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GNSO – CPH Meeting
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Graeme Bunton: Good morning, everyone. We're going to get started. Can we start the recording at the back of the room? Give me a thumbs up when you're good - we are good to go. All right, good morning everyone. My name is Graeme. I'm the chair of the registrar stakeholder group. To my right, your left, is Paul Diaz, chair of the registry stakeholder group. And this morning, we're going to spend a super enjoyable three and a half hours more or less together. The two in this room and then another hour and a half with the Board. Zoe was very quick there on the trigger to correct me. We've got a good agenda for this morning. We've got some 20 minutes after the morning break to prepare for the meeting with the Board an then we go and meet with the Board later today.

Is there any reason not to just get right into it, Paul? You got anything else?

Paul Diaz: Rick, you going to be good to provide us an update on RDAP?

Rick Wilhelm: Rick Wilhelm for the record. We're going to get started with - and I don't know what I did - we're going to get started with an update on RDAP. I'm not

sure what I did to bat leadoff here this morning. Thanks, Sue. Yes, soft launch. So RDAP, we are in the mist of - we are the end of the RDAP profile comment period. So what that means is that the RDAP profile has been written. It went out for public comment. That happened toward the end of July and the comment period opened August 31. It closed in the middle of October, October 13. Staff report is going to be due, according to the timeline that's posted, on November 16. We received comments. Comments were posted by number of entities -- the ALAC at large advisory committee, BC business constituency, internet infrastructure coalition also known as I2 Coalition, the NCSG, non-commercial stakeholder group, the registrar stakeholder group, and the registry stakeholder group as well as there was a separate comment posted by Mark Monitor without specific mention of their position vis-à-vis the registrar stakeholder comment, as well as separate comment posted by Gavin Brown from Central NIC without comment and in advance of the registry stakeholder group.

There were a few other comments posted and so the group - the RDAP pilot working group will be working through those here shortly. The thing that's been dominating the RDAP pilot working group since the comment period started was a set of comments from staff that we posted to the RDAP pilot working group prior to the comment period opening. These were an enumerated list of 28 comments that came in as the document was being finalized and sent out for public comment.

And so the group has been kind of working through those one by one on the weekly calls that we've been having. I've been previously asked about my assessment of these - overall assessment of these comments and what I've said previously in the meeting here is that I would roughly bucket them into one third, one third, one third groups.

There's about a third of them that the RDAP pilot working group says, approximately, yes we agree, minor editorial wording stuff and we'll go ahead and adopt those changes. Second group is yes, we largely agree but we

would prefer different wording then ICANN staff has suggested. And the third group is no, we disagree, and as a matter fact we've covered these items before and we - they're not in the profile on purpose. Those are approximations of the group's positions and meant to give those listening a feel and a flavor for what RDAP pilot working group is doing. So we're going to be working our way through those.

What will come out of that will be an updated - will come out of those 28 comments from ICANN staff as well as all the comments that the group received by the public comment period will be an updated profile, which will then ostensibly be the one that is being put forth for adoption. It's unclear to me if that would require another public comment period. That's probably a separate topic. I don't believe that that new - that that updated set of profile documents is going to be that materially different, but it will be substantially redlined.

You'll notice that I've been saying profile document, if you're coffee has soaked in at all this morning. If it hasn't, grab another coffee or tea. One of the important bits of progress this year that the group has made has been to restructure the RDAP profile into two different documents . We have called these things the response profile on the technical implementation guide. The reason for that is that upon the emergence of the temporary specification and the redaction and changes in output that it was causing, we realized in the RDAP pilot working group that there was a need to have some elements of the RDAP profile that were going to be stable over time because they would be oriented towards the IETF RFCs and other elements, which were going to be stable but oriented towards the policy based elements of this.

So we separated the document into these two separate items, the response profile and a technical implementation guide. And one of the ways that we did this was that we wrote a response profile that corresponded to the prior WHOIS output and another response profile that corresponded to the temporary specification, and then the technical implementation guide, which

could be used with both of those. So it sort of was an existence proof that this would work.

Depending on what happens with the EPDP and how the output of RDDS will change subsequent to the EPDP, we would anticipate needing to write another to iterate the response profile and to be able to keep up with the output of that. So hopefully that makes sense to the assembled group.

Next steps for this group, as I mentioned, will be to work through the staff comments, work through the public comments, and iterate the profile documents and come to a conclusion. We're meeting weekly. It's a relatively small group that meets on a weekly basis. This is CPH group so these are the folks that could and should be participating. There are contractual requirements for contracted parties to be implementing RDAP and there's a notice period of 135 days that will be required, 135 days after a notice period.

So if contracted parties haven't started paying attention, it's a good time to be engaging with the RDAP pilot working group even a little bit because the folks that are involved can learn something by engaging, being on the mailing list, joining the calls and things like that.

Another item that we have is the SLAs and reporting. This is not really part of the RDAP pilot working group, but it's part of RDAP implementation. It got linked in with RDAP due to the temporary specification, which triggered more urgency around RDAP. The SLAs and reporting are not finalized, the documentation around it. Although the SLAs and reporting requirements themselves are largely agreed. SLA and reporting requirements are settled in at technical specifications that appear to be reasonable given the newness of the implementation. But we're still working on ways in which they will be integrated into our contracts. It's probably the key issue there.

That about 15 minutes of monologue and since I'm not Kimmel that's probably more - that's probably about 14 minutes too much. You're going to

give me 13. Thank you. That's awfully sweet of you, John. So maybe Q&A either from the table or the floor, or both.

Paul Diaz: Thank you, Rick. Very comprehensive. Thank you for your continued leadership on this issue. I know it's been a lot of work. I also know registrars have been involved. Anybody who has been working with Rick on this issue want to add anything or a little extra color? Jeff, go ahead.

Jeff Neuman: Thanks, this is Jeff Neuman. I just wanted to add something on the SLAs. So I don't know if you wanted to separate it out and ask for any comments on the RDAP stuff first, or should I just go?

Paul Diaz: Why don't we go right into it, Jeff?

Jeff Neuman: So Rick is right. AT some point, hopefully soon, there's going to be this SLA document that will go out for comment I guess. We still need - I just want to remind and put back on the agenda for the ExComs to make sure that the way that we believe it needs to move forward after that is through a mutual negotiation period under the contracts. So I know that there still may be a disagreement with GDD who think that they may be able to just do it by a legal notice.

So just to get it on the calendar that we should probably set up a meeting with legal so that we can understand their side and then either way, we probably have to kick off a mutual negotiation period fairly soon and then make sure that we ourselves limit that negotiation period only that the SLAs or anything else on RDAP that we need to put in there. As much as we might want to negotiate other things or ICANN may want to negotiate other things, we need to be pretty clear that it's very limited and if there are other things to negotiate outside of that, July would be the next time to open up another negotiation period. So we could do that then I assume. Thanks.

Paul Diaz: Thanks, Jeff. Other thoughts, questions, concerns. Rick?

Rick Wilhelm: Two things. One, to Jeff's point, a lot of times with this one, people hear RDAP SLAs and reporting and they think, oh, RDAP, that's technical. I don't need to pay attention to it, but it really is a contractual issue. So I would hear the contractual SLAs and reporting and pay attention to it like that,.

The other thing, it's worth an element of recognition for Roger Carney and Jody Kolker from GoDaddy who I don't think are in the room now, because I think I saw them in another meeting. But they've been very active participants in the RDAP pilot working group. So just wanted to recognize their active contribution.

Paul Diaz: Thanks, Rick, and yes, definitely thank you to all who participated. All right, looking around the room, not seeing any hands. Why don't we shift gears then? Thank you again. Shift gears and let's talk about update from the tech ops group. Are you taking the lead or who's taking the lead? Marc?

Marc Anderson: Good morning, everyone. I'm Marc Anderson. I'm one of the co-chairs of the tech ops group along with Tobias Sattler, my other co-chair. I'll give a quick update on tech ops and where we are, what we've been talking about. For those of you that don't know, tech ops is about a year old now. It's a group that was put together following the 2017 GDD summit. In the 2017 GDD summit, we came together and talked about common issues that registries and registrars were facing and we realized they were all the same issues that we talked about in 2016 at the GDD summit. And so there was some recognition that we needed to do a little bit more than talking about these issues once a year at a GDD summit.

And so that led to the formation of this tech ops group. And so we're around a year old at this point. We had a full day tech ops meeting on Sunday here at Barcelona and we covered a number of issues. We talked about registry maintenance notifications, registry reporting, the domain - future of the

domain name transfer policy, registry transition, registry mapping, and we had a couple guest presentations as well.

I want to highlight probably the most significant one there and that's around the domain transfer policy. And with domain transfers, the tech ops group identified some challenges with domain transfers due to GDPR. And the group came together and presented some recommendations on how to address that, provided those recommendations to ICANN staff and those recommendations were largely accepted and included in the temporary specification. And so that was a nice win for the tech ops group and I think registries and registrars in general.

But there was a recognition that what is in the temporary specification is really just a Band-Aid and that we're going to need a more fulsome, long-term solution. And so that's been a focus area of the tech ops group, discussing the domain transfer policy and what a better, more fulsome solution there would be. So continuing our work from this year's GDD Summit, we did additional work and planning on how to move that forward and bring it into a more modern and post-GDPR world.

In addition to that, we are starting planning on next year's GDD Summit. So we had a full day track at this year's summit and we're looking at doing something similar or maybe even expanding on that for this next coming GDD Summit. And I think that's about it for an update. Tobias, am I missing anything? Anything you want to add?

Tobias Sattler: Tobias speaking. Nothing from my side. Thank you.

Marc Anderson: I think that's about all we have. Any questions, comments?

Graeme Bunton: Thanks, Marc. This is Graeme. Thank you for the update. Thank you guys for doing the work in tech ops. I'm hearing great things about it and I think good stuff is coming out of there. Just for everybody in the room's sake, the

policy wonkery that happens at ICANN meeting is not for everyone and if you can't bear to sit in some of these rooms and listen to some of this political stuff for a long time, tech ops is definitely the place for you, or you should be sending some of your engineers or product people into tech ops and getting them to participate in there. Because I it's really helpful.

All of the feedback I got after that Vancouver GDD Summit was that the tech ops sessions were excellent. They were well attended. Good action items were coming out of there. There were people who could engage in ways at the GDD Summit that they couldn't previously. And I would encourage tech ops to drive the 2019 GDD in Bangkok Summit agenda super hard. Get as much on that agenda as you guys possibly van and I think we'll see a lot of value come out of that work. So thanks.

Paul Diaz: All right, absolutely agree with Graeme as well. Paul Diaz for the record. And we will come back to the summit but I know that the tech ops guys -- people, sorry, don't mean to be gender specific -- people are also actively involved. A number of you volunteered for the planning committee. So to Graeme's point, do keep doing the excellent work you're doing and take hold of that agenda as much as you can.

Before we talk about the Summit though, let's spend some time with the GNSO Council update. And I'm not sure who's got the lead. Thank you, Keith. Please.

Keith Drazek: Okay, thank you, Paul. Good morning, everybody. Keith Drazek, registry stakeholder group, one of the GNSO Councilors. We're going to have a slide up on the screen here momentarily and I'm getting a pop-up box saying that my laptop is about to restart, so the sooner the better.

All right. So I'll just start by saying that as this is the annual global meeting, the GNSO Council will have two meetings tomorrow. The first meeting, which is the normal council meeting with the various votes and discussions as we

would have at any meeting, typical to our monthly meetings. And then there's an administrative session in our meeting number two, which is where the new Council for the next year will be seated and where the vote for the next GNSO Council Chair will take place. And I think as most of you know, it is a contested election and it will be Rafik Dammak from the non-contracted party house and myself from the contracted party house.

So the Slide is up in front of us now. So let me just run through the pending issues that the Council will be discussing tomorrow. And then I want us to focus specifically on Number 5 and Number 6 under the GNSO Council meeting number 1 because I think we have some substantive things to brief you on and to seek your input on.

So Council Meeting 1 is a consent agenda, which will reform Julf Helsingius as the GNSO Council liaison to the GAC. And recommendations report to the Board regarding adoption of the final report from the reconvened working group on Red Cross names PDP. There will be a Council vote on the confirmation of the standing committee on ICANN's budget and operations charter.

The council vote on our GNSO policy development process 3.0, which has been an effort of the Council for this calendar year, kicked off during our face-to-face session in Lose Angeles in January. Council vote on the termination of the next gen RDS PDP working group. There will be a council vote on the IGO/INGO access to curative rights protection mechanisms. This is one that we're going to come back to. Council update, not a vote but an update on the EPDP progress, and I think that's something that I think we want to touch on briefly here as well.

And the finally as I mentioned in the GNSO Council Meeting 2, there will be the seating of the Council, election of the Chair, and then a discussion of the GNSO empowered community roles and responsibilities. And this is an important update and overview for in particular the new councilors that will be

seated for the first time, to ensure that they understand what the GNSO role is in the empowered community.

So let me pause there, see if anybody in particular, any of the registry or registrar councilors have anything to add at this point, before we get into the substantive discussion of 5 and 6. Michele, thank you.

Michele Neylon: Thanks, good morning everybody. Michele for the record. Excuse me, I'm going to lose my voice. A couple of these items here on the - that we're voting on should be completely non-contentious and if we can just get them done and move on with our lives, that would be great. In particular, Item 4, we really want to put that poor animal out of its misery and just move on.

However, there might be some lengthy commentary from some elements within the non-contracted party house around this where they might wax lyrically about how sad it is and all that kind of thing. But I don't think anybody is going to vote against us. Thanks.

Keith Drazek: Paul Diaz: Thanks, Michele. Anybody else? Any other councilors have input? Yes, Pam. Thank you.

Pam Little: Pam Little for the record. I just want to add a comment regarding Item 2, the confirmation of the standing committee on ICANN's budget within the Council. I see this as an excellent arrangement or initiative on the part of the Council. It's also in the way of kind of divvy up the workload among the councilors. There's no way all the councilors, 21 of them, can devote enough time and energy or attention to this very important subject. So we have a subcommittee structure within the Council, I think that would be very helpful for the Council and the fellow councilors.

There was also a discussion at yesterday's GNSO and ccNSO joint meeting that we kind of joined force with the ccNSO folks because they have been doing this comments on ICANN budget traditionally in a much more

disciplined or rigorously and looking closely into ICANN's budget than maybe the GNSO Council as a counterpart. So I think that's a good initiative going forward. Thank you.

Keith Drazek: Thanks, Pam. I agree and I think it's also important to note that as everybody knows, the Council is made up very disparate groups, and interests, and perspectives. And as it relates to the budget, I think we just need to ensure that when the Council makes a comment on the budget that it is not inconsistent with the views of its constituent parts. So as stakeholder groups and constituencies, we all need to make sure that we are providing our direct commentary into the budget process as well and that making sure that the council, when it submits comments, it is truly a consensus view of the council rather than sort of slicing and dicing it up into pieces that various groups may not agree with.

Pam Little: Totally agree and that's how it's chartered. It has come to the Council as a whole for approval for the comments that are going to be submitted on behalf of the Council. Thanks.

Keith Drazek: Thanks, Pam. Any other comments? Okay. So Jeff and then Jonathan.

Jeff Neuman: Thanks. We'll do number five you said separately. But on the PDP 3.0, I know this may seem really trivial and minor, but I would ask if we could -- when we have a council vote -- if we can change the name from 3.0 to something, 2 point whatever. And I know it's trivial. The reason I'm asking is because when we went from 1 to 2, the understanding was that those were fairly major changes involving working groups of the community, as opposed to just really minor changes, which I think most of these things going from the last version to this version are.

And just to not set a precedent that major changes can or should be set by the Council alone without going through some sort of working group process. I would just ask that we call it something different than going from 2 to 3,

which implies, again this is for future down the road. I just don't want to set a precedent that major changes to a PDP can be made or should be made without a real community process. Thanks.

Keith Drazek: Thanks, Jeff. Your point is taken and that yes, these recommendations coming out of the policy - the PDP 3.0 process are incremental, not revolutionary. But the Council has been calling this PDP 3.0 for almost a year now. So I don't see us necessarily changing the nomenclature the day before or the day of the motion.

Jeff Neuman: Sorry, this is Jeff. I understand that and I kind of made this comment over and over again. It doesn't matter at the end of the day, but this is looking ahead for five, six years, seven years down the road. I think it's important, again, I know it's what you've been calling it. It's something like we've been calling WHOIS is for 20 years or 25 years now and we're changing it to RDDS. It's a name but it's got significance. I'll drop I there but I think it's an easy fix.

Keith Drazek: All right, thanks Jeff. Jonathan was next and then anybody else? Okay.

Jonathan Robinson: It's Jonathan Robinson. One comment and one question. So I'm not sure it was mentioned. I possibly missed it but the GNSO work on the budget devised by the standing committee prior to coming to Council and that standing committee has both councilors and other attendees, of which one of them is myself. So it is quite a useful forum but I take your point. It needs to go through the thresholding of being overseen by the Council prior to being formulated. But there is that sort of working group type approach to it.

In terms of the ccNSO, Pam, that you mentioned, was there anything concrete agreed? Because I know we've gone around that loop a few times earlier, did a great job, do some systematic work. But was anything agreed as to how we might work with them or what might happen? Or was it just

more we should work together and sort of sentiment rather than something practical agreed?

Pam Little: My recollection was the letter, Jonathan, and my fellow councilors can correct me if I'm wrong. So there wasn't like a formal arrangement. We must kind of work together and have consensus about a particular point or position before and made a joint statement or something like that. Just kind of maybe learn from each other and information, experience sharing. Thank you.

Keith Drazek: Michele, were you in the queue as well?

Michele Neylon: (Unintelligible) Keith. I'm so sad this morning. Just on the point that Jeff was trying to make there. I don't want to get into the weeds on terminology but I mean, if you want to get past the 2.0, 3.0 nomenclature how about just a simple rejig, reboot, or call it Tuesday. Who gives a damn. I don't know, I just wanted get too kind of hung up on it. But if you want it, call it something else. Fine. I'm not going to lose sleep over it.

However, the idea that any of those kind of changes that are being discussed are being done without community input, I have issues with, because we have been involving the community as broadly as possible, both in face-to-face meetings, in - somebody which remind me in which country and city we were in because I can't remember, but we differently did that. We dedicated I think it was half of the GNSO working session to get input from both people, normal people turn up and anybody who happened to be in the room. And we also put that out for commentary and feedback to all of the stakeholder groups.

So any kind of hints of this wasn't community, blah, blah, blah, I have issues with. Thanks.

Keith Drazek: Jeff, go ahead and respond and then we need to get onto number 5 and number 6.

Jeff Neuman: This is Jeff Neuman. I apologize if it made it sound like there was no community input. I think when we went from 1 to 2, there were working groups set up, an extensive review, and just that kind of thing that took about a year or so with a real comprehensive review and major changes. But you're right, there was community involvement. So I'm not saying that. I'm just saying that when you make major changes it should go through a community working group process. Thanks.

Keith Drazek: Thanks, Jeff, and I don't think anybody is disagreeing with that. I think if the Council or the community were considering major changes, there would be a working group of the community members set up regardless of what number we've attached to it. So let's move now to Number 5. This is an important topic because the Council has been delivered a final report from the IGO/INGO access to curative rights protection mechanisms PDP.

And the Council is now faced with a situation where there are five recommendations in that final report, one of which appears to be potentially out of scope of the charter and is in direct conflict with previous GAC advice. The Council received a letter this week from GAC Chair asking us for consultation around the issue and Donna, I'm going to turn to you and to other councilors for a little bit of help on this one as we get into the substance.

But the Council on this topic is faced with a question as to how we handle these five recommendations, whether we need to look at this as a possibility of forwarding the four sort of non-contentious recommendations, carving out fifth that's the problematic one on both of the issues that I mentioned, both in terms of possibly being out of scope and the GAC advice issue. And essentially trying to just figure out how to handle this. There is the possibility that it could be deferred one meeting but this is a topic that has had active conversation at the Council level this week. Decisions have not yet been

made. It's a topic that we will be discussing this evening during our evening GNSO Council working session.

So let me pause there and see if there are any other councilors that would like to jump in, weigh in, and help me out on this one. I see Donna and then Michele again.

Donna Austin: Thanks, Keith. Donna Austin. So I think during updates to the registry stakeholder group meetings, we've identified that this is coming down the pipe and it was a little bit of a challenge for us for a number of reasons. One it was that this was a PDP that had a number of challenges with it and resulted in procedures being used that haven't been used before. So there was controversy about the way that we ended up with the final report.

But the Council has also had additional conversations about what's our role when we receive a PDP and it's gone through the process and we end up with recommendations that some people may not be very comfortable with. So that's been an ongoing discussion in Council. I think we've probably had that conversation three or four times now and we had a webinar a couple of weeks ago where we addressed a couple of threshold questions, which was around whether it answered the charter questions. One was GAC advice and I can't remember what the middle one was.

But we actually set up a webinar because we felt that if we answered those threshold questions than we might be in a reasonable good place to be able to move forward with the resolution that's on the table. In conversations we had, we had some discussions about this Sunday and the conversation started to I'm not going to say break down, but we started to focus on recommendation 5 is a challenge for a number of reasons.

I think to Keith's point about the GAC advice, recommendations 1, 2, 3, and 4 are also contrary to GAC advice, in addition to 5. So we need to acknowledge that. But I think where the problem is from a practical

perspective is that perhaps recommendation 5 goes beyond the scope of the charter and it actually puts IGOs in a worse position than when they started.

So we're trying to deal with that but we're trying to balance it with what's the role of the Council. This PDP has played out. It might have had its challenges, but it did follow the process. I don't think any of us really argue with that. But now, we have a little bit of a dilemma about we know that there's a recommendation that some of us are uncomfortable with. But what's our role here? We've let it play out the process. Do we just kick it up the road to the board. We're really dealing with what are the other options available to us.

So I think that's where the conversation is at the moment. Thanks, Keith.

Keith Drazek: Thanks very much, Donna. I'll just respond briefly and then get to Michele. So yes, absolutely and Jeff is in the queue as well. So absolutely. I think our tradition and our expectation is that the Council is supposed to ensure that process is followed and essentially then approve and forward to the Board. The Council has not been historically expected to sort of make subjective judgment or sort of reopen discussions around the recommendations that have come from a PDP working group.

So I would be a bit of a precedent setting decision or step and potentially a slippery slope for the future were the Council to decide to accept some and not all or make some subjective decisions about a recommendation. But in this particular case, there are some concerns that have been raised not just by CPH members of the Council, but others as well. So Michele and then Jeff.

Michele Neylon: Thanks, Michele for the record. Sure, go ahead, Donna.

Donna Austin: Sorry, I just got feedback from the back of the room that people don't know what recommendation 5 is. So we will try get that language and get it up on the screen so other people know what we're talking about. Sorry, Michele.

Michele Neylon: Thanks, Donna. It's a fair point as well. I think a lot of these conversations where you're going recommendation 1, 2, 3, 4, 5 and unless you've got Donna's memory, you probably can't remember what the hell we're talking about. Totally agree with everything that Donna was saying.

There's another part of this as well, which I think it's clear to some, maybe not clear to others. This is one of these GAC versus GNSO type scenarios where the GAC feels very, very strongly on something and they don't like the fact that the GNSO has taken a slightly different position on something. The tone of the letter that they sent to Council like ten minutes before we were meeting them the other day made that very clear. Even the timing of some of the stuff was just a bit strange. They had weeks and weeks and months and months, and yet, they only wrote to us, like, I don't know, a half an hour before we were meeting with them.

So we walk into a meeting with the GAC. They're all super prepared to get into the weeds on this and poor Council leadership is kind of scratching their heads going, oh my God, what do we do with this? It's not a great situation to be in and I honestly don't have an answer if it were. If we defer the vote on this item, we can only defer it, I think is it twice, Donna, once or twice? Once, sorry, Keith. Once.

So can we specify where we're deferring it to? Can we say we're deferring it until, I don't know, two meetings out, rather than just one? What can we do there?

Keith Drazek: It's one meeting. It has to be voted on at the next meeting.

Michele Neylon: Okay. But we've had situations in the past where we've managed to somehow, I don't know, push stuff out a few times, like with - there's been one or two of those things over the last two years. How do we do that? Or do we want to even?

Keith Drazek: So Michele, Jeff was in queue next. So you've asked a good question and I think we need to think about that a little bit. So Jeff to you. Then I see Ken at the microphone and Carlos.

Jeff Neuman: Thanks. Jeff Neuman and I'm not on Council but I've been following this kind of from the outside and following the working group and following what's happened since. And there's - I think this whole PDP has been kind of learning exercise for all of us on a lot of different fronts, not just as to what's happened at the end here but also as kind of a lesson as to what happens when a PDP just drags on for years and loses the attention of a lot of people.

If you remember, this PDP was actually sort of considered done and then was referred back by the Council to the working group for some additional changes. And by that point, there were people that just kind of faded away and it's just a danger of this multi-stakeholder process. But I think as far as the arguments now, I think in the future we need to make sure that working group chairs, myself included for SubPro and council liaisons, need to be more active in weeding out issues that may be out of scope. It should never get to the Council for a final vote and then decide that it's out of scope.

These recommendations, even Number 5, were - the topics at least were known. Whether the outcome was known or not is another story, but it was known that they were making or suggesting changes to the UDRP. That's what we're talking about as being out of scope. And so that really can't wait until it gets to the Council final vote for - to be declared out of scope. It shouldn't go on that long but it did and we are where we are.

There's also another issue in this group too, which is that the chairs filed a minority view or I'm not sure what it was called -- minority statement, thank you -- that they believe that the working group was captured at the end. So when they took the consensus call, because so many people had kind of just dropped out and didn't participate in the consensus call that the people who did part-time all wanted it one particular direction, which now we're looking at going that direction may not have made sense. But that's partly because people dropped out and didn't participate.

It's also a problem of how we do consensus calls. Consensus calls should not be of individuals on a working group necessarily or only, but there should be effort and something I've taken away from this as a working group chair for another group, is that when we do consensus calls, I'm going to go to each group and make sure that each group has also indicated its agreement, disagreement, whatever, with the recommendations. I think there's more active work that a working group, again, in the future should do. And I'm not faulting the current chairs because this is, again, a learning experience. Is hasn't happened like this before.

And I think - so as far as the options, the only real option that I believe as one sort of familiar with the PDP and 2.0 I guess as it's referred to, you really - you can accept it and forward it to the Board. You can reject it all and refer it back to the working group, which is not the most optimal in this case. You can actually in this one reject certain parts and forward certain parts to the Board if the Council thinks that those are actually good recommendations. Because the group didn't indicate that it was being forwarded as a package. If a PDP sent it to the Council and declares that all should be considered as a package and not independently then there's further limitations on the Council.

And then if the Council doesn't agree with the other recommendations, it can't rewrite those recommendations. All it really can do at that point is, if it doesn't want to send it back, is really terminate the PDP, which is again another difficult option. So this is really kind of learning thing, but I do think

that it gives us, as other working group chairs or future working group chairs, ways that we need to think about things going forward. Thanks.

Keith Drazek: Thanks, Jeff. That's really helpful context . I think I had Ken in the queue next and then Carlos, and then back to the queue, Kristina.

Ken Stubbs: First of all, it's getting more and more esoteric for most people in the community here. I'd like to hear a takeaway from what they heard. I think we're talking at two different levels. Number one, we're talking at a level of people who deal with this day in and day out, but I'm really moving back to the comment that Michele made. It sounds like to me we almost - we got sandbagged by SSAC and I think that there has to be a procedure that prevents a situation like this where all of a sudden something rises out of the depths that everybody knew was out there but nobody has done anything about for a while. And then there's a call for some sort of immediate process to deal with it.

I think if that happens there has to be some way of recognizing this and saying, okay, fine, normally would be allowed to put that off for a vote by one meeting. In a situation like this, I think we have the right to extend it for an additional 30 days only because we need absolute clarity as to how the process went from being something was buried underwater to something that has now risen to be considered and acted on immediately. Thank you.

Keith Drazek: Thanks, Ken. I take your point that we need make sure that we're looking far in advance, to the extent possible, about the need for this type of consultation and taking advantage of it, and not necessarily getting boxed into a corner by those types of requests. But the recommendations for such consultation is something that came out of the joint GNSO-GAC consultation group that began several years ago. So I think there's some expectation that we might not need to respond there. Thanks for your comments.

So I have Carlos then Kristina.

Carlos Raul Gutierrez: Yes, just to comment. I don't think it's a good idea to spend a lot of time right now looking recommendation by recommendation. I don't think that approving some recommendations and dropping other ones is a good idea at all. I think this is a very dangerous path. And although I'm not a lawyer, I think what we have here is (unintelligible). I mean it got sent back because they spent two years looking for an expert and the expert came with expertise that GAC didn't like. And instead of following the expertise, what the GAC wants is something new now.

It's very easy. I mean it's just if we don't get what we expected from this technical paper, let's go a totally different path, which is let's not go to court. Let's go to arbitration. So it's a very deep philosophical issue. So as a councilor, I would worry a lot if we start picking cherries from the recommendations. For me it's either everything or not. Thank you.

Keith Drazek: Thanks, Carlos and I guess that means it's either we send it back to the working group, we terminate the PDP, or we forward it to the Board and let them deal with it. That's essentially I think what you're saying, rather than dividing up or carving out. Kristina, over to you.

Kristina Rosette: Kristina Rosette, Amazon registry. It wasn't clear to me at least from the initial presentation whether the motion before the Council now would allow for - to carve off Recommendation 5. And so if that is in fact the case that it does not currently allow for that, it seems pretty clear to me that you guys have to defer this. If for no other reason than to get more time to figure out exactly what to do.

I have a slightly different view from Carlos, although I will say that I have not gone back to the operating procedures. But it would seem to me that if there is agreement, and I think you would have to be much more strong consensus, kind of not necessarily unanimity by the Councilors that the recommendation

in question is clearly and definitively out of scope of the PDP, I think you have a much stronger basis in that case for carving it out.

But I think if it's questionable as to whether it's out of scope, not - I think your hands might be tied.

Keith Drazek: Thanks a lot, Kristina. Both great comments and this is exactly the kind of feedback that we're seeking from all of you as we go into these conversations tonight and tomorrow, and trying to figure out the path forward on this one. It's a bit of a complex situation. James?

James Bladel: James speaking. I agree with Kristina and I disagree with Carlos. I think if we are in a position where it's an all or nothing approach for the Council, it's too easy for a working group to put a poison pill, let's say, into a set of recommendations that can essentially sink the entire package. So I mean it can be gained either way.

And I also wouldn't - I want to be careful how I say this. I wouldn't put too much concern into the idea that we're breaking precedent because we've been here before. In 2011, in Singapore, the Council I believe parsed out one of a segment of recommendations coming out of transfer PDP. And if you guys remember, that was when Mikey O'Connor made a big - yes, that was you? Okay.

So I mean we have the - now, that was PDP 2.0 or even 1.5 at the time. But I mean we have kind of crossed this bridge before and it's come up before. And I think to Kristina's point, it's a balance and the Council as a manager of the process has to check that the process was followed, that consensus was reached. And if they see that something is maybe on the border of also not meeting consensus but also possibly out of scope, then I think that they need to exercise their prerogative as management. But there should be a high threshold. It should be a super majority test.

So I agree. Defer this one. Go back to this following Barcelona and take a look at how you can address Recommendation 5. Because I thought this group was close to being done with a package of recommendations a year ago with the exact opposite recommendation on Recommendation 5. Is that correct, Jeff? And so now, we're a year on. I don't know how we bought an extra years' time and everything is the same except Recommendation 5 has done a 180.

So this is just - it's very, very strange.

Jeff Neuman: This is Jeff Neuman. So a year ago, you're right, absolutely. It was a completely different recommendation. It was referred - because the GAC had some advice on this, the Board has asked the GNSO to send it back for further consideration. A lot of people had kind of dropped away out of the group and between that time and the time the consensus call was taken, some - no, I shouldn't make judgments. I take that back.

People joined the PDP working group and those people voted and the people that were participants for the years before that kind of faded away and didn't vote. And that's why there was the view. And I'm hoping maybe Phil is in the room, or Petter, but - oh, he's on Adobe. I think the view was from some people that the group then became captured and changed the recommendation.

James Bladel: it's safe to say that a year ago, it was ready to go to Council. We paused the process and a completely different working group or a sizable size of the composition of the working group changed, and then Recommendation 5 also changed.

Keith Drazek: Thanks, Jeff and thanks, James. Excellent advice, James, from a recent Council Chair. So thanks a lot for that. Look, in the interest of time, we need to move on. I think this has been a very, very helpful exchange. We will make sure that we keep you informed of discussions as they take place.

The other item that we wanted to talk about. Sorry, Donna, go ahead.

Donna Austin: Sorry, Keith. So do we have direction here that our position is to defer? I want to understand before we leave here what our direction is, what the direction for councilors is. That seemed to be where we were headed.

Keith Drazek: Yes, I heard from Kristina and seconded by James that the view is with the current language in the motion, and we need to review that to confirm, if it doesn't present an opportunity to essentially treat 5 separately, then we would need to defer and have another continuing emerging market conversation and essentially redo the motion for the next meeting.

So I have Jeff and then Jonathan, and then we really do need to move on. Sorry, folks.

Jeff Neuman: Thanks. Jeff Neuman. I don't have an issue with deferring that. I think it's fine. But since your next meeting is going to be well before we all get together, I think we probably do need to give councilors direction on ultimately our views on this whole thing. We don't have to do it now but let me just call a placeholder that if this does get deferred, we should all - or a group that's interested in this should probably get together and figure out how to advise councilors on the next one.

If I were to be asked now, I would say the best option is to terminate the PDP. And it's not a great one but I think sending it back is not an option. I don't think there's agreement amongst all the groups within the Council that the other recommendations are all the right ones. And if that's the case then the only thing left is to terminate the PDP and potentially refer to the PDP on RPMs that's look at UDRP whether there's something that they may want to do when they talk about UDRP.

Keith Drazek: Thanks, Jeff. And obviously, there may be different views on that approach but we should definitely have that conversation in the near future. Jonathan? And then we need to wrap it up.

Jonathan Robinson: Thanks. Jonathan. I think Jeff brought in another dimension there that's perhaps more. But I thought - I'm not going to re-express. I thought Kristina articulated very well that there was an option to deal with Recommendation 5 in a specific and high threshold way. And so to the extent that you - I mean deferring it would be convenient and allow for the kid of conversation that Jeff talked about.

To the extent that you need direction now, I think Kristina articulated well and I support Kristina and James in that same position.

Keith Drazek: Thanks, Jonathan. The next item on this agenda was a discussion of the EPDP. I think it's something we need to talk about, but we're way overtime for this segment. So Paul, I'm going to defer back to you, Paul and Graeme.

Paul Diaz: Keith, not to put you back on the spot, but I think the EPDP is more important than talking about the planning, which is the last bit that we had before our break. So why don't we go back and go into it, just save me two minutes at the end.

Keith Drazek: Thanks, Paul. Keith Drazek again. And again, I'm going to call on other councilors as well as folks who are involved in the EPDP to weigh in here. I think as most know, the charter for the EPDP has the first initial report focused on the temporary specification scheduled to be issued or finalized and posted on November 5.

I think as we've seen this week, there's been a lot of work going on. The work continues. Staff is supporting the EPDP and a lot of the drafting. I think in a sense staff is holding the pen for quite a bit. And we heard yesterday from Kurt in the high interest topic session that there's an expectation that

while the report may be a few days late, or a week late, that there is an expectation that much of the work in the charter, the 54 charter questions will be addressed, and that all of the workbooks and worksheets that are being drafted will become complete and ready for public comment. Not necessarily finalized because it's an initial report and seeking public comment.

But I think there's a concern at the EPDP level that a lot of the participants in the EPDP haven't seen the language or haven't seen the substance around the content of the report. And I guess there's an open question as to whether staff is doing a lot of work and it just hasn't been shared with the working group members, or maybe it's just that there's a lot of drafts in place, and nothing's been finalized, and there's a lot of work to be done in the next two weeks .

But I think Darcy and I had a conversation before this session and just have some general concerns about how this group is going to get to an initial report over the next two weeks. And at the Council level, I think as councilors we have a concern that we need to make sure that we are aware of sort of how this thing is working and how it's moving to be able to make sure that we're providing appropriate guidance and oversight of the process, as the process managers.

So let me just stop there. Darcy, if you want to jump in. But I guess again, this is your opportunity, registry, and registrar stakeholder group colleagues, to provide your councilors your views and input as we go into the Council sessions and the discussion on this point in the Council update number six. Thanks.

I see Maxim.

Maxim Alzoba: Maxim Alzoba for the record. I have a question. Does it mean we suggest that somebody looks into the suggested language provided by ICANN staff before EPDP group agrees to everything? Because (unintelligible)

documents of, like, a few hundred pages, usually not easy to be reviewed by eight people.

Keith Drazek: Thanks, Maxim. I think generally speaking, the sooner we see draft language, the better, so we can have an opportunity to review and provide feedback. And I know the group has been under an extremely tight timeline and is doing a lot of work on some contentious issues. So I mean this is a recognition that they were saddled with a lot in a very short period of time.

But I guess we're just seeing a delta between where we are now and where we expect to be in two weeks that seems pretty significant. So Kristina. Anybody else want to get in the queue? Okay.

Kristina Rosette: Kristina Rosette, Amazon registry and EPDP member. Up until 24 hours ago, we - at least I hadn't seen any of the specific policy recommendation related language. Staff has drafted kind of the intro shell and circulated that. But the first portion of policy recommendation language that have been circulated have related to issues that were dealt with in small teams, namely legal versus natural persons, geographic, distinguishing based on the geographic location of the registrant and then the definition of reasonable access.

Based on the policy recommendation draft that I saw for the team that I was on, which was on the geographic location, I think we're going to have to take super, super close looks at those. I think extrapolating from that to the broader, I think staff is very concerned about creating a situation in which some members, particularly those who have been very vocal on certain issues feel that their views are being excluded.

So I think it's going to be important that everybody take a look at those when they come out. On a not necessarily related and I haven't really talked so much about this with Marc and Alan, but I think it's likely that we are going to end up with a final report where there are some really material differences in

the policy recommendations, which would mean that it's going to have to go out for public comment again.

So to make that timetable work going backwards, we may have to exercise the option that I understand exists to shorten the initial public comment period. So just to flag that for you all and something that we need to talk about more internally.

Keith Drazek: Thanks, Kristina. Really helpful. So I think Marc put his hand up. Was there anybody else in the queue? I've lost track. Marc then Darcy.

Marc Anderson: Thanks, Keith. Marc Anderson, VeriSign, also EPDP member. I guess I want to ask a question here I think for everybody is the interesting thing about this EPDP, if there is one interesting thing, is that it's under a time constraint. And multi-stakeholder doesn't work great under time constraints. Consensus takes as long as consensus takes.

So we are under a lot of pressure and trying to work towards policy recommendations that are acceptable to the broader community. But we came into this EPDP with a timeline already laid out for us and that had November 5 as the date for our initial report. And given that we have a lot of work to do and a lot of ground to cover to get to that initial report, I'm wondering what are people's thoughts on what happens if we miss that date. And as Keith mentioned, Kurt said during the high interest topic that we might not be ready by November 5. And what the optics on that? What happens if we push that back? What does that mean to us as contracted parties? Do we want to take the position that delaying it in order to get a better report is preferable? Or is the timeline itself and sticking to the timeline important to us and something that we should be driving towards?

So I guess I'd be curious to get what people's thoughts are and maybe some direction for Kristina, myself, and the other EPDP members.

Keith Drazek: Thanks, Marc. So I have Darcy next, Ken, and Jeff.

Darcy Southwell: Thanks, Keith, Darcy Southwell. I share a lot of Marc's concerns. I think my other concern is Kurt alluded to the fact that it would come shortly after November 5th. Don't know entirely what that means but when I'm hearing from EPDP members that they've only seen pieces and haven't seen even -- I think he called them workbooks yesterday -- how for us as a Council when we're supposed to be managing a process and this one as an expedited PDP is a whole unique animal, how are we supposed to do that when we're hearing that feedback?

Because it's very concerning that three-ish weeks from now there's supposed to be an initial report when EPDP members haven't even seen these workbooks. And it just leads me to question how this is working. And I say that knowing this is an incredibly tough piece of work we're asking them to do. We gave them timelines unfortunately, which is very difficult. But I'm seeing some discrepancies here and it's very concerning.

Keith Drazek: Thanks, Darcy. Okay, Marc response and then to Ken.

Marc Anderson: Sorry, Marc Anderson. Quick clarification. The workbooks we have seen. The workbooks are sort of the working material we've been working from. What we haven't seen is sort of full interim report language. And so as Kristina mentioned, there's sort of a template or shell that staff has provided but there's an awful lot of blanks there that we have not seen.

Keith Drazek: Okay. Thanks, Marc. And I guess the follow-up then is where is that language coming from? Who holds the pen on the language to fill in those blanks? And maybe that's an open question that we need to revisit. Ken, go ahead.

Ken Stubbs: Yes, I worry about a situation where there's a severe sense of urgency. The most important thing is to have an accurate, concise, fully contemplated

report that's rendered. If that means it's going to take a little bit longer, I honestly believe that you need to be up front about it and say, in so many words, do you want a report on November 4th or do you want a fully completed, fully reviewed, something we have a significant amount of confidence in.

The comments that I'm hearing in the community are similar to the ones that she made and that is there are an awful lot of people that haven't seen stuff and there's a short period of time to be able to react to it at this point in time. I think everyone believes that that committee is killing themselves and working their butts off. But they have been given the task with a deadline that's not as realistic as it should be.

And I think you're better off owning up to it now and saying listen. But you lose credibility if you come into the week before the report and say we can't get it done. If you own up to it now, it appears that what you have is a planning process that has clear structure and we're beginning to realize or we have realized that this is an incredibly complex subject, and in order to achieve good community support, it's going to take a little more time. So live with it.

Keith Drazek: Keith Drazek: Thanks, Ken and good points. I think everybody needs to understand there that the deadlines were established by backing up the timelines from the deadline. The ultimate deadline and accommodating public comment periods and all of the different requirements that we have in a PDP. So I guess if there's going to be some slippage of the date, we need to find a way to make up for it somewhere else in that timeline and our hands are a little bit tied in that regard.

So if we're talking about an extra week or two and we can find that extra week or two somewhere else, that's great. But I don't think we have much more than that. Marika, I think you wanted to respond to a question. I had Jeff in the queue but if you're - okay, Jeff, go ahead and then to Marika.

Jeff Neuman: Thanks. Jeff Neuman. Keith made a lot of my points. I have no issue with extending a deadline of an initial report. It's all where it fits into the whole schedule and ultimately, we're working with a year date from where the temp spec was passed. So we can - I agree we shouldn't rush something. We need to figure out its effect and if it looks like it's going to take a little bit longer than a year, we need to do some contingency planning as the contracted party's house. And I know that's not something that is very popular but as a responsible organization, we need to do some contingency planning to what if this goes longer than the year, what are our options.

And I think that's just a wise thing to do, but I also agree we shouldn't rush this just for the sake of hitting the date. Thanks.

Keith Drazek: Thanks, Jeff. Marika?

Marika Konings: Thanks, Keith. This is Marika, ICANN Org, one of the staff support members for the EPDP team and I want to thank Marc for correcting that indeed all the documents that are out there are seen by the working group. There are no secret documents that are being prepared by staff and dropped on the group and on the last minute.

What was referred to as the skeleton document is basically that the meet probably of the initial report, the chapter that would focus on the response to the charter questions and the related policy recommendations and the related policy recommendations, that was put out shortly after the face-to-face meeting in Los Angeles and kind of clearly highlighted where the existing gaps are.

And all the work that's been undertaken now, especially in the form of the data element workbooks that has already been referred to, as well as the small teams that Kristina was referring to, all that work is expected to slot in to those sections of the report that were highlighted as needing to be worked

on. So it's not that staff will suddenly starting writing up recommendations or new ideas. The idea is that it will be a copy/paste of all the work products that the group is currently working on so that is all nicely fits together.

Of course, the other sections of the report that are required, but those are more of an administrative nature, what input was received, who are the members participating, what approach did the group take. So that is stuff that staff will be starting putting together, but we suspect that that is not something that is necessarily controversial. What the focus is really on that section of the initial report and that's why it's so crucial that the team looks at indeed the books that are being put together. We're hoping that everyone will kind of get their issues out on the table by the end of the week.

A lot of work was already done. There are more meetings this week. On the timeline issue, leadership team is looking at what flexibility does their exist, because I think as you alluded to, there is a fixed end date and any changes in the timeline here means that other phases will need to be changed as well. So I think the leadership team is reviewing what flexibility there is to share that then with the group to see what a realistic timeline is, and a desired timeline as well. So I hope that's helpful.

Keith Drazek: That's great, Marika. Thank you so much. And I do have one follow-up question, sorry, Marika. Sorry. So just one follow-up. So Kristina mentioned the three small groups and obviously, there's work being done at the plenary level of the group as a whole. So it's a combination of the work of the plenary on the workbooks, as well as work coming from the three small teams. Is that an accurate assessment?

Marika Konings: Well, the small teams are now this week expected to come back with their results or recommendations the broader team and see if those preliminary recommendations have the buy in from the bigger group, or whether further discussion is needed. I think we're also being realistic that it may not be possible to come to full consensus on every single thing. So for certain

question, we may just have to document in the initial report some people believe that this should happen. Others believe that that should happen and it's something we'll continue conversation on.

And hopefully, I know Kristina alluded to, of course if the final report is a complete different outcome, it may be problematic. But the hope is by documenting where things currently are at, it does show where a path may lead, and it's not then a surprise where things may end up.

Keith Drazek: Thanks, Marika. Perfectly legitimate approach. Kurt, you're next and then we probably need to draw a line under this one.

Kurt Pritz: And just a slight perturbation of what Marika said. So first, the initial report in its current form was published as a Google Doc to the team right after the LA meeting and everybody is shoveling so fast, nobody can really pay attention to that. But the substantive parts of that are really just cut and pasted from the work that's already been done by the team. And the workbooks of course are being written by the team. So they know the content and every time there's an iteration to the workbook it's turned around to the team in a couple of days.

I try to be careful -- but I'm not always careful enough -- in the meeting yesterday to say if we reset the schedule, I only want to reset it once because I want to get it right that time. So that's a painful lesson I've learned in my career. And we're close but not close enough. We're not on top of having that punch list where we can specify the delivery date. And we hope at the end of this meeting, we'll have the list of specific deliverables that are left. and then finally to say that the initial report will be this combination of policy recommendation and open issues but those open issues have to be cited with enough specificity that when you're commenting on them, you know they're going to apply to something that's in the initial report.

So I think a minimum requirement for the initial report, before we let it go to what Ken and others said about the quality of the report has to be that it's close enough either into conclusions and recommendations, or open issues so that everyone feels like they've had an opportunity to comment on it so we don't have to have another comment period at the end.

And then I met with Cherine and Goran at the outset of the meeting and talked about options if the one year - so say, we're a month late or two months late, and it becomes impossible because of all the ICANN administrative to get the sausage out by the end of the year, what are some creative ways of addressing that. And that's for the Council and you as registries and registrars to talk about. If there's a blank period where the temporary specification ends, but you see that there's going to be a new policy that's going to be approved in four months, does it matter that there's a blank? Maybe yes, maybe no. Maybe the Council can pass an interim policy the four or so months if there's a gap like that.

So I think for us, we're still planning for success and hitting that one year timeframe, but you start talking about if there's a couple month period between May 25th and whenever the new policy comes into effect. What's the best way of handling that to provide enough certainty for contracted parties to get through that.

Keith Drazek: Thanks very much, Kurt, and thanks to you and the entire EPDP team for all the work that you've put into this and continue to put into this. And I just want to say I thought the high interest topic session that you all did yesterday was very well done, I thought very informative, and I think set the right tone. So thanks to you all.

Paul and Graeme, I'm going to hand it back to you now. Apologies for going over.

Paul Diaz: No problem, Keith. Thank you for your leadership for that section.
Everybody, we have to take a mandatory break now. We're actually a few
minutes over. So 15 minutes. We're going to come back. We've got - and
we will start right in 15 minutes from now. We'll touch on the summit planning
but really focus on what we're going to discuss with the Board and if we have
- if time allows, we could even revisit some of these issues. There were so
many discussions.

Of course, registries, when we meet on our own later, we'll be talking more
EPDP update and whatnot so we can flesh out some of our positions and
concerns and all that. Thanks everyone.

Zoe Bonython: Pause the recording please.

Graeme Bunton: Two minute warning. Two minute warning before we get going again, guys.
Empty room. Room devoid of all the people that should be here. Two
minutes. One minute warning.

Let's all take our seats. We don't have a ton of time and we've got a bit more
on this agenda to get through. Grab your colleagues in the hallway who are
lazing about, getting coffee, and fling them back into the room. All right, are
we good to go at the back of the room? Start the recording again. That's the
thumbs up. Great. Okay. Everybody. Apologies for pushing this on but we
went a little long already and we don't have a ton of time.

We're going to dig into the meeting that we have with the Board shortly, but
we had another agenda item around the GDD Summit planning. I think we're
just going to largely skip over that other than to say that there is a survey
that's gone out. There's a survey for participation that has gone out I think to
both our SGs. If you haven't seen that, go find it, go participate because we
really need to get numbers and feedback on who will be attending.

The planning committee meets in two weeks. If you care about the content of the GDD please get involved there. There is a meeting very shortly for GDD Summit planning, especially if you're interested in some of the tech ops portions of that, please get in, help drive that. We really - the GDD is for us. Let's make it the best thing that it can be and that requires all of your participation. So please feel free to -- actually, not please feel free -- please feel it as an almost command to get in there and do the work to make that thing awesome. And with that, I think we're going to push right on ahead into the meeting with the Board that we've got coming up very shortly.

So these on screen right now are the questions that we sort of drafted that we wanted to pose to the Board. They had a couple of their usual super high-level questions back to us. Shall we start with these and my desired outcome, because I loathe these sessions -- I'll be very clear, with the Board -- I want to make sure that we have someone sort of on the hook for each one of these questions that we can sort of go into this next meeting with some confidence that we work through one of these that we have someone queued up next to go-forward and push onto the next topic.

Paul Diaz: Thanks, Graeme. It's Paul for the record. I'm not volunteering her, she has genuinely volunteered, but the first one was Donna's idea. Because we've actually taken the Board's very generic question to the stakeholder group or to the CPH and kind of turn it on its head and turn it into questions back to them since that was her idea. She said she's willing to introduce Number 1.

So as you see if there, all right, what are the Board's views now on using the temp spec as a means to develop consensus policy in only 12 months? Pose alternative approaches such as contract negotiation. How does the Board see progress, the next steps within the EPDP given the time limitation. For what it's worth, Graeme and I had a sit down with Cherine the other day and the sense of the Board and speaking to other directors, I've heard this echoed. They believe that the EPDP is going swimmingly and that it's - I

mean they are very positive. And I was kind of taken aback when Cherine said that and others. I'm like, really?

So they are being told by whomever that it's going very well. And so kind of putting this to them explicitly is quite deliberate because we might have to give them a reality check. And the bit in parentheses there, such as contract negotiation, I mean we've heard earlier discussion about talking about alternative plans and whatnot. I mean there are alternatives for the contracted parties. We definitely do not want to go into our thinking on them in any detail this time because it would be very premature.

But perhaps the Board's view might give us some understanding or insight into how they see this all proceeding and where we might have opportunities or some leverage. All right. So first one make sense to everybody? And as always, everybody is most welcome to jump in. I'm not sure the setup of the room up there. Typically, a few of us sit at the table but there are plenty of mics. Please come to the mic if you have clarifications, you want to challenge something that's said, especially the folks who are involved in the EPDP. You guys are doing the hard work and you're in the trenches. If you're hearing nonsense from directors about what's going on, please speak up.

With that, Kristina?

Kristina Rosette: But I do think it's really important that we find a way to slot into our answers to either of those just some information in terms of basically how broad the work is being distributed between the members, and the alternates, and the support team. Thank you. Because - and I also think that we need to take the opportunity to control a little of the messaging on this.

I know that we are being characterized, we meaning CPH, are being characterized as obstructionists and difficult by the IPC and BC in their communications to the Board and that we are unaware and don't understand

the law. So I think without being defensive about it, I think we do need to find a way in answering those questions to kind of work our own messaging in. Because otherwise, the only thing they're going to be hearing is from the IPC and BC.

Paul Diaz: Thanks, Kristina, and by all means, look for opportunity and jump in because you're obviously an authoritative source on this. Elliott?

Elliott Noss: Kristina, I think that's a great point and I want to note that what you now need to experience firsthand is that we in the CPH suck as messaging to the Board, and going back channel to the Board, and communicating to the Board. I hear your words and those are tricky messages. And really, I think the best answer would be for every opportunity we all get in this room to communicate with the Board to say that those in the non-contracted parties house are being stubborn, obstructionist, difficult, and don't understand the law.

I think those are the exact - it's this beautiful - it's almost Trump like in its brilliant communication or Orwellian, because they are describing themselves to a tee and avoiding the label by pointing at us and saying the same thing. So I'd really encourage everybody in here to just flip that messaging on its head and point it right back.

I'm interested in your (ugh) on that.

Kristina Rosette: For the record, I didn't actually say any of those things. I do think that there is a way to communicate that - I actually think we will get father by really reinforcing how hard we're working at trying to find consensus, that we are reaching out within the contracted parties to pull in as much expertise as we can, that repeating the registry goal statement. And maybe that would be helpful. I don't know if the Board has those. But those goal statements that everybody had to put forward are really helpful.

But yes, I mean I think going positive here is going to be more effective for us.

Elliott Noss: It could be the first time in 20 years but that would be fantastic.

Paul Diaz: Fair points and for the record, that's Elliott Noss and Kristina Rosette in the exchange. And so we've combined to the second question we have -- I'll just read it for the record -- if the EPDP workgroup makes policy recommendations that call for board action, is the Board prepared to act on them? How will the Board handle liability issues and other logistical steps in the event that ICANN is determined be a joint controller. So those two can easily go together and very well could take all of our time, depending on the nature of the exchanges. We shouldn't shy away from that, but if time still permits, we have additional questions we put forward .

Third on the list was what's the Board's thinking on reviews, reviews with a capital R, and what are the impacts on strategic planning? So we've introduced this strategic planning component, pardon me, because there is frustration, at least within the registries -- I'm sure the registrars feel the same -- the initiative that Theresa Swinehart has been leading for some time now, how we got to where we are as a community, how the Board's own input into that process, and what staff has done with it, and then eventually brought the community in.

It doesn't make a lot of sense and it certainly raises a lot of questions about were any of these initiatives truly from a bottom-up process and eventually what it will mean for spending priorities, and staffing, and all the rest. So we wanted to work that in and see if we can get any of the directors, perhaps Ron or those who focus on finances as well to weigh in, to get a clearer sense of where they think they're going in driving the organization, leading the organization.

Jeff?

Jeff Neuman: Thanks. Jeff Neuman. Can I ask, because I agree with you that 1 and 2 can take up the whole time. I really would be interested in hearing the answer to Number 4 because it's immediate and it's an immediate need. So I don't want to take time away from the others but can we make sure, whether we do it first or whether we just really make sure that Number 4 is put on there. I really want to hear an answer to that one.

Graeme Bunton: Jokes from Jon Nevett. I've got Jonathan and then Ken.

Jonathan Robinson: I'll chose to pass on Jon's remarks. It's Jonathan Robbins for the record. I heard Paul talk about so it was essentially in a similar vein to Jeff is the fact that these first two could take most or all of the time. And so I guess the question for all of is what - A, do we want to escalate? Are these currently in a priority order or are they just as we formulated them? And if not, what do we want to bring to the top of it and is it then, for example, this Question 4, is that the thing we want to hear first?

I would say we risk, with that question, just my opinion, it may well be that we'll have to push a bit harder if we want to hear anything than job is going to be advertised shortly or it has already been advertised and a standard recruitment process is under way. So if that's going to satisfy you, then fine. But I would suggest we need to - if we have some specific sub-points in there. And again, it's always helpful to have someone who cares about the particular topic most to potentially lead other than the current volunteer.

Jeff Neuman: This is Jeff. Just to respond to that. It's my understanding that they may do a reorg, or they may be in the process of reorganization. So even getting an answer of there's going to be a job description posted and we'll go through that way, that is actually more information than what circles around in these worlds.

Jonathan Robinson: And are any of us eligible to apply?

Pam Little: No, a 12 months cooling off period, Jonathan.

Graeme Bunton: Sorry, I think it's actually Ken and then Donna is what I've got.

Ken Stubbs: This is Ken Stubbs and I am speaking purely for myself because I'm going to get - won't be obnoxious but I'm going to be rather insistent. I'm getting tired of seeing Number 5. Over, and over, and over again over the last five to seven years, we have constantly asked ICANN to concentrate on keeping expenditures in line and being honest with us.

And again, we have a situation there talking about cutting back on the budget and the first thing they do is grab $170 million or $150 million out of the auction proceeds. I would gladly take you all back and everyone in this room just about was there when they originally talked about what they were going to do with the auction proceeds. That's gone away. It's now, we'll do what we want to do because it's our money.

The problem is every time this happens, they do what they want to do, and they don't do it in a deliberated manner. The staff has continued to grow. They continue to create projects. They continue to be able to justify the fact that they spent close to $50 million on the matriculation from the U.S. government. And again, they're talking about high priced lawyers. This situation with privacy and our issues with Europe could end up costing $20 million to $30 million again. And I think we need to be more demanding of ICANN, rather than just sitting there and letting them tell us what they're going to do with the money, and then they come, "What do you think about it?" And then you send a little in and it just gets ignored and they go do what they want to do.

Now, maybe I'm screaming in the wind. If I am, I apologize, but if we aren't willing to start - it's our money. It's our client's money. If we're not willing to start pushing pressure on it then pull the thing off of the questionnaire. It has

so little value. You're going to get a response that's meaningless. That's all. Thank you.

Donna Austin: Thanks. Donna Austin. So just back to 4, I think there's something a little bit broader than the new head of the GDD. We know that (James Dennis) had left last week, (Lynette Nadone) is gone. More recently, (Winnie Yu) has left as well. So what's the plan look like for the GDD because we know there's been more than one departure in recent times.

((Crosstalk))

Donna Austin: Got it. Thanks.

Paul Diaz: Thank you, Donna. Okay. We will need to wrap up in a few minutes to shift over there and make sure we're in the room on time. But hearing what everybody is saying, look, this is not a priority order. This is more as the ideas came to us. It seems like there's a lot of interest in addressing Number 4, making sure that that's done. Shall we lead with Number 4? Right, good.

And then do we - we do want to have the EPDP related discussions. Do we want any of the others on the list?

Jonathan Robinson: I guess maybe 5, going further up first, just so we get - because that seems to follow. It's an operational question -- so it's Jonathan for the record -- that we deal with the GDD. We are customers of the GDD and we highlight how the GDD was set up, the facts that we are customers of that function. So that makes sense. Oh, I see there's even more. I hadn't realized there was…

Paul Diaz: Well, 7 and 8 are theirs.

Jonathan Robinson: Okay. All right, and then I would suggest maybe 4, 5, 1, 2 something like that.

Paul Diaz: And for Number 5. I'm happy to lead Number 4, introduce it. But for Number 5, does somebody want to introduce and maybe not Ken coming guns a blazing, but by all means, come to the mic. There you go, Jonathan. Thank you. Voluntold. And then we'll get to the EPDP stuff. And that assumes that they defer to us to set the pace.

Donna Austin: (Unintelligible) given that the budgets and - sorry, I'm just wondering if we can link 5 into 3 given that the strategic planning is supposed to incorporate budgeting. So maybe we can try to wrap those into one bucket.

Paul Diaz: Good idea and Jonathan says no problem, he can handle that. No problem. Down here. Crystal?

Crystal Ondo: Sorry, I can't reach. Just to let you know, the GAC has brought two characters again and met with the Board separately on it. So staff has asked us to double down the fact that that ship has sailed and we have the rights in our agreements and remind the Board that this is not an open topic for negotiation. So if someone could say that, or if it comes up.

Paul Diaz: Ms. Crystal Ondo will introduce that.

Graeme Bunton: Make Jon do it.

Paul Diaz: Joking aside, will you do it, Donna?

Donna Austin: What, two characters?

Paul Diaz: (Unintelligible) because you'll be sitting up at the table. Okay. All right. Well, we've got like five minutes. We're just down the hallway, right, the main meeting room is theirs? Yes, okay. So 1:11, 1:12.

Graeme Bunton: Yes.

Paul Diaz: Okay. So let's break. We'll see you all down the hallway. Sorry, Graeme.

Graeme Bunton: So just briefly, so we're going to go into 111, 112 now for the Board meeting that's done at 12:30. Registrars we need to be back in this room, I believe, at 12:30. I think we're doing a working lunch and then we'll carry on with our agenda. I assume the registries are going on at 12:30.

Crystal Ondo: 113.

Graeme Bunton: In 113. You're not meeting at 1:13 p.m. Room 113 at 12:30 for the registries. All right, we'll see you all shortly.

Zoe Bonython: You can stop the recording please.

END