in English?

Now some of these questions are contained in the writing survey that I know NCUC sent out over the last two weeks in preparation for this training. We've gotten some responses. We could use many more so. If you haven't yet responded I hope that you please do that. It would really help us.

Now several years ago one of the longtime members of the NCUC, Kathy Kleiman said decisions at ICANN are made by people who show up, people who scream most loudly. Well yes that is one way to communicate but actually I think there are three skills you need to communicate effectively -- speaking of course, listening and writing. And I think in order to succeed no matter what your definition of success you need to be able to do all three. You need to be able to verbally communicate your ideas, listen to and comprehend the responses and synthesize that and then summarize it all in writing.

Now I'm not saying you need to activate all these three skills whenever you discuss an idea in the hallway outside a ICANN meeting or at night at the hotel bar or in the lobby but you always ought to be able to process information in a way so that if the issue were important enough and timely enough you could organize your thoughts, lay them out in a document, a position paper or a public comment.

So the leadership of the NCUC recognizes that the public comment process as the most effective way for its members to participate in the development of ICANN policy. In fact if you've seen the revised operational procedures document from last fall the NCUC dedicates the first five pages on specific steps on how the NCUC should comment. The new specific guidelines to me however raise some additional questions for NCUC members.

Among them are how prepared are members to collaborate and how many have collaborated previously and what qualities and skills are required of the pen holder? These questions were behind the idea of the survey in an attempt to get a general idea where NCUC members are with their writing skills. So the public comment process to me is developing writing skills develops confidence. You're able to broaden the pool of available contributors to the community's public comment effort, infusing it with diversity and some new ideas. And the result is an NCUC that speaks with a stronger voice and with increased influence.

Now the proposed training program is designed to prepare NCUC members to effectively collaborate with one another towards the objective of developing a succinct coherent response to issues raised during a policy development process. Now if you've spent any time with ICANN either at one of its annual meetings or online with the working group you know there are ample opportunities to communicate your ideas but there are also ample ideas being communicated. So you need to compete for attention. So sharpening your communication skills -- and it's your writing skills that we will be focusing on -- will give you an advantage.

Okay let's go to the reasons that you write especially within your constituency. It's an opportunity to build the NCUC status within the ICANN community through thoughtful constituent feedback and make your voice heard. And it's to share diverse opinions on policy within your constituency as the first steps towards collaboration on a consensus. It's also an opportunity to engage with others outside of ICANN not only as a NCUC member but as a member of the ICANN community.

Planning your comment, understand the rules and process of public comment in advance. You want to weigh the content with the length that you think you'll be writing. You want to identify specific areas of concern and address them and you want to clearly state your reasoning. You want to be able to research support for your claims and be able to present evidence. You want to establish your expertise either individually or on a constituency and you want to distinguish your comments from others that may be submitted. You want to add examples to support your position when you can. And you want to acknowledge opposing views that have been submitted and explain why I think my position is the best.

And then structuring your writing. And we'll go through this a few times during this Webinar. You want to address your comment to a specific group or individual. You want to state the policy or issue of concern and your position on it. You want to introduce your constituency or yourself and why you or it is uniquely qualified to comment on this issue and you want to describe how your constituents who you're representing would be affected positively or adversely by the policy or issue. And again recognize opposing views and offer alternatives and explain how your position actually improves the policy. And then you want to close your comment with a compelling summary and a call to action.

Now since you've entrusted your time and attention to me I want to give you a little bit more information about me. This photo I used introduce myself was taken in Yerevan, Armenia probably six, seven, eight years ago with a few members of the Internet Society of Armenia with whom I was visited including the founder of ISOC in Armenia, (Igor Mcartumian) the father of the Internet in Armenia. And it was so much fun and an honor to have breakfast with these folks and fascinated to hear (Igor) tell some stories especially the one about how Jon Postel, the father of ICANN personally

handed him the license to administer and manage the new country code for Armenia. I just love being able to get information in the history of ICANN through talking to the people who have been there for a while.

I spent 33 years as a broadcast journalist producing news and covering politics in Chicago and Washington DC. I worked with some wonderful people. That's a journalist Gwen Ifill who passed away a little bit more than a year ago who I worked closely with. That's the capitol where I did a lot of work. I worked in the capitol for 21 years covering congress and legislation at a time when they were actually getting things done. And that is me with Bill Clinton. I had the opportunity to interview several Presidents. That particular instance was the day the Monica Lewinsky story broke so there's an interesting story there if you can - I'd be happy to talk to you about it at some point.

During my time there in Chicago and in Washington did a lot of different kind of writing and writing for different voices. You tend to do that if you're writing for different anchor people if you're writing for different correspondence. You tend to write in their voice. And it's different if you're writing for a daily newscast or a five or ten minute tape piece or a documentary which I've been able to work on or writing newspaper articles or reading magazine pieces. It's all different and it's – the experience has been a good one for me. I really enjoyed it.

I became Senior Director of Communication at ICANN in 2009 between then and 2015. It's actually the last three years I was officially on staff and I worked with Rod Beckstrom and Fadi Chehadi, Peter Dengate Thrush and Steve Crocker and with hundreds of wonderful staff at ICANN. And among the projects I worked on was creating, promoting and marketing the new gTLD program as well as handling communications for the IANA transition. I've done a great deal of work with ALAC, with the Nom Com, with SSAC,

RSAC, GNSO, the GAC with all of the community groups in fact. And that's why I've been pretty thrilled to get an invitation to come back and work with NCUC and to see many of you at ICANN 61 in Puerto Rico.

Now I wanted to get to public comments and the way I reach them was through icann.org (unintelligible). The Web site does a good job relaying information about all that is going on. And I say that having been somewhat involved in revisions of the Web site during my time at ICANN. And I think it has just gotten better.

So if you're new to ICANN you can click through the Web site for hours and you begin to piece together a picture of ICANN, its mission, its structure, its operating procedures, its community and the many issues it addresses. Now if you look at icann.org along the top you'll see a series of tabs, three of them in particular. There's the Get Started tab on the left. And that gives you a beginner's guide to the IANA functions, to participating in ICANN, participating in ALAC. There's several more beginner guides I know are in the works. There's also information on the New Comers Program.

And then under policy, developing policy at ICANN, how the DNS works, how ICANN supporting organizations work. There's a link there for the GNSO how to participate in the GNSO. This will also take you to how to make a public comment and volunteer for a working group, offer some operational policy guidance and general practices on policy.

And then public comment and this is the focus of our training. Now as the Web site states public comment proceedings feature proposals initiated by working group or department. So again if you are new to ICANN especially to the public comment process then the four options the site offers for your exploration really does open up the world of ICANN. So you can click on any

one of the four tabs under public comment and your literally can get lost in a good way reading through comments on dozens of issues that really trace the history of policymaking within ICANN.

For instance there's the Open Comments tab. And you can go in there and these are the issues that are currently open for your comment. And then there is the recently closed comments which gives newcomers an idea where ICANN focus has been for the past several months, upcoming comments which gives you an idea about potential upcoming public comment proceedings to help you and your community set priorities and plan your future workloads, and finally archived comments which you can explore at your leisure tracing the road through ICANN's policy development process now all the way back to 2007 and some earlier comments there as well.

Now once you jump into that pool of comments however you're going to find very little similarity among them. What I found were vast differences in the thought process, in structure, in clarity, in message delivery and in overall effectiveness. Now I think there's no right way to write a public comment but I think there are plenty of wrong ways. So there's a couple of points I wanted to start out with here just to keep in mind as you sit down to construct your public comment and that is to be respectful. You want to be in a position of - be in a gracious respectful position. You don't want to be partisan. You don't want to be attacking.

You want to be direct. You want to make your position clear. You want to be brief. You want to streamline your points, use less words not more and you want to be convincing. You want to convince yourself that you are ready to write.



Now I've chosen four examples and this is what we're going to do at ICANN 61 as well. We'll have a few examples, we'll dissect. But I've picked four examples here for to review, to dissect and to discuss and to look at what works and what we think doesn't work and that is going to help us when we actually start writing our public comments.

Now one of the comments I chose was the NC - the Non Commercial Stakeholders Group comments on the draft recommendations of the Cross Community Working Group on accountability Workstream 2 on SO and AC accountability. And I saw right away that that the introduction is respectful. NCSG welcomes the draft, CCWG accountability Workstream 2 recommendation. These recommendations are an important contribution to strengthening ICANN overall accountability and particularly that of the ICANN community.

However if you go right away down to the conclusion it says the same thing, The Noncommercial Stakeholder Group welcomes the draft recommendations. They're an important contribution to the evolution of the overall accountability of ICANN and its community. So what we're going to look at as the introduction and the conclusions a little later on. With the conclusion here you miss an opportunity to drive home any concerns, any objections you have.

I think the conclusion is somewhat soft. And let's look at some of the other language. NCSG also looks forward to further discussion as to whether the recommendations of the whole adequately address the important issue of preventing capture. Let me go to one another here. Despite the 25 recommendations there remains a broader question that does not seem fully answered.

When I first read this -- and we used this the other day in the first webinar -- I thought that the overall comment itself came across somewhat almost apologetic in its tone. For instance on the issue of capture as raised by the NTIA regarding internal capture by a subset of SO AC members do the recommendations in Track 1 fully address this fundamental question? The recommendations appear to partially address the issue. So again here's -- continue it would be useful to understand how the recommendations concretely address the issue of capture in more detail. And one more. The NCSG suggests that it might also be useful for there to be a fuller understanding and I'll stop there.

I went back and we had some discussion about this on the last Webinar. I thought it was too soft, not direct enough. Again I thought it was somewhat apologetic. I had some people on the call on Wednesday challenge me on that and why is that bad to do? So I went back and I looked at it and I guess it's not so much the tone of the comments but also the words that are being used. I think again you want to be direct and you want to be brief. And if you envision the people that are reading dozens of comments, may be hundreds of comments they want to get through it quickly.

So one of the things that we're going to talk about is as I mentioned earlier is how to be brief, how to be direct. Again I think this was pretty I thought this was beautifully written for the most part and but maybe more language than you really need. Let me go to the -- another example here. This is on structure. And structure I think is very important for public comments especially when you're trying to grab the reader's attention quickly. This is the Noncommercial Stakeholder's Group on draft report on public comments on the review of the at-large community by (ITEN) International.

Now the introduction is where again your tone and attitude will be established but the structure of the comment there are 22 numbered paragraphs and there's five sort of heading – headline issues. But if you look at it there's no relationship really between the numbers and the issues. The numbers just seem to be there for a reference so it's not really used well as a roadmap. But again the introduction begins graciously. It welcomes the opportunity to comment but then it immediately goes into four issues in the report which actually the authors agree with. At-large has been dominated by a few people. It is too focused on internal committees. It is not focused on holding ICANN accountable via the board.

But then come three more issues and these are issues of remaining concern. They perceive mission overlap between at-large and the NCSG's constituencies, the random selection rather than merit-based selection is worth trialing and we think it's out of scope to recommend that new gTLD auctions be used to fund at-large.

So this is all in the introduction and it's a long list in the introduction. So for the introduction you want to establish who you are, why you're here and what you want and then you can go into your list of individual issues that you want to address and do it that way and then end with a strong conclusion.

Let me go into this example here. Okay this is the relationship between the NCSG and the at-large community. Proper headlines the third section title this is the same one, opposition to new gTLD auction proceeds funds being used to fund the ongoing activities of at-large. This is further down in the comments. And we've already talked about this in the introduction so we're just continuing it here.

And then there's something called fifth section other observations which is actually one observation about the structure of the ALAC. So although these issues are valid the positions are apparent, the language I think is good. The structure of all of these points might lead some readers to sort of lose their way going through at all. And then finally the conclusion basically is the last paragraph that simply repeats what was said in the first paragraph. It welcomes the opportunity to respond. Again this is a missed opportunity to summarize your overall concern with the policy.

And I want to do one more quickly here. This is an individual comment and I actually enjoyed this one. This was entitled ICANN's IRT comments from Alan – Alex Gakuru. The introduction is clear. And he uses a bit of humor so we don't forget who he is. My name is Alex Gakuru, Chairman of the ICT Consumers Association of Kenya an irrepressible individual Internet user's right lobbyist. And then he says, "I'm hereby making a personal view of the IRT proposal before ICANN," and that's the introduction.

Well can you tell from the introduction what Alex's views of the IRT comments of the IRT proposals are? You don't because the introduction is short and simple but it's a little too simple. And here again a missed opportunity to begin with laying down your – the reason that you're there, laying down your – the foundation of the comments that are going to follow.

No Alex does six succinctly go through several specific issues with the IRT proposal, free expression. The proposal will curtail online expression, fair use. IRT will further criminalize innovation competition as corporations grow. Competition may be stifled.

So I think, you know, he's got his - Alex has his points. His concerns and his comments on those issues are brief and direct. And then his conclusion at the

end is therefore in view of why both concerns I pray that ICANN rejects the IRT proposal. Again you could – I mean he does get – there is no call to action. He doesn't say let's start over. Let's consider other ideas but he does end clearly stating his view.

Now let's get into some points about designing and writing an effective public comment. As I said earlier the first stage is plan your position remember your comment may be one of dozens that will be submitted so you want yours to stand out. So you will want to understand the policy and the position you are taking for or against it. You want to know your audience and what you hope to achieve.

You may have several issues within a policy to which you want to respond. However if you can it is best to limit your comment to a specific concern. Of course if you're writing for the constituency and it's an overview of the policy you can try to group several issues within a concern and presented it in that way. You present your concern in the introduction and then go point by point through the body of your comment.

The second stage is research your comment. You want to know the policy and facts surrounding the policy so you can submit a fact-based comment, one that relies on specific rather than just general generalities or broad analysis. And you want to determine how your position would make the policy better. So you want to do this in advance of sitting down and writing. You want to be able to support your claims.

And then the third part is the actual writing. And we can actually do this as a template paragraph by paragraph. So paragraph one for instance you want to identify yourself and you want to state the policy at hand and you want to specify your opposition or support for the policy. You want to - I talked about

being respectful. You want to recognize the volunteer work you may be well opposed to some aspects, supportive of others but you want to be able to explain that broadly in your introduction.

And then as you move on paragraph two you want to support your objection or your claim with reason and evidence. You want to explain why or you explain why you or your constituency is expertly or even uniquely qualified to comment on the issue. And then paragraph three you want to connect the comment to the people you represent, how will they be affected by the policy? And you want to distinguish your comments from others. And you do that because again the NCUC has different concerns, different mission than of the other groups and so you need to stand out and explain that.

You want to offer an alternative solution. You don't want to just complain. You want to come back with something positive. And you want to offer a plan of action on how your solution would work. And you build that up by possibly listing key indicators of success along the way if they employ your solution and maybe even present a timeline to monitor success.

And then finally is your closing comment. You want to be compelling in your summation. Again you want to express briefly appreciation to the policymakers. And you want to urge a call to action around your alternative solution. You know, don't say goodbye in your public comment without asking for something but try to make it the last thing that you do so you can leave a lasting impression.

You know, and I'm just thinking as I was preparing this and did this since - want to come back to here. I don't have a slide for this but I was just thinking that why does all of this matter? Well it doesn't really if you got the time and the talent to combine and massage complicated content and opinion and

fashioning it into a convincing product that you can sell to the board. But if you are short on time or talent this template somewhat ensures that you're checking all the boxes you need to to drive home your comment.

It helps organize your thoughts, helps organize your ideas. And so you can bring that to the table and then start plugging all of that in. And it can help you develop a streamlined system for getting things done. And it will become second nature to you. You'll just start thinking in that ways of covering all your bases. Let me give a - let me go here.

This is a final comment. And here's a public comment that I believe does click all the boxes or most of the boxes for being an effective public comment. This is the IP Justice comments on IRT report, IP Justice opposes the IRT report proposal. This is Robin Gross who wrote this.

So what does it do? Well right at the top it identifies the organizations and who the organization represents so no questions there. IP Justice is a nonprofit public benefit organization promotes balanced intellectual property rights and Internet law and policy. And then boom then the author immediately states her overall objection to the IRT proposals, opposed to all major proposals contained within the IOT report as being beyond the bounds of trademark law and beyond the scope of ICANN's technical mandate.

Then it goes on to identify several issues in particular but again groups them under that one strong statement in the opening paragraph. So and let's go as - into the specific points that she lists to back up what she just set up in her introduction. The I02 report proposes to shift the burden and costs of protecting brands over to Internet users and away from the private companies who benefit from the privileges of trademark protection. We're concerned about the harmful impact on freedom of expression, particularly criticism and

noncommercial speech by the proposed rules. IP Justice is further opposed to the biased composition of the IRT team and the secretive matter in which it did its work. So again all the points valid, direct, good choice of words, no doubt on where the author falls on these issues.

Again the tone of the public comment though direct and forceful is respectful recognizing the efforts of the IRT despite it's hard work and long hours which we all recognize and appreciate. The IRT team failed its mandate to find a solution acceptable to all. And then the comment offers solutions at least some. ICANN should ensure other stakeholder's views could be heard not only the (unintelligible) by providing travel support to noncommercial users and others who have significant concerns with the proposals but no resources to participate.

And then finally a strong conclusion. ICANN must not allow the constant threats from intellectual property lobbyists to prevent the organization from introducing new gTLDs in creating an Internet that benefits everyone. And finally a call to action. Please do not allow the threats to hold up the process any further by continuing with the IRT report in any form.

Now I – this was probably an easy one for Robin Gross to write. She's pretty much brings a lot of passion to the issue. And that's important to have if you're going to sit down and write a comment. You have to bring your passion. And the fact that you're with NCUC to begin with means that you're bringing a certain amount of passion activism to what – to the issues.

You don't want to have your comment look perfunctory. And during my research I came across quite a few comments throughout the community that came off more as an obligation than an attempt to change things to influence. So with that now I'm going to stop. Thank you for and indulging me. We can



talk about the theory of public comment writing and we can dissect the work of others and learn from it. But writing is doing and that's what we will be doing at the training session at ICANN 61 whether you're there in person or if you're joining by Adobe Connect we're going to get you involved. We're going to try to make it as interactive as possible. So either online or in Puerto Rico I hope to see you there so thank you so much. And if you have questions please.

Maryam Bakoshi: We have Claudio hands raised in AC room.

Jim Trengrove: Okay sure.

Claudio Lucena: All right. Can you hear me?

Jim Trengrove: I can yes weakly but I can hear you yes Claudio.

Claudio Lucena: All right I'll try to get a little bit closer to the microphone.

Jim Trengrove: Oh that's good. That's very good.

((Crosstalk))

Claudio Lucena: This was a very interesting presentation. As you said it might be in the end of the day that we develop our own way of making public comments. But for the ones who are citing the structure that you show is really, really helpful in resorting to actual comments where their failures in the strong point is really interesting for us.

I have one warning. I'm less than a year in ICANN. This is going to be my third on-site meeting. I've joined NCUC for about eight months ago so I'm

really on the starting procedures although I have already taken part in some of the efforts. But I have a question I believe we're going to address that also in the seminars it's not an easy one. I don't expect a simple answer.

But from what you told it seems that sometimes one has at least individually not on behalf of the constituency because I think it's another game but at least individually at times you have contributions to make that seem to fit the discussion process within the discus constituency but they're not ready yet to become a public comment. Is that feeling - does that feeling does it ring a bell to you because it seems that you don't have enough to structure a whole contribution to the whole community as a public comment. It looks like more a contribution that you could have taken forward within the constituency. And the difference how to recognize when you'd have enough for a public comment and we don't have enough yet to within the constituency still strikes me. I don't know if you get what you (unintelligible).

Jim Trengrove: Well it's and again we're talking in the abstract here. But if there is a point that you are passionate about if it's a specific point and if you can go through that checklist of being able to develop a comment on it, a position on it that you've researched if you have an alternative to offer that you think would work better, if you're able to show how it can work better and how you can judge over a period of months or years on how it worked better if you feel confident of it then it's worth a public comment. If it still needs development, you know, talk to some of your fellow members on the constituents – in the constituency and discuss whether this is an individual comment, whether this is something that could be included in a collaborative effort. You know, you judge I would say on issue by issue. And again I - there's no you just have to make that determination. But because you are part of the NCUC you're going to get a lot of feedback and get some help on making your decision. I see Rafik has his hand up.

Rafik Dammak: Thanks Jim, long time no see and thanks for the presentation. You give us a lot of advices and hints. Maybe it really was – so I think you get kind of general public consultation for it. I think lately in ICANN we are getting more different type of consultation. It's not just like outcome of working group report and recommendation but we also have like questionnaire and so on.

So do you think like what you give as advice is still valid or do we need may be a different format for those because like for a questionnaire or survey and so on there are a list of questions. So it's not like in the same way you may like develop a position around recommendations. So is there anything specific here or different?

Jim Trengrove: I, you know, I when it comes down to it writing is writing and offering your positions is always going to be a I don't want to say a labor of love but it's going to take your passion and your concern. Now whatever structure that takes or whatever the development process is, you know, that as you say that seems to have changed. But, you know, I just think that sitting down and collaborating trying to reach consensus or offering your opinions and developing the content, structuring it deciding on the tone being direct being brief, you know, I don't think it really matters what kind of process you're working through. I think using that as your basis to get your points across I think are always going to be valid points.

I'm not sure that answers your question but I look forward to, you know, having a further discussion about this with people who are more familiar with that than I am during the seminar in Puerto Rico.

Renata Aquino Ribiero: Hi Jim, Renata here. Just I have a very simple question. And sorry for not being at the beginning but this was a great learning experience to flag

our first Webinar. And well my question is what if I fail? What if I have a comment which is not ready or I'm not sure or it's rejected by other comments by other members. So what happens there? How do I convince my point or move that comment along? And thank you once more.

Jim Trengrove: Well you raised a couple of points that are maybe even contradictory. You say what if I fail or what if I'm not sure about my points? You know those are different - you're approaching your comment from you know why did you fail? Did you fail because you weren't sure or did you feel because even though all the research that you did and the design of your comments and design of your position you felt was very strong was still rejected by others. So those are different outcomes.

We discussed this a little bit last Wednesday about when do you comment as an individual and when do you comment within the constituency and when do you back away and let compromise take over? And that's something you have to do, every individual has to make because yes you are an individual. You have beliefs, you have motives.

You've got moral positions that you think need to be addressed, defended, pursued. But at the same time you're also part of this constituency and there other like-minded people with you, maybe not completely like-minded but you're all there for a reason. And I would think and during my time at ICANN I thought that as well is that those who work within the constituency who build up these – who work within the constituency and put their individual concerns secondary if you can that works because that's only going to strengthen the NCUC by having people stay within the system.

Now if there's something that you completely disagree that you can't stomach that's within the comment or the constituency that you – they've reached

consensus without you you feel strongly enough then yes by all means issue a - an individual comment. But again I think for the strength of the constituency and for the impact that I think it has that are to come through the constituency that a bunch of voices maybe even saying a lot of the same things all individually filing comments. Nick Shorey's up.

Nick Shorey: Hi Jim. Can you hear me?

Jim Trengrove: I can Nick. Yes.

Nick Shorey: Excellent. Nick Shorey for the record. Thanks very much for the presentation. I have two questions. The first one is regarding communications to the ICANN board, if we send a letter to the ICANN board on a particular issue for instance.

I understand that the ICANN board when they convene are presented with briefing documents which are prepared by staffers. If there are particular structures to those briefing documents that might influence the way you would structured a communication to them so that, you know, it can be broken down more effectively or will the board members be provided a hard copy or self copy of the original communication that's sent in by the NCSG? The second question is regarding our next document for links to extend the resources which often feature in a lot of our comments it might be a particular data protection regulation or something like that. How should those be incorporated into our communications to be absorbed most effectively by with yours? Thank you.

Jim Trengrove: Okay I know these are two questions I will have to research. And I will. I mean I had – I worked pretty closely with the board and I'm not sure - and I now the board's I - you know, new members of the board staff. I can check

with them and get back to you and get back to the group here on how the documents are presented. You know, I always think that, you know, if you've got a comment and - or you've got some information that's being presented to the board I'd go right up to as many board members as I can and say, "Hey keep an eye out for this." I think the one on one interaction with members of the board if you can do it is very important, give them a personal heads-up and then I think they're more receptive to looking at the word that comes down.

And the same with the external links as well how they should be incorporated and presented if that is important. I can check on that as well. But between now and Puerto Rico I'll have some answers to that. And actually I'm going to the ICANN office in Washington next week and I'll be able to talk to some of the policy people there as well.

Nick Shorey: Okay that's great. Thanks very much Jim and look forward to seeing that response.

Jim Trengrove: Thank you.

Renata Aquino Ribiero: I think there were some - Renata here. I think there were some comments or questions in the chat. So there was...

((Crosstalk))

Jim Trengrove: Well yes...

Renata Aquino Ribiero: ...a conversation here.

Jim Trengrove: I'm sorry didn't see these yes. Okay well let's go through them. Yes I had the wrong things clicked here.

Okay I see Nick's comments. "Is it okay to respond to public comment as part of two different groups our organization, i.e., part one as an employer member's constituency may be in personal capacity?" You know unless you can – and this is from (Zecura). I hope I'm pronouncing that correctly.

Unless you can make that clear that you are – and again this would be in the introduction of introducing yourself of who you are, who you're representing and in what capacity. So yes you can do that rather than sending two different comments. But, you know, is everything the same? You're talking about two different groups organizations of public comment. Well does the issue at hand affect each group the same or are there different reactions, are there different constituencies and are they going to be affected differently? That's what you need to be concerned about. But if everything else is the same then I don't think there's a problem with saying I'm coming to you here in my organizational capacity but also in my personal capacity.

Oh from Olga, "For how long should one should silently follow the PDP before commenting himself? Is there any right moment to start commenting? Is it advised to start with drafting comments as part of the constituency or try as an individual first?"

Olga that's a good question and if – and what I don't have here are the points that are in the operational procedures that came out in September on public comment. I mentioned that there are five pages and there's a pretty detailed path to follow for the pen holder in organizing the comments and organizing the input, you know, attracting comments, putting them together and several different steps towards achieving consensus. So you know I – you asked how long should one be silent following – I don't think you should ever keep silent at all. You should certainly be talking about it all the time.

You should also always be communicating and get the input of others and that will help you make a decision. So I'm never one for urging people to keep silent. You may – but you're talking about – and I'm talking about within your constituency you want to be vocal and even challenging outside the constituency you may want to as I say keep your powder dry a little bit until the constituency you – until you have an idea of where the constituency stands on a position and what action they're going to take.

And I think – so I think that – I think I've captured all the comments. I mean the questions are very good comments here from members that I'm going to hold onto as well and look over. But I think I – oh Rafik has another question so let's go to Rafik.

Rafik Dammak: Okay sorry. Maybe I should not participate that much but I want to make a comment and also have a question. So I think Jim you really focused on writing or drafting the comment. And this is just one phase of among all ICANN. Maybe if you can also give some or emphasize about reading the material in first place to understand what we are commenting on.

So I think that's the research part. And also I think for instance you mentioned about creating procedure. Is that - this is my own experience. I think what worked well many times is that when we have a pen holder is that the he or she give like provide a first draft as maybe like straw person in the way that we know that maybe it's not perfect. So there are a lot of revision that can be expected.

But what we see is that is it's more comments and participation from members. So is this kind of trying to act quickly even just for concern (unintelligible) then we can rework?



So maybe if you have any kind of advice or suggestion on how we can improve around that so because when one constraint is the (time) the public comments usually is not – it can – it's usually around 40 days, sometimes can be extended. But that's kind of the average and that's (sic) can be really constrained in terms of participation and when we have – when we need to work on a comment for a group compared to an individual that he or she doesn't have that (clearance) or restriction.

Jim Trengrove: Well and looking at the yes, and looking at the timeline for making public comments you're right that there's a shortage of time and you're communicating with people around the world in different time zone so you're not getting instant feedback necessarily. And I, you know, I'm not all that - I have to admit I'm not all that experienced with the pen holder and that's why I'm really looking forward to exploring and discussing that in Puerto Rico. But I think it is a good idea to get something out there moving quickly. I mean you want to research, you want to prepare. We're writing a comments but you don't want to make sure that everything is perfect before you sit down and write especially if you think that it's going to be fairly contentious.

I mean if everyone agrees on an issue I think the pen holder may be able to write something that everybody's going to agree with or - and there may not be some changes. But, you know, to get something out there quickly and touching on all the important points I think you need to have the content that's going to be there whether you're – the language that surrounds it you can massage and work on. But I think before you sit down and write there needs to be an agreement on we're going to talk about this, we're going to talk about this, we're going to talk about this. And by then you shall have input on anything else that people want to talk about or to leave out.

But I agree it it's good to get something out there moving and getting people to jump in at that point. But yes at some point the pen holder just has to I would imagine have to take charge and push this and giving, you know, you want to give your members an opportunity to respond but you've also got an obligation to the group to get this presented in time. Renata do you have...

Renata Aquino Ribiero: (Unintelligible) Renata. Yes I was just seeing some of the questions here in the chat and I'm also curious about (a certain) question. "Will it specifically search then in person if we contribute to this process?" And I would add so researching for (viewing) comment. So where do we start, what we do? What are the priorities here? Thank you.

Jim Trengrove: Okay let me see if I can understand. You're talking about the priorities as far as the research goes?

Renata Aquino Ribiero: I think preparing yourself to contribute to the comment. So should we go forward and draft our report only? Should we go look for the working group action or timeline? What would you recommend?

Jim Trengrove: Well I would recommend – I don't – again this gets back to what I had asked earlier about do you comment on everything and do you look at your – if you – are you looking at your role in this to be perfunctory or are you just doing this through an obligation? You want to bring to the table to the – you want to bring to the discussion again your passion and your knowledge of the issue. So, you know, whether you're using the working group work or whether you're doing individual research if you've come up with an angle or a point that hasn't been looked at earlier remember that back to the presentation I mentioned several times about distinguishing your comment from others and establishing why you or your group is uniquely – is an expert – has the expertise and maybe even uniquely qualified to comment.

So I would bring everything you can that is new, unique as long of you got the facts to base it up. Yes so I – I'm not sure that answers the question but I think new different ideas and that you can try to sell to others I – and that can be a challenge but that is done certainly much before you actually sit down and start writing a comment. Just collect your research have your facts and be armed with them to support your position.

Renata Aquino Ribiero: Thanks Jim. I realize the we have given up two minutes of the hour already. Thanks everyone for participating. I would just note one last question Jim and thank everyone and wrap up – you can wrap up our Web seminar it's (unintelligible) question. I am a newcomer and I do not really belong to any organization. Individual public comments can be done. Is it mandatory to be in an organization so to do a comment? Thanks. That would be...

Jim Trengrove: Well it is not – I mean of course it's not mandatory but you are – if by working through the organization for instance if there's an issue and the board gets 15 different public comments on an issue that are all basically the same that's fine. But if the - you know, is that better than having one strong organizational response that is well-crafted, well researched, well supported with solutions, it's direct? I think in having a strong comment like that from the NCUC rather than individuals is much more impactful.

Now the caveat to that of course is if you're trying to get something within the constituency consensus report and you're not having any success and you feel strongly about it then you can mention something, do it as an individual. But if it's unique and if it has a – if it's a new comment or it's distinguished from others, you know, you ought to be able, you know, I think with a little influence you are to be able to sell that within the constituency and say have you thought about this? So again I like working within the constituency but if

there's - if you're not having much success there and you're adamant about your position then by all means I would go with an individual comment.

Renata Aquino Ribiero: Thanks Jim. Well everyone we've reached the top of the hour. This was again very educational and certainly gives us a lot of food for thought for our walk-in policymaking. I'd like to thank Jim once more and we can adjourn this – we can finish the call. Thank you.

Jim Trengrove: Thank you very much everyone. I really appreciate it. I look forward to staying in touch. And feel free to send me more questions off-line here. And again I hope to see some of you in Puerto Rico.

Maryam Bakoshi: Thank you very much everyone for attending the call. (Michael) you may stop the recording and disconnect all lines. Thank you very much for your time today.

END