

**Transcription ICANN Helsinki
GNSO Next-Gen Registry Directory Services to replace WHOIS Policy
Development Process Working Group
Tuesday, 28 June 2016**

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Chuck Gomes: Okay this is the Next Generation Registration Data Services PDP Working Group Meeting on the 28th of June here in Helsinki.

Welcome to everyone. We want to get started fairly close to on time; probably about ten minutes late. Thank you for those of you who are on time.

Again, please log into Adobe Connect if you can, and we will be using that for hands raised. But you can also, you know, raise your card or raise your hand and we'll call on you that way as well. David is going to let me know if we have any remote participants.

The first thing we want to do is see if there are any Statement of Interest updates, and I'll just pause for a few moments to see if anybody has an update to their Statements of Interest.

While I'm waiting for that, this is a working group session today. The only difference, really, is that it's open to everyone and everyone may participate. So whether you're a working group member, a working group observer or a guest, you are welcome to participate. We would like you to use a mic.

So do we have any roaming mics or do they need to find one at the table?

Man: (Unintelligible).

Chuck Gomes: Okay, good. Okay, so just remember to identify yourself for the transcript case in particular and that will be very much appreciated.

The agenda is on the screen. Let's just go through it. We're going to start off with some introductions. We've got the - and David is going to handle the introduction section. Then we're going to look at the work plan and Susan is going to go over that.

And then we'll get into our real work for today. And just take a look there at the bulleted items under number three, we're going to talk about Outreach #1, and we're actually going to - the Leadership Team has prepared some responses to the four inputs that we've received.

Have we received any more since the four?

Woman: The Outreach ones? No.

Chuck Gomes: Okay. So we'd like the working group to go over those today and suggest edits or see if we can get confirmation to go ahead and finish the Public Comment Tool on those.

Task 9E then -- Outreach #2 -- this is the deadline for that today. Now again, like I said in the cross-community session yesterday, we're setting deadlines to manage our work and to make sure we're making progress. But we will

rarely have a deadline -- at least in our early stages of our work -- that is in concrete. We're not going to reject things that come in late, so keep that in mind.

It's the same thing with our requirements. We will discover requirements later on that we missed, and that's okay. We're not going to be rigid about this. At the same time, we want to be somewhat efficient and manage our progress.

Then the third bullet -- Finalize Task 11 -- that's a very important one deciding how we're going to reach consensus when we're doing our deliberations. We'll be looking at that document that's been distributed to the working group and talking quite a bit about that.

And then we might get into Task 12 today; it kind of depends on how the previous task goes. But we may start a little bit of deliberation there and so we'll see how it goes.

Any questions or comments about the agenda before I turn it over to David for Agenda Item 1?

Okay David, you're up.

David Cake: So we're just going to try and introduce ourselves. If you are a working group member, you still should be able to come up to the top table. If you're a working group member in the background or otherwise want to introduce yourself, that's fine too.

We think we've got a large working group, a lot of the members don't know each other; may not have met face-to-face. So we're just going to make the effort to spend a few minutes introducing ourselves. So I think we'll start with me and head clockwise.

So my name is David Cake. I'm one of the three Vice-Chairs of the working group. We've got three vice-chairs each from one of the stakeholder groups - oh four but three vice- chairs and a chair; one from each of the four stakeholder groups in the GNSO.

I'm from the Non-Commercial Stakeholder Group and obviously within the GNSO and primarily - or with NCUC as a constituency. And also I come here as a representative of Electronic Frontiers Australia.

Fabricio Vayra: Good morning; Fabricio Vayra, Partner of Perkins Coie, member of the EWG. No, not EWG; I was a member of the EWG -- member of this group, yes. Anyway, good morning.

Man: (Unintelligible).

Alex Deacon: Hi everyone, my name is Alex Deacon with the Motion Picture Association of America. I'm a member of the Intellectual Property Constituency in the GNSO.

I do want to mention that my background is technical and not legal -- as you may assume -- with focus on security and Internet and infrastructure and applied cryptography. But it's nice to meet you all.

Victoria Sheckler: I'm Vicki Sheckler with the Recording Industry Association of America and a member of the IPC.

Michael Palage: Michael Palage; Pharos Global.

(Stu Arc): (Stu Arc) from U.K. with no particular affiliations.

Sara Bockey: Sara Bockey with Go Daddy.

Roger Carney: Roger Carney with Go Daddy.

Beth Alegretti: Beth Alegretti with Fox Entertainment Group.

Andrew Harris: Andrew Harrison; Amazon.

Chris Pelling: Chris Pelling; Net Earth registrar.

David Cake: Actually, could we also try and mention which geographic region we're from. And I know it's obvious to a lot of us here, but it's probably worth remembering if you are a member of a stakeholder group or not. I know I mean, obviously, Go Daddy are a registrar and so on, but.

Man: (Unintelligible); Scandinavia and registrar.

(Emily Barvis): (Emily Barvis); GNSO Policy Staff, based in Europe.

David Tait: David Tait; ICANN Staff.

Greg Dibiasse: Greg Dibiasse; Endurance International Group and the United States.

Man: (Unintelligible) with (Unintelligible) of South Africa of the registrars.

James Gavin: James Gavin; Europe with the Non-Commercial Stakeholder Group.

Man: (Unintelligible), Electronic (unintelligible) Finland which is in Finland and Europe, and Non-Commercial Stakeholder Group.

Carlos Raul Gutierrez: Carlos Gutierrez; Latin America and the Caribbean, GNSO Councilor.

(Donna Ali): (Donna Ali); NCUC and Canada.

Ayden Federline: Hello everyone, my name is Ayden Ferdeline. I'm here in my capacity as a member of the Non-Commercial Stakeholders Group and based in the United Kingdom. Thanks.

Maxim Alzoba: Maxim Alzoba (unintelligible), (unintelligible); Registry and Registrar sometimes.

Michele Neylon: But only on Tuesdays. Is that it?

Monika Konings: Monika Konings; ICANN Staff, Central America.

Lisa Fifer: Lisa Fifer; ICANN Staff, North America.

Susan Kawaguchi: Susan Kawaguchi with the BC and North America.

Chuck Gomes: Chuck Gomes and I'm from North America also with VeriSign and Chair of the working group.

Michele Neylon: Michele Neylon, Registrar (Unintelligible) which is Europe. We're still in Europe; (Unintelligible) which is a registrar.

David Cake: To any of the people sitting not at the main table want to introduce yourselves? You have an opportunity if you wish.

Man: (Unintelligible).

David Cake: I know. Are there any other - especially - are any of you not sitting at the main table working group members? And I guess we don't have anyone on - do we have any remote participation? Thank you.

Chuck Gomes: Thank you very much David.

And with regard to working group membership or working group observers, I just want to make sure everybody understands that there's no deadline when you have to become a member. So if sometime during the progress of a group you want to become a working group observer or a working group member that is a possibility.

And GNSO working groups are open to everyone. The only condition is, is that they follow the standards of behavior for ICANN and for the GNSO working groups.

Next, I'd like to turn it over to Susan to take a look at our work plan.

Susan Kawaguchi: Thanks Chuck. So far, we've had the Outreach #1 that we talked about yesterday, and we are analyzing the comments that we received, and you can find that on the working group Wiki as Outreach #1 Public Comment Review Comment. It could be a comic review tool also Comment Review Tool -- June 25 anyway. It's a little too early for me obviously.

And then we're right in the middle of the Outreach #2. We've reached out again for requesting additional possible requirements.

If your stakeholder groups/constituencies are still working on that, obviously we can still keep accepting any possible requirements. This is sort of a fluid receipt date, so we can, you know - it would be great if we had them because then the working group needs to review those. But as they come in, we appreciate you sending them in.

And then Task 11 -- which is our most important task today I think -- is to decide how and when the working group will try and reach consensus.

And then if there's any questions on the working group status and plans, we can take those now. No. Anything to add Chuck?

Sorry, James.

James Gannon: Thanks Susan. And I know that we have kind of a high level idea of how we're going to draw it and approach the items and try and work through this, but do we have a little bit more detail on how that's going to happen yet because I'm still personally very concerned about the timeline of how that's going to happen because in my mind -- just looking at what we have and what we need to get too -- I'm still concerned over how that's going to happen.

Susan Kawaguchi: So the timeline of the working - sorry - timeline of the work in general or?

James Gannon: Sorry, of the Task 11 in particular.

Susan Kawaguchi: Oh, Task 11.

James Gannon: Is that something we want to talk about later or do you want to talk about that now?

Susan Kawaguchi: We can talk about that now, can't we?

Chuck Gomes: Well, notice that that's in agenda Item 3, so we'll get to that. Okay and in fact, the target for that, I'm hoping that we can at least agree on that approach today in this meeting. Now, if we can't, we can't; we'll deal with it. Okay, but that's the goal. Okay?

Marika Konings: Yes, this is Marika. Just for the record, I wanted to note that the work plan has now also been communicated to the GNSO Council as one of the requirements in the charter by Stephanie who is the Council Liaison to this working group.

Beth Alegretti: Beth Alegretti, hi. Just to go back to the outreach real quick. If I'm part of the BC, if the BC doesn't have a comment or anything to add on that Outreach,

do we need to officially submit no comment or, you know, is it fine to do nothing?

Susan Kawaguchi: Go ahead Marika.

Marika Konings: Yes, this is Marika. I think at least from a working group perspective, it's good to know that nothing is forthcoming, so I mean we just take an email saying, "Well, we're not planning to submit anything at this stage," because otherwise, we don't know if something is still maybe in the pipeline. So if it's easy to do, yes, it's helpful, but it's definitely not an obligation.

Beth Alegretti: Well lets you and I work on that together because I have an idea.

Chuck Gomes: This is Chuck again; just jumping in here. Like Marika pointed out, it is helpful to know. We want to make sure that we're giving all groups an opportunity to provide input. And it's perfectly understandable that you may not have any on this.

But just a simple email that would say, "The BC has no comments," or whatever group it is, that would be appreciated.

Fabricio?

Fabricio Vayra: So does the - if you don't have any comment and that's been related back to you, for example, for the IPC it was related back to me on the first outreach that there was no substantive comment to put back, does it matter whether it comes officially from them or can I just fill out the form and put it in on their behalf if they're okay with it?

Chuck Gomes: Well in the case of Outreach #2 -- this is Chuck -- we actually are doing it informally. So whoever is the liaison can just communicate it to the group is fine.

In the case of more formal outputs, it can also be done through the liaison; that's okay. But the formal outreaches will generally have specific directions in terms of who to communicate to.

Okay, Chuck again and let's jump into the main part of our agenda. And could we bring up the Comment View Tool -- post that so that we can go over that in detail. And we'll take as much time on this as we need.

We'd like your feedback, certainly if you have any concerns - good; that's better resolution there so that we can see it.

Now this Comment Review Tool is one that the GNSO has been using for a while for responding to public comments and so we're using the same template.

And I'm not going to go through and read the comments section. Notice the first column is a number of the item, but then the second column is the comment itself -- or at least a condensed version of it. And then it shows who the comment is from, and there are four groups I believe that we have received comments from; the SSAC, the Regarding Stakeholder Group, the GAC and the ALAC.

And you'll see that the comments are organized by the questions there. So there will be multiple occurrences of the submitters depending on what part of the comment.

So with the first comment from the SSAC, the green agreement just means the working group is in agreement with the SSAC in terms of what they're suggesting with regard to the documents that they proposed. We don't necessarily need to take any action on this particular case - excuse me; let's back up. Actions taken, the documents were added to the inventory.

So again, for any visitors that are here, we -- the working group -- went through and identified dozens of documents that could be input sources for the working group. And then we reached out and said, "Hey, did we miss any? Are there some other ones that we should add?" And that's what we asked for the community.

The SSAC identified some there and then those -- in this case because the SSAC was the first one to get their comments in quite a while ago -- those have been added to the inventory. And then, also in this case, because we received them some time ago, some working group members have extracted possible requirements from those documents already.

Okay? Any questions on Item #1? Okay.

For the same question that you see up at the top there -- any documents missing -- the Registries did not have any additional documents to identify, so that's a simple response.

Number 3 then, the GAC said they were satisfied with the requirements reviewed. So again - and then we noted their comment. So any questions on 3?

We can scroll down to the next slide. So again, you can see the ALAC didn't have any so that's a simple one. Let's go to 5. Okay, excuse me. It's not 5; it's the next question; my mistake.

So this is - the second question then, you know, did you - a lot of groups had previous input into this process. So this particular question relates to that and we're just adding them to confirm whether any of their previous input has changed. And you can see the SSAC response there.

Notice - here's the first example today where we have a proposed response from the working group, so I'll read that and you can look at it there.

The working group confirms that the initial list of documents identified are indeed part of the key inputs received from third parties. The working group has added the additional document to the list in response to the SSAC's input. And so you can see the action taken which was in the response as well.

And again, in this case, the working group members have already extracted possible requirements from that document to add to our long list. Okay?

Any questions on the first item under this request? Okay, then the second one is the Registries Stakeholder Group comment and this is a fairly long comment because the Registries actually -- for the purpose of emphasizing -- the Registries actually sided some points that they had submitted months ago -- in fact, back on July 13 2015 -- as you can see. And then the responses are also fairly lengthy here because the Registry input on this one was lengthy.

The first point the Registries made -- as you can see there and we'll have to scroll down - if we can scroll down a little bit and see - I don't know if we can see both at the same time. Here we go - oops.

Okay, so one of the points the Registries made was that, you know, costs needed to be analyzed throughout the process and right from the beginning. Now you can't do too much in terms of analyzing costs until we have more detail about requirements and policy and so forth.

But some of you will recall that Stephanie from our working group, you know, has brought this same point up in terms of making sure we look at costs and possible cost impact. So that will be an ongoing task throughout.

And so you can see the response from -- the proposed response from the working group -- and we're basically saying that, you know, the cost model is

going to be part of all three phases. And so we will have - we're in agreement, I think, with the Registries although we recognize that it will be easier to estimate cost and possible cost impacts once we get further into our process.

So take a look. I won't read it since it's a little bit longer, but take a look at that first paragraph on the cost model there in the right column. See if you have any suggestions in terms of the response. Is it okay? Do you want to modify it?

Okay. The Registry comments, again, emphasize coordination with other Whois efforts going on and they talk about prioritization in Phase 1 of certain questions, and then expectations of privacy.

The last bullet shown there -- a technical feasibility industry impact and so forth. So the responses continue on the right. Just take a quick look at that in the lower half of the screen, the full paragraph that's showing there -- working group deliberation.

Any questions or comments on that?

And then the proposed response to the Registries comments here, they're listed in some bullet points to cover the points that they talked. Some of the other points, an effort to order group and prioritize possible requirements has just begun.

So just to bring everybody up to date, right now, Susan and Lisa are spending a huge amount of time starting that task, okay. And then they'll be coming back to the full working group in the next few weeks with a first step of triaging the long list of requirements that we have. And the working group will work on prioritizing those so that we have some sense of what order to do them identifying the pendent requirements, so Requirement A is dependent

on Requirement B. We'll obviously need to cover Requirement B first, so that has begun.

The second bullet there, there's a response that just says a privacy is one of the first three areas that the working group is going to deliberate on requirements. Okay, most everybody who is in the working group I think is pretty aware of that.

And then the third bullet there -- Impact Analysis -- that comes in when we talk about costs, and one of the related questions out of the Charter 11 questions that we'll be going through. And then that also gets into benefits/risks -- also another one of the eleven questions.

And then jurisdiction concerns will be particularly addressed when deliberating on possible privacy requirements and gated access requirements.

So that's a fairly long response to quite a larger input. Any concerns with that? Any questions or suggestions for edits?

Lisa, go ahead.

Lisa Fifer: Thanks Chuck; Lisa Fifer for the record.

The points that are made here on the left by the Registries Stakeholder Group. They sound a little like possible requirements. Did the stakeholder group actually submit those as possible requirements as well?

Chuck Gomes: No; I don't believe that they did. This is Chuck. The Registries did submit some requirements that were just received yesterday I believe, but I do think that - I think their new ones are not specific to these.

But that's a good point, so I wonder if maybe we have another action item on this one. That's a good suggestion. So if we scroll back up to Action Item - just scroll up to Page 3 there. Who's controlling this? There we go.

Okay, so there under Action Items, we may want to add -- in addition to seeing the response below -- an action item that working group members should be tasked with seeing if there's some possible requirements from the comments. Okay?

Any other questions or thoughts on this?

Michele Neylon: (Unintelligible).

Chuck Gomes: Oh, I've got to look at my Adobe. James, go ahead. Sorry, James.

James Gannon: No problem; James Gannon. Is this a good point for me to come back to my timeline description because I think it's relevant to the response to this.

Chuck Gomes: Go ahead.

James Gannon: So I just wonder, can we have a little bit of a conversation possibly just for a minute or two about how we actually hope to -- maybe in a bit more detail -- approach locking down these requirements and starting to go into debating on them and they relevant, they're not relevant. You know, there are so many people around the table here, we're going to have a serious, you know, struggle or disagreements over many of them.

And so from my point of view, you know, I do business requirements from a date basis from work. And I personally just - I don't understand how we're going to work through it.

I understand the high level concept that's being presented and I would just love to understand a bit more in detail how that's going to fit into any sort of

timeline. You know, because if this is being worked with a dedicated time, I can still see that requirements document taking months to work through.

Chuck Gomes: Thanks James. And that really leads into other things we're going to cover today. When we get to the attempt to finalize Task 11 -- which is to decide how we're going to reach consensus -- we're going to spend a lot of time on that today -- as Susan said. That's a key objective today.

And that ties in to what Susan and Lisa are doing as they first cut to tackling the long list of requirements, and then that will lead to prioritization and so forth.

And that's where we're going to decide, okay, how we're going to tackle all of these requirements and deliberate on them. So we're actually going to talk quite a bit about that today.

So if you can hang on a little bit - yes, if you can hang on a little bit in the agenda, we'll get more to that. But please, follow-up.

James Gannon: Yes, that's brilliant (unintelligible). And I'm just - maybe we should just put kind of an asterisk beside some of our comment responses then just until we've made sure that the working group is happy that this is something we can move forward on how we're going to knock down these requirements because we have it in a couple of the responses, I think, about some concerns over the number of requirements and et cetera, et cetera.

Chuck Gomes: This is Chuck again. I guess I'm not totally clear what you're suggesting in terms of putting an asterisk. We're going to go through all of the requirements and debate them -- pros and cons and try to come up with compromises if we can; things like that.

What exactly are...

James Gannon: I suppose that's my concern. I have serious wonders whether we can actually do that; I don't know how physically we're going to do that as a group.

Chuck Gomes: This is Chuck again. We have to do that as a group. And like I mentioned yesterday in the cross-community session, I hope there's a few that are easy, but there will be a lot of them that will be hard. And everybody is going to be able to air their concerns, their suggestions and so forth.

And I hope everybody also will be willing to collaborate with one another. Are there ways we can deal with Stephanie's concerns and with Fabricio's; I'm just picking on a couple people that I know pretty well. And, you know, they will conflict sometimes; we know that, okay.

So yes, you will. And everybody knows I've been trying to hold people back in terms of starting this before we get there because it's going to take a lot of time to do this. There may be some requirements that we have to spend a couple of meetings on.

Now the other issue -- and you'll recall I brought this up in a previous working group meeting -- is how do we - you know, we've got, right now -- for those that aren't aware of it -- we have a list of possible requirements that's in excess of 800. That's intimidating.

If we are to try and do those one by one, some of us would be long gone before we got through that. But that's part of the triage that's going on. Maybe we can tackle them in groups or several things. And if we get a chance to start some deliberation, there's another thing that we can do today that looks at them in a different way.

But a lot of time is being spent on that. Thanks to Lisa and Susan, they're taking a first crack at some things, and then it will come back to the working group and we'll debate it and try and improve it and so forth.

Stephanie.

Stephanie Perrin: Thanks; Stephanie Perrin for the record.

Yesterday in the GNSO meeting, we had a discussion because there will be a meeting with the GAC at 11:00 to discuss their concerns about the output from the Privacy/Proxy Working Group.

And I just wanted to put on the table that going through all of this work to analyze these documents and, you know, just the prospect of arguing with (Fam) over our particular differences over the next umpteen years, I would hate to do that and think that the GAC could come in at the end of it and disqualify this process, and I'm sure everybody feels the same.

You know, it's not just that the GAC's views are usually different than mine on this matter. I think we all don't want to throw - because quite frankly, if Trump card is played at the end, we will not take it quietly and say, "Oh that's fine. All those other concessions that we traded off for that, we'll just forget about them." That's not going to happen because as you know it's a complex process involving trust.

So got any thoughts on that? And we hope you're going to hang around for that.

Chuck Gomes: No commitments there. For those that don't, I had my 70th birthday a couple of weeks ago but, you know, I'll try, okay. My wife may have something to say about that.

But let me turn it - I will respond to...

Stephanie Perrin: She's welcome too, Chuck.

Chuck Gomes: I'll respond but let me let Michele talk.

Michele Neylon: Thanks; Michele for the record.

And Stephanie, I agree with you 1000 or 10,000%. As one of the people who was involved in the PPSAI, to say that I am frustrated by how this is playing out -- with respect to the GAC and the Public Safety Working Group -- is possibly the most diplomatic and polite way of expressing it.

If the same kind of thing were to happen with this, well, honestly I don't know. I just - words would fail me. I wouldn't know how to - I mean this would be ridiculous because if we can reach consensus within this working group, that would be a major achievement; that would be historic.

If consensus from any working group is then put at risk due to third parties who -- at the same amount of time which I would consider to be ample in order to address their concerns -- were to disrupt that entire thing, I would be incredibly upset, annoyed, and I would use lots of expletives.

To Chuck -- you dark horse. If we had known about such a momentous birthday, we could have done something.

Chuck Gomes: Marika did.

Michele Neylon: That's because Marika has access to your deepest darkest secrets or something; I don't know.

Chuck Gomes: Okay, I'll get you in.

Michele Neylon: As if you'd know (unintelligible).

Chuck Gomes: Let's go to Maxim and then Susan.

Maxim Alzoba: Actually, I think it might be a good idea to approach your relevant GAC member and (unintelligible) introduce him ideas slowly because they go into mind all the time. So we - they do not have like surprise in the end. That's my thinking.

Chuck Gomes: Thanks Maxim. This is Chuck again before I go to Susan.

It's a very good suggestion. If you know your GAC member and stuff, having some conversations with them would be a good idea -- and answering there questions.

As we're talking about the GAC, I want to caution us. Let's be respectful to governments and the importance of their input. I think we're probably all on the same page in terms of the concern that Stephanie raised, okay. But let's do it in a respectful way and we'll be a lot more successful.

And I think all of us understand that, so let me go to Susan.

Susan Kawaguchi: And actually, I absolutely agree with you. I think reaching out to GAC representatives or the PPCWG or whatever...

Man: (Unintelligible).

Susan Kawaguchi: Thank you; me and acronyms don't work. Any of those members, I think is helpful to sit down and have discussions which is something I've been trying to do even on the PPSAI.

So hopefully - I am hopeful that maybe we won't get GAC Advice on the PPSAI; I know that doesn't really pertain exactly to what we're discussing today. But I think it would suit us all to really be active with our own GAC and the Public Safety Working Group and try to get - if they can't come and be the voice, then try to get some of their points of view understood and convey those to the working group.

I was a little -- at the GNSO meeting -- I was a little bit surprised at what appeared to be equal weight between the GAC and the multi-stakeholder community. And that was, you know. So we need to iron that out with the Board too, and I think more discussions with the Board would be good on that topic.

Chuck Gomes: Thanks. And I'm going to turn it over to Michele to address Sara's question in the Chat.

Michele Neylon: Thanks Chuck. Actually, Sara, as you're in the room - this is Michele - do you want to just put your question on the mic rather than have me weed it out in an hour shack (sic) as opposed to your accent?

Sara Bockey: This is Sara Bockey for the record. My question is -- and I'm not sure if this was raised at some point and I dismissed it -- but it's something I've been wondering about since this working group started.

And so what that is, is that it seems in order to answer the question is a new RESOURCE needed? We needed to take into consideration the outcome of current Whois PDPs such as the consistent labeling and display, RDAP, translation and transliteration, privacy proxy, et cetera. It would seem that Whois will be changed when these are implemented.

And so will be taking the outcomes and improvements of these PDPs into consideration when we go to answer the question is a new RDS needed. They may not be requirements per se, but documents and items that should be considered.

Michele Neylon: Thanks Sara. Chuck, would you like to comment on this?

Chuck Gomes: Sure. Yes, I think it's a definite yes. In fact, it's part of our charter to take a look and coordinate with the other working groups and efforts going on in the community that relate to our work. And there's several of those.

There's the privacy/proxy issue, there's Thick Whois, that one - so the PDP is done but the implementation is still to happen. So there are quite a few. The translation/transliteration, that's another PDP that's done as far as the working group so far; it has yet to be implemented.

So absolutely; we have too. And we don't want to duplicate what those - it would be wrong for us to go back and redebate the things that a PDP working group has already made recommendations on. It would not only be a waste of time, but it would undermine the work that's already been done and undermine the whole process.

Does that answer your question?

Sara Bockey: I think so, yes. So we will take all that into consideration before we do our first report that we're anticipating being done by December?

And so then my question is if some of these haven't been implemented yet and we don't know what the change will be to Whois, and it might be an improvement that satisfies a lot of our issues and questions, then how can we issue the first report that's going to answer the question is an RDS needed if those haven't been put in place yet?

Chuck Gomes: Excellent question; this is Chuck again.

In some cases, we'll probably have to put a conditional statement saying, "It's still ongoing. Here's what we think is going to happen." It will be a case-by-case basis.

But in terms of any final recommendations, it will be dependent on the finalization of some of that work including implementation -- as you noted.

So let me comment to Stephanie's issue, and I'm going to digress a little bit away from our charter and talk a little bit more about some personal perspectives I have with regard to this issue. And they were running through my mind yesterday during the GNSO meeting when they were talking about the Red Cross national names and the acronyms and the IGO names and so forth. And I chatted with James as Chair of the Council just before this meeting.

And it's not my roll to tell the Board what to do; it's not any of, I guess, our role. But I think there is something the Board can do, and I hope that the GNSO Council will communicate this. And it kind of came out in the discussions in the Council meeting yesterday.

But I think that we need - and I have a fairly simplistic view on this that is the Board is not a policy development body, nor is the GNSO Council a policy development body.

The Board is the group that approves policy, but that policy is developed in the case of our situation -- the GNSO; the same thing for the other SOs. And the GNSO Council is the manager of the policy development process.

The Board, in my opinion, has three options when they're presented with consensus policy. Number one, they can approve it, and then, of course, the obligation is it will be put on registries and registrars for their contracts.

They can reject GAC Advice - excuse me. What I'm saying - I said that wrong at the beginning. When they get GAC Advice, they have three options; number one, they can approve it, accept it; number two, they can reject it, okay, and the bylaws say what they need to do if they reject it; or number three, they can send it back to the GNSO.

When they - and I don't think they have other options. But my suspicion is that the GAC because -- and I don't mean this critically -- but I think we've over the years set this expectation erroneously, I think the GAC expects -- because they have the direct relationship with the Board, their advice goes to the Board -- that I think there's the expectation that if they give advice that goes against policy, the Board can agree with them and override policy. And I think that's wrong.

What should happen, again, if they do that and they make a significant change to policy recommendations, they have just become a policymaking body. And I don't think the Board believes they're a policymaking body. I think that's the conundrum that they're in right now.

And I think they need to - and I think it will take some time to do this but I think they need to communicate that okay, this -- very significantly -- was the policy that was developed and approved by the GNSO Council, and so it's got to go back.

Now as many of you know, I was co-chair of the policy and implementation working group. Now that was not a consensus policy working group, but the recommendations of that group -- and some of you were involved in that with me -- were that policy and implementation kind of go together, and that if there are significant changes to any policy recommendations, it needs to come back to the GNSO and needs to be dealt with.

Staff can't just change things, and we're very explicit about that. And the Board approved these recommendations.

Okay, so I think that the expectations of the GAC need to be clarified. And again, it's not my role to do that; it's not. But I think that's a position the GNSO Council can take and suggest that the Board make that clear. And

maybe first of all, it's making sure that the Board is agreement with this way of looking at it.

And I really think they are. That's why they've been frustrated. But until the GAC understands that and has the correct expectations, we're going to keep getting this situation -- including in the one we're working on.

Sorry to take so long, but hope that's a little bit helpful.

Stephanie Perrin: Stephanie Perrin for the record. And I totally agree with you, and I was hoping that - and I'm a former government person. I certainly don't speak for the Government of Canada; I don't speak for any government.

But I have been saying since I got here, my goodness, this is a very unusual government body -- the GAC. And the way they're treating the work environment seems to be more like they think of themselves as a council of ministers approving or disapproving of the work that is done here.

And that's not the way I think it ought to be. They ought to be working with us.

And normally, as a former public servant working in these international organizations, you work and you contribute and you don't act as if you're the sort of approval body.

And so how this came about is fascinating; worth a dissertation on its rights -- no doubt. And possibly some student somewhere is writing one.

But it really deserves some examination because I don't think we're just going to fix this by having a GNSO liaison to the GAC. We need to explore just exactly how everybody sees the process and get some - and Work Stream 2 is a good place to do that isn't it? Nobody wants to upset the applecart on the CCWG stuff by getting into the deep, deep layers of this -- how it's risen.

But it does seem to me that as a multistakeholder model, this is not going to work because people are not going to be willing to put in five years of work on something and have it trumped. Thanks.

Chuck Gomes: Yes, and we've got several people in the queue. We've got James and Alan and Marika.

And I want to just interject something else first, and that is I was really pleased yesterday at the presentation of the GAC in our cross-community session. That is a really good sign. And the GAC is really trying. And it's hard for them -- as governments -- and the way they approach things to do this.

So let's be a little bit patient. At the same time, let's do everything we can to ensure that things are done right and that the model that we have for developing policy isn't compromised.

And let's go to James.

James Gannon: Thanks Chuck. I suppose it actually builds on what you just said, and particularly because we have a few extra people in the room as well.

For those of you who have GAC members who are here and attending, please go and talk to them. And please like tell them what we're doing and, you know, show them that we're not the big evil GNSO because the more informed GAC members we have, and if you have a country that is actually sending people to the GAC and is becoming engaged, please utilize it because those of us who don't have engaged GAC members are, you know, jealous of those that do. So if you have that opportunity, please do take it.

And tell them about RDS and tell them about the other things that you're involved in because the more educated they are on these things, the less likely we are to get situations where we get contentious GAC Advice coming out. It's a call to action.

Chuck Gomes: Thanks James. Chuck again. Alan, go ahead.

Alan Greenberg: Thank you, thank you. It's been a few years since I sat around a GNSO table and took the microphone to suggest there's other ways of looking at things.

But I think it's important here. It's not just an issue of the GAC has to understand; they can't trump what the GNSO says.

The GAC does have the right to advise the Board, and the Board may well be in a position to decide that the GAC has a good point they want to listen too. Therefore - and Chuck's right. That may well mean something gets sent back to us.

Since we tend to labor long enough on these things, it's not clear we want something sent back to us. So we do have an onus to the extent that the GAC will participate in our process. To not say that they have, you know, veto rights in our discussions, but that we should be listening because it may well bounce back to us two years later if we don't.

So I think we have to make the whole system work; not just decide who is man on top each time or woman on top each time. Thank you.

Chuck Gomes: Chuck again, thanks Alan. That's well said.

The point is that it just needs to come back. And we have to accept in the responsibility when it comes back to us - I'm talking about the GNSO - to...

((Crosstalk))

Alan Greenberg: (Unintelligible).

Chuck Gomes: What's that?

Alan Greenberg: We don't want it to come back; we want to do it right the first time and that does mean listening and factoring in GAC concerns.

Chuck Gomes: We're on the same page, okay? Let's go to Marika.

Marika Konings: Yes, this is Marika and I think it's a point that Jonathan made yesterday as well during the session that, you know, we've already come a very long way. And I think both the PDPs that are currently under discussion or where there are concerns, they actually predate all the new mechanisms that we now have for early engagement.

I think the RDS PDP is actually the first one, for example, had the quick look mechanisms where the GAC did respond as part of the preliminary issue report. They have already provided input as well to Outreach Message 1.

So they are actively engaging and trying to involve themselves in the working group deliberations -- which as you said, is a really good sign. So I think the hope is that through that engagement and continuing that, and maybe worth as well from time to time, to ask them, you know, are you able to keep that up because, indeed, for them it is a challenge. They're trying to find mechanisms by which they can provide timely input.

But, you know, for the GAC, they need all of them to agree to make it GAC input.

And I think we've tried to communicate as well through the work that has been done in the consultation groups is that it doesn't always need to be formal GAC Advice. It can be, as well, input from individual governments because that will still give an idea of what government perspectives may be. So those can be factored in similarly to all the positions of different stakeholders here around the table.

So I'm at least hopeful that through those new mechanisms and that new sense of realization as well from the GAC side, that it's really important to have their views heard at a very early stage. I'm hoping we won't be in a similar situation at the end of this process.

Chuck Gomes: Thanks Marika, and Chuck again and Susan is next. But let me add the GAC has come back to us on our informal Outreach #2 and said, "Hey, we're going to be late but we're doing it."

See, there are good things happening so let's not leave with the impression that the GAC isn't changing and growing; they are and we're seeing the benefits of that already.

Susan.

Susan Kawaguchi: So one thing that comes to mind to me is that, you know, it would be to our advantage to make, you know, just continue that relationship with the GAC. And maybe we do something similar to the GNSO GAC liaison, but from this team where we do develop a short, you know, really bullet, one-pager. But maybe work with the PPSWG because they're part of the GAC, right.

But I think that's where our work is going to be most relevant to them -- to those members. And then they can deliver to that -- to the GAC -- that maybe we just make that special accommodation; have one or two people, or whoever it works out to be, point person so when they do - if they can't stay, don't have the resources to be in all the calls and the meetings, then have someone they can reach out to and say, "Where are you on this point," and really get some clarity for them.

And so - but sort of make it as easy as possible for them to stay engaged. It might be worth the working group's efforts to do that.

Chuck Gomes: Thanks Susan; Chuck again. And before I go to Michele, note that the GAC - we do have a person who is serving as a GAC liaison right now.

Susan Kawaguchi: Oh, I'm sorry.

Chuck Gomes: That's all right; there's an awful lot going on.

Susan Kawaguchi: (Unintelligible).

Chuck Gomes: Now - and he's willing to continue doing that if the GAC will support that. So again, good progress.

Michele, it's your turn.

Michele Neylon: Thanks Chuck; Michele for the record.

I'd love to be able to agree 100% with Alan, but I actually can't because one of the problems with this framing of this GAC GNSO interaction is that there's an assumption that there's a consensus between the two parties -- or at least that's the way I understood what you were saying.

There's been the issue that we're currently facing around the Proxy and Privacy is that it wasn't that we didn't listen to, hear or consider what they were saying; it's that we didn't agree with it. And we did consider it, we did look at it, and it was very much a case of let's for a second (unintelligible), oh no a third, oh no, it's a fourth bite of the apple.

And then we end up with this ridiculous situation where -- how many months after that PDP finished -- nothing has happened and the entire thing has stalled. I mean I think we're now 12 months plus or I don't know if somebody is keeping track of it.

And that kind of interaction is not healthy. I mean we can consider, we can discuss, but if we've ultimately rejected and we've reached consensus within a working group, I don't know what we're meant to do with the GAC if they keep coming back saying, "No, no, no; we still want you to do it." This is the bit I'm struggling with.

Chuck Gomes: Let me jump in here and I think I'm going to cut this one off here. I think the points have been well made; they're all good points. Let's plan on working constructively with the GAC, and again, let's recognize that they're making really good progress, and it's demonstrated in this working group.

So let's not continue this discussion but let's be constructive in our attitudes and optimistic that this is going to be a working group where we get pretty good participation from the GAC.

And keep in mind. We're going to do lots of outreaches and keep them smaller in volume or smaller in content to that it's easier to respond. And hopefully, that will - so far, that's working with the GAC. It looks good on our first two outreaches, so that's very good.

So we've got the one action then on the Registry comment -- the long Registry comment here. We're going to add the action item; we have that.

Is there anything else on the working group response to the Registries comment on this particular Registry comment? Okay, let's scroll down then to the next item in the table, and scroll a little bit to the left.

So we've got number three, and good timing; it's the input from the GAC. And we're suggesting that we agree with the GAC. You can read the comment there from -- the suggested comment from the working group.

Any concerns about that? Suggested edits? Okay, and note that the documents have been added to the list of inputs we received.

And notice there's a second action item. We need to task - so this will be an action item coming out of this meeting I presume that would task a working group member or members with identifying possible requirements from that additional document. So that's an action item.

So I don't know if there are any volunteers in the meeting today -- somebody that would like to take that task -- take the lead on that and come back to the working group. If there is, please identify yourself. If not, let's reach out to the full working group list and make sure we get that task assigned.

Okay, yes. Vicki?

Vicki: (Unintelligible).

Lisa Fifer: So Vicki there. I believe there are four additional documents. Are you volunteering for all four? Thank you.

Chuck Gomes: Fantastic, thank you very much. Okay, we appreciate that.

All right, now I guess that raises in the question, we may want to modify the action item a little bit. The working group has identified one of its members who will do that task, okay. Thank you very much; appreciate that.

All right, let's go to the next item -- number four here from the ALAC. Now we won't let Alan talk on this one will we? I'm kidding of course.

So in this particular case - in fact, Alan, if you'd like, since you're here, you want to talk to the comments? Okay, all right. So you can look at the comments there on number four.

And the ALAC suggestion here, in my opinion, is very good. There are some documents that we really need to take seriously. And interestingly enough, I

think we have on all of there -- and will even more going forward -- take a look at - so the action item is to ensure that all the documents identified as critical by the ALAC are examined for possible requirements. And I think -- in large amount if not all -- we've got that spin done; we may find more.

Take a look at the proposed response. Any questions or comments on that?
Alan, go ahead.

Alan Greenberg: I guess I will make a brief comment.

The main focus was not to say, "Make sure to look at those." There's not much chance you're not going to. It was a pragmatic statement saying there's an awful lot of documents and a huge number of pages to read. And if somebody isn't going to read all of them, make sure these are on the list you do read.

Chuck Gomes: Thanks for clarifying that Alan; appreciate it. This is Chuck. So any questions or comments on that one? Okay, let's go to the next one.

Oh, go ahead Lisa.

Lisa Fifer: I would just note, I did believe that most of the documents were identified either have volunteers or have already been covered. But I don't think that all follow the statement of EWG members have been covered yet and that we don't have volunteers to cover all of them yet.

And also, I would note that we're still waiting for the possible requirements from the new European data protection work. That is assigned but it's still not sending on it (sic).

Chuck Gomes: So - this is Chuck. Can you identify - let's try and get some volunteers for the ones that are missing. Can you identify which ones we need volunteers for?

Sure, take a minute. Now pay attention because I'm looking for some volunteers just like Vicky so graciously volunteered on the GAC documents.

Lisa Fifer: I'm not going to find it on that list. What I'll do is I'll type it in Chat.

Chuck Gomes: Okay, thank you. Okay, so that will be put in the Chat, and if there are volunteers here today. If there are not, then let's put it out to the working group.

Now I want to interject just a little another logistics matter. Keep in mind -- those of you in the room that aren't working group members -- you're welcome to participate, just let us know. So if you have a question or a comment or suggestion, you're welcome to do so. We just want you to go to a mic.

It looks like there's one mic available over here and we have a loose mic that can be used as well, okay.

All right, let's see, we've got that covered. Let's go to the next one. These three are all pretty straightforward, so I don't think we need to spend any time on those. Go ahead and scroll down.

The next one where we need you to review it is, again, comments from the ALAC. And the action items are really related to the second paragraph as you can see. And I'll let you take a look at those and the comment itself and see if there's any input on the proposed response.

Okay, anybody need more time? All right, let's go ahead and move forward.

And here the question is, "Is there any other information," this was kind of an open-ended question -- anything else you would like to suggest. And the SSAC did submit some things there. And again, a fairly lengthy response so

I'll pause a little bit longer to let you take a look at that. So bear with the silence a little bit while we give people the chance to look at those.

END