KOBE – RSSAC Work Session (1 of 8)
Saturday, March 09, 2019 – 09:00 to 10:15 JST
ICANN64 | Kobe, Japan

FRED BAKER:

This is an open meeting. We may have people wandering in and out of the room. I will introduce the one guest that we have, which is Vicky Risk from ISC. She tells me that she's here to talk with everybody except the people in this room but she wants to listen in here, so whatever. I think many of you actually know her.

The big agenda item this morning is RSSAC [0], the procedures by which we run ourselves and kind of what our game plan is in the next few months. Let me just turn that over to Carlos.

CARLOS REYES:

Thank you, Fred. Good morning, everyone. First off, as you saw a note from Steve a few weeks ago, we're making some changes to RSSAC staff support. I'll be leaving the day-to-day activities of RSSAC to focus on 37 work with the board, obviously still liaising with RSSAC and other groups involved in that. But in the meantime, we have asked my colleague, Ozan Sahin, from the Istanbul office. He's been with the policy department for a few years now and has been supporting a few community groups. So, he'll be taking over most of the day-to-day responsibilities. He's observing this meeting and he'll be with us at the workshop in

[inaudible]. So, please give him a warm welcome. You were all very kind to me five years ago when I started with you, so I hope you will continue that with Ozan. Ozan, would you like to add anything?

OZAN SAHIN: Thank you, Carlos. Good morning, everyone. I'm very grateful for the opportunity to support RSSAC, and as Carlos mentioned, I've been with the policy department for almost four years now and I supported some of the projects of At-Large. I supported some of the meetings of the GAC. I'm still supporting Empowered Community and some of the GNSO constituencies. So, thank you for having me again.

FRED BAKER: Thank you for helping us out. We appreciate it.

OZAN SAHIN: You're welcome.

CARLOS REYES: I think, to help Ozan, when you speak, if you could provide your name, just so that he can start recognizing everyone. Then, of course, Andrew, Mario, and Steve will remain part of the team as well. So, we'll be working closely over the next few months to

make sure Ozan is ready to take over probably sometime after Marrakech. So, you'll start seeing him more and more on the RSSAC list.

With that, we'll go ahead and jump into 000. Oh, I'm sorry, we'll review the schedule first, just to make sure we're all on the same page here. So, if you're in the Adobe Connect room for the session, I will add the link there.

Alright. So, here's the schedule. We begin today obviously at 9:00 AM we have our first work session. We have a short coffee break in about an hour and 15 minutes. Then we proceed onto work session two and then lunch break and work session three.

So, work session one will focus on some of our administrative items. 000, that document has been stable since January, so we just need to determine next steps. We'll talk about the draft work plan. If you recall, there was a recommendation from the independent examiner that RSSAC agreed with to publish an annual work plan. So, staff prepared a draft that has been available for a few weeks now.

The next session at 10:30 will focus on the concept paper. That's the initial board response to 37. There's been a lot of feedback on that, so depending on how this session goes, we may be able to add more time to that as well.

Later this afternoon, we've blocked off some time to focus on the service coverage work party. Yes, Wes?

WES HARDAKER: Thanks, Carlos. This is Wes Hardaker, ISI. Actually, you perfectly tailored into a question of mine which is are the topics for these posted publicly so that people might come in at certain times? It made me wonder: can we do squashing of the agenda? We probably can't since they're published, right?

CARLOS REYES: So, they are published. The agendas are published. Obviously, not links to documents and things like that. But, as long as I think we start each session with the intended agenda item, I think we can make sure that things evolve in the way that the room wants to address items. So, for example, the service coverage, we should probably dedicate some time to that later this afternoon, but if that moves quickly, we can probably dedicate more time to the concept paper or anything else. Yes, Liman?

LARS-JOHAN LIMAN: That is likely to move extremely quickly. I would say that you can allocate the lion part of that session to other things, definitely.

CARLOS REYES: Thank you. In that case, we'll update the public agenda as well. So, that's Saturday. We have the tutorial session later today. As always, we would welcome any RSSAC members in the room to answer questions. Later tonight, we also have the RSSAC dinner. This is at the [Nataman] restaurant at the Crown Plaza Hotel. We have a set menu for everyone planned, so it should be a nice evening. I think probably the easiest way to get there is to just take the ICANN shuttles from this venue to the hotel and feel free to reach out Mario with any logistical questions or questions about the menu, etc. It will be a traditional Japanese meal and we made sure to have vegetarian options and gluten-free options for those of you that have dietary restrictions.

Sunday we'll focus work session four and five on the metrics work that just started. As Brad and Wes were the shepherds – and of course you've all been part of those discussions. It's a priority item since it leads into the workshop in April.

In the afternoon, we'll have a prep session for the various joint meetings and other open sessions and then we have a second tutorial later that afternoon.

Monday, obviously opening ceremony and then you have some options if you'd like to go to Tech Day or one of the cross-community sessions. The CSC also has a session Monday morning.

The only RSSAC item on Monday is the joint meeting with the Board Technical Committee. Kaveh will be leading that and we expect the agenda to basically just focus on the concept paper. Make sure there's interaction and the BTC and the RSSAC are on the same page.

Later that afternoon, again Tech Day continues. If you're interested in learning more about the NomCom review, I think the NomCom visited RSSAC maybe a year ago when they were talking about their review, so they have an update. There's also a cross-community session on GDPR. Then, of course, the public forum.

There's a gala Monday night. You don't need a ticket, but if you would like a ticket, you can get that from the local host committee booth. But your badge should be enough to get into the gala. There will be shuttles from the venue to the hotel [inaudible] where the gala will take place.

Tuesday is busy. It's mostly public sessions and then joint meetings. We start off with the information session which is a standard RSSAC update about its work and publications. Again, we'll prep for that on Sunday afternoon.

There's a joint meeting with SSAC. Russ has been driving that agenda. We'll make sure to add it here once it's finalized.

Then, in the afternoon, we have the joint meeting with OCTO. There are a few items that the co-chairs have proposed for OCTO and we're just waiting to hear back from OCTO on any topics that they would like to discuss. We'll update you on that.

Then, there's a work session on RSO independence. I think Fred sent a document around to the list last week. This is in response to a conversation that Brad and Goran had in December, and I think Brad and Fred have both provided updates in January and February about some details that Goran thinks should be documented as part of 37 and that work. So, that's Tuesday.

Wednesday is the joint meeting with the board. The board has proposed two questions, but my guess is that the agenda will largely focus on 37 as a continuation of the meeting with the BTC.

Then there's one last work session after lunch to plan for the workshop in April, just to check in with the room and see what progress was made during Kobe that we can start planning for the [Restin] workshop. Then we'll have the formal RSSAC meeting. That agenda has been shared. Assuming there's no more feedback on 000, that will be the item that will be up for a vote. And of course minutes. Then that's it. That's it on the RSSAC schedule.

I'm sorry, I forgot the At-Large Capacity Building. So, the At-Large Advisory Committee invited RSSAC to present basically a 101

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about RSSAC. Andrew will be providing that presentation but it would be helpful if RSSAC members are there just to answer questions if they come up. That's Tuesday afternoon.

Then, Thursday, it's mostly cross-community sessions and plenary sessions. Any questions about the schedule? There's a reception Wednesday night. I forgot the reception, I'm sorry. That's a standard BTC, RSSAC, SSAC reception. There will be shuttles from here at 7:00 to the reception. Questions about the schedule? In that case, let's go ahead and … Yes, Brad?

BRAD VERD: When do we want to give an update on yesterday?

CARLOS REYES: Your admin meeting, the admin meeting?

BRAD VERD: No, the readout from the leadership [inaudible]. We can do it whenever you want.

CARLOS REYES: Yeah. No, now works, while it's fresh on your mind.

BRAD VERD:	So, real quick. Fred and I met with the SO/AC leadership yesterday. One of the privileges of being chair, you get to come in even earlier and have more meetings. So, that was all day yesterday. It was Chatham House Rules, so no attribution, so I'll just share some of the topics that came up.

Essentially, the way the room works is all the SO/AC chairs are in there and kind of do a roundtable and kind of understand the priorities of each of the groups and then Cherine usually – well, I should just say the board. The board talks and then ICANN Org talks, just kind of sharing of information let's just say.

So, our update, just to get you up to speed on that was we were working with the board and the BTC on the response to 37 and 38. We have finalized our review with the OEC and we're in a holding pattern. I don't know if everybody read all the e-mails or got all the e-mails, but we've given our response to the OEC on the recommendations from the independent review and we had two iterations I think with the board on that and now the OEC is evaluating them and the OEC did reach out to us and say that they haven't forgotten about us. They're just kind of overwhelmed with work right now, so they'll get to it in the near future. So no action there.

Then I just gave a brief rundown of the three work parties that are going on – the service coverage, the resolver behavior, and the metrics. That was our update.

As it turns out, we found out yesterday that nearly every SO and AC group has potential bylaw changes in the works. So, it's really quite interesting. It was clear that there was going to be a need to categorize bylaw changes from non-contentious ones, kind of like ours, if we were to go forward with the chair/vice chair model that we'll cover in 000 here. But then there were other ones that were brought up, like the most recent one, the IANA one with the IANA review is currently on hold because there's a requirement in the bylaws for the ccNSO – I think I'm going to get this right – to have three representatives. Two of them have to be members of the ccNSO and one of them has to be a non-member of the ccNSO. As it turns out, they can't find a participating non-member, so therefore they can't meet the bylaws, therefore the review can't start. So, that needs to change. Stuff like that.

As it turns out, every group had some sort of bylaw change that they're talking through.

UNIDENTIFIED MALE: Is there any sort of commonality between all of them or are they just all completely independent?

BRAD VERD: I would say the commonality, if there was one, would be we didn't think of everything when we did the transition. So, the ccNSO one, on the IANA review, that was a best intentions, that as it turns out, because of their success at getting members, there now non-members are non-participatory. So, to meet that requirement of we have to have somebody who's a non-member on the review team, they can't. So, things like that just need to … I call it maybe maturing a bit or something or things that weren't thought of with the transition.

But I share that because I was not aware of all of the bylaw changes that were in the mix and I know we've talked about here, like that's going to be hard. Well, as it turns out, everybody is in the same boat because everybody is talking about bylaw changes, just so you're aware.

The discussion was again to be most efficient and most efficient use of money because each one would cost money to get done. You kind of identify a bucket of non-contentious bylaw changes and then maybe a different bucket that might be some contentious ones. So, that's being talked about now.

For instance, the IANA one, as it turns out, somebody in the GNSO or a group in the GNSO basically says, "No, you have to follow the bylaws," and you can't have the review until the bylaws are

changed. That would fall under the contentious bucket because somebody is contending it, if that makes sense. So, that was part of the discussion.

A majority of the discussion was spent on GDPR. Again, it doesn't directly affect us but it does for most of the other groups. Then, that led to a discussion around the NCAP study that SSAC is working on.

Let's see. It turns out ICANN is now going to be an official member of the ITU. I thought that was interesting. Up until now, they've been attending the ITU under others' names like RIPE or ISOC or different RIRs. Now they're an official member under the ICANN name is something that was noted.

Lots of discussion on the strategic plan, which we will hear more about throughout the week. And I think there is a working group session on the strategic governance or the ICANN governance that's open to everyone. So, that was talked about.

That pretty much was it. Did I miss anything, Fred, Carlos?

CARLOS REYES: The only thing I'd add is that for the IANA functions review, the RSSAC liaison to that is Suzanne. There hasn't been much work for that, but just so that everyone is aware.

BRAD VERD:

Yeah. I was surprised to hear the review is on hold right now even though there's still some official back and forth that hasn't happened yet. The review hasn't started because there is a group that is … So, the ccNSO basically came back and you guys all saw the e-mail that we talked about briefly and that we responded to. The ccNSO suggested that because they can't fill the third seat with a non-participating member, they said we would like to fill it with a participating member. Does anybody have anybody have any objections?

Everybody, including RSSAC, said, "No," with the exception of a constituency group in the GNSO. So, therefore, because somebody objected to it, that review is on hold right now. They're working through how to figure that out. I'm looking at Naela because she's probably in the middle of it. Liman, then Fred.

LARS-JOHAN LIMAN:

Lars Liman, Netnod. Also, RSSAC is a representative of the CSC and I'll just mention that this has surfaced in the CSC because the CSC is the ticking running version of a review all the time. So, it has [served us] there, but we're sitting back watching rather than participating. We are not a body involved in that play, but it is known.

BRAD VERD: Jeff?

JEFF OSBORN: I'm just surprised. Did you just miss it or has the rumor run of the disillusion/change? Did RSSAC not hit that level of rumor mill yet? Jeff Osborn, ISC.

BRAD VERD: Yeah. No, apparently I'm not connected enough to know what you're talking about. Sorry.

FRED BAKER: What he's talking about is the concept paper managers did not mention the RSSAC and renamed all the different functions from what we had in 37.

JEFF OSBORN: Yeah, exactly. It's kind of the elephant in the room, right?

FRED BAKER: Well …

JEFF OSBORN: We're proposing doing away with this organization in some form or another and replacing with some other things. That struck me as discussion-worthy.

FRED BAKER: Well, I think what we're actually doing away with is the name RSSAC. I've said before that I don't think ICANN is stopping wanting to talk to the root server operators. It's just that the structure will be different and therefore the mechanism will be different. That's all an outcome of this RSSAC 37 process which we're on [inaudible] of.

UNIDENTIFIED MALE: Can I suggest we table this until 10:30 when that will certainly come up? It's definitely a conversation that we need to have.

UNIDENTIFIED MALE: I'm just curious [inaudible].

FRED BAKER: I haven't head any chatter about it.

BRAD VERD:	Yeah. No chatter about it. It's the first I've actually heard this description of it. But yeah, this would be a topic for the next hour when we start going through the concept paper, if that's alright.
FRED BAKER:	Brad, Naela wanted to get in.
NAELA SARRAS:	Yeah. Thank you. So, you're absolutely right, Brad. We have kind of an impasse on IANA naming function review. But I should mention that I think there will be development on that here at this meeting in ICANN. So, the work was meant to start last October. It's been stuck. As Liman said, we've discussed it in CSC and there's been a bunch of other communities discussing it.
	I think they may have reached a solution, so there will be some things that will be put in front of the board this week to probably review. So, I think we're getting close to where there might be a solution. I'm not exactly sure about the details but expect that it would – there should be some movement on it in this meeting.
BRAD VERD:	Thanks. Again, that was not meant to be a focus on IANA. That was … For me, the feedback there was to share that there are a lot of bylaw changes that are in the mix. And I know that in this

room, for [inaudible] we've talked about, oh, that would require a bylaw change and that comes across as hard or impossible and it sounds like everybody is falling into that category, so there's going to be just a movement on that I think.

That was all I had from yesterday, unless you guys had something more to add. Okay, I'll turn it back over to you, Carlos, for 000.

CARLOS REYES: Thanks, Brad. So, let's talk about 000. We'll add the link there in the Adobe Connect as well but it's available from the agenda page. So, the original work on this started after Panama and Kevin Jones shepherded this. We wrapped up most of the edits after discussions in Barcelona and the document has been stable since January. So, the only thing that staff worked on since then is coordinating with Legal about these potential bylaw changes and the sequencing for that.

So, if you look at the document now, I specifically highlight the different changes the group suggested in Barcelona at ICANN 63. So, all of that is documented in there. This is a clean version, since we cleaned up the red-line version in January.

I'll give you a few minutes to review that. But in the meantime, what I wanted to focus on is the timeline for how the bylaw amendments would proceed. So, I'll bring that up now.

So, here's the timeline. So, we're at ICANN 64 and obviously we're having a work session to review it. Assuming that the vote to approve the draft moves ahead on Wednesday, the 13th, and it's approved, we would then – the support staff would submit the paper and the actual redline of the bylaws to the board. So, Kaveh would do that as a liaison. At that point, it would be on the board agenda to consider it. Probably the Governance Committee would take it up.

The goal would be for the board to approve the resolution since it has to go for public comment at the workshop in May. The board has a workshop in May. So, if the board approves the resolution for public comment, then we would go to public comment. That would go on for 40 days which would take us through early July.

At that point, we would capture any feedback from the public, produce a report, and send that to the board. Again, the board would consider it over the summer in August and we would be in a position where the board could actually approve the amendment at their September workshop. At that point, the empowered community mechanisms kick in, so the empowered community would have 21 days to reject the board action. If those 21 days expire, then the bylaw amendments would take effect, and at the same time, 000 version 4 would take effect.

So, even though the RSSAC would vote on it in mid-March on 000, it wouldn't go into effect until the bylaw change happens. So, that basically puts us in mid-November. At that point, we would begin a nomination period for RSSAC vice chair. That allows Brad to finish his second year as co-chair. And since Fred was elected to a two-year term, he would ascend to chair for the next year and then there would be an election for vice chair. Just to make sure that all terms are respected and that the sequencing then aligns with the bylaws.

BRAD VERD: Just to add I think it works out really well in the sense that now you've got somebody who's … Your chair and vice chair are offset if they're two-year terms. They're ending terms while one is still in their term, if that makes sense.

CARLOS REYES: Questions? Liman? Duane?

DUANE WESSELS: Are we taking questions on the schedule on questions on the document?

CARLOS REYES: Either.

DUANE WESSELS: Okay. Well, I was just reviewing the document. In section 124, it says the terms shall not be staggered which maybe that means not necessarily staggered. I'm confused, I guess.

CARLOS REYES: Yeah. So, I went back and reviewed this discussion in Barcelona. That's the language now, so we would still elect Fred this year. But the new election would be for the vice chair, if that makes sense.

FRED BAKER: To Duane's point, it seems like we need to remove the word [not].

CARLOS REYES: Well, I guess there's some choices. You can force them to be staggered, you can force them to not be staggered, or you can say whatever happens, happens. But it seems to me soon we're going to be in the situation where they are staggered and the text in this draft would be incorrect. Liman?

LARS-JOHAN LIMAN: I don't have a strong opinion on that, except that we can probably find a flexible solution to starting into whatever schedule we decide on. I wouldn't make it too big a thing. I would focus on

what we want to … Sorry, I would focus on what we want to have in the long run and not worry about how we get there.

CARLOS REYES: Any thoughts?

UNIDENTIFIED MALE: I think I remember from the discussions in Barcelona that we arrived at having them not staggered allowed for the vice chair to step into the chair position in a good way. So, that's probably the reason for the current wording in there. If you have them staggered, it will be difficult for the vice chair to become the chair because he will be in the middle of his tenure when that needs to happen. So, I believe that was the underlying reason for writing it in this way.

CARLOS REYES: I think that makes sense. Should we say so in the document so we don't confuse ourselves later?

UNIDENTIFIED MALE: That's always a good idea, yes.

FRED BAKER: I'm always one for simple solutions. I think the simplest solution to this problem will be to remove the sentence.

LARS-JOHAN LIMAN: That makes perfect sense to me. We should put in limitation where we need to have limitations. The sentence before, that is one that you know that I have a very strong opinion on which is to limit the number of terms but that's a totally different matter.

My only point is I think that sentence before that should remain because I don't want to allow suggestions where we cement a certain person into a certain position. I think having rotation is a very, very good thing.

CARLOS REYES: I think that's been in place since 000 was first adopted in 2013-2014.

LARS-JOHAN LIMAN: And I was the person behind it.

CARLOS REYES: Yeah, back when Julie Hedlund helped us put operational procedures in place.

BRAD VERD:	I'm sorry, I don't remember the right section here. I guess I'm just thinking through the scenario where Tripti left us early to go to the board. Do we have or since we're talking terms and this and that, I want to make sure there's not a limitation so that if, let's say, the chair were to leave and go to the board or go somewhere else, that the vice chair is not allowed to go for chair. Your comment made me think of this, Liman. I was trying to think and make sure that our procedures don't limit him or keep him stuck, if that makes sense, in the chair or in the vice chair role. That's all.
LARS-JOHAN LIMAN:	It's certainly not my intent to limit that. I think that it's phrased the way that – for either of these positions, you're not allowed to be there for more than two terms which is fine by me.
	What we may – that's kind of a limited "may" – want to add is words that speak to what happens if you leave something early. I'm perfectly open to that.
CARLOS REYES:	This has been in the document. When a vacancy exists, the RSSAC just conducts an election. And because it's not scoped in a way that limits the vice chair from running, it would just default to the actual requirements for running as chair, regardless of other roles that person may or may not have.

LARS-JOHAN LIMAN: Is this sufficient for you, Brad? I think it is for me.

BRAD VERD: It is for me, and I guess … How do I say this? I'm trying to avoid people splitting hairs over things. So, let's assume it happens in June. Is the term now two-and-a-half years? Sorry.

LARS-JOHAN LIMAN: That brings the question why do we have terms set on calendar years? Is that a requirement we should remove?

BRAD VERD: I don't know. Just playing the scenario out in my head and I don't want to punish somebody for signing up in June, so therefore they only get the term for a year-and-a-half versus without. I feel like, if anything, it should default to the longer one, much like we did with Fred and Tripti type of thing. Tripti left, Fred came in, so he would be more than two years, so to speak.

FRED BAKER: I'm putting myself in the queue here. It seems like the traditional meaning of the term vice chair might be useful here. In the event that the chair missed his flight or whatever – is not present – the vice chair steps in, acts as the chair for that duration. In the event

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that [inaudible] was to drop on the chair, I would think that the vice chair acts as the chair until that situation gets resolved. And if that happens to be six months later, well then, life is tough. That's what happens. Is there anything wrong with following that model?

LARS-JOHAN LIMAN: The only thing … Not necessarily wrong, but the drawback is that we then don't have a spare during that timeframe which we may be willing to live with, but that's the obvious consequence.

CARLOS REYES: So, here's the definition that we worked out sometime in the summer last year of vice chair. What I wanted to say about terms, I think you just deal with that on a scenario basis. It would be a little hard to anticipate every potential scenario with when someone leaves. In the case with Fed and Tripti, there was a discussion about what do we do with the remainder of Tripti's term, etc. rather than trying to document something and hardwire into it that may not be as flexible.

So, I think if we just focus on what is the election process and what are the qualifications, that way it's triggered by a specific scenario, rather than trying to say, "Well, if it starts in June, etc."

Does that make sense? That would be my recommendation to the group.

FRED BAKER: So, you're suggesting that the overriding rule throughout here is do things that make sense. Are we happy with this paragraph, then? I'm not hearing any objections. Maybe we should move on to the next change.

CARLOS REYES: That's really it. Now that we removed … Like I said, the document has been stable. We removed that staggering … The sentence about staggered terms. Maybe let's focus on the timeline and see if anyone has questions on the timeline.

FRED BAKER: I think I understand what you're saying in January 2010, but let me restate it in my own words so you can tell me I've got it wrong. Functionally, we're acting as if I'm chair this year. This is my first [year]. So, when you say Fred begins term a RSSAC chair, that becomes my formal title, but we're into my second year. Then, we do what we do with vice chair. Other comments?

UNIDENTIFIED MALE:	I guess, getting back to the staggered thing, if the goal is to keep the terms [coincident] rather than staggered, then in January 2020 I think we need to do something special or different, right?
LARS-JOHAN LIMAN:	I was just thinking about that and I [inaudible] from that. Whatever needs to happen is the simple thing that someone who is into half his or her term steps down and then runs for the other position. It will fix itself.
CARLOS REYES:	So, I guess it would either happen in 2020 or 2021, depending on how we want to recognize Fred's election last year for two years.
BRAD VERD:	So, let me ask a question. This goes back to Barcelona, I think, which was the discussion around staggered or not staggered. I believe – I need somebody to refresh my memory – that it was not staggered so that … Actually, I don't remember why. Let's just put that on the table. So, if somebody could refresh my memory on that. Then I will lead to my real question which is how does that play out if somebody leaves? Do you reset both positions, then? I don't quite understand how that plays.

LARS-JOHAN LIMAN: First, the discussion arrived at non-staggered because we had the idea that the vice chair would automatically be elevated to chair and if they were coincidental it would make that very easy. So, that's my recollection of why we arrived at that.

Second, if someone leaves, the other person – speaking of chair and vice chair, the other person may also want to terminate and leave, so to speak, but then run for the other position. So, we will have to make reelection of a person to fill that empty slot, but at the least, that's my take. So, if someone leaves, we need to elect someone to fill that position and we could choose to do that for the remainder of the term that's now empty or for an extended period, but I think that's a discussion we can have at that moment if we need to. We have had it in the past and it's worked well. So, the only thing is whether we want to clarify that in the document.

I would prefer a solution with less text in the document, but I would be willing to listen into people who are more experienced in reading, understanding, and working with bylaws than I am, if it's allowed to have that flexibility for ourselves in the future to handle situations. It must be a thing that has happened before, so there must be a solution to this problem.

FRED BAKER: Thinking in terms of things that demonstrably work, I have appreciated being able to work with Brad. Brad already knows

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what's going on and I'm trying to figure it out. I'm concerned. When we talk about having a synchronized change of the chair and the vice chair, you now have two people that don't know what they're doing. That becomes a possibility.

Your phrasing of … So, the vice chair would step down as vice chair and run for the position of chair. That bothers me, too. Who runs the election? I'd like to see the vice chair acting as the chair in case, conducting an election, and if they get elected in the election as the chair, whatever. [inaudible] do that. And if they don't, we hope that they're an ethical person and the right thing happens. It seems like we can get this really complex and we don't need to.

WES HARDAKER: There's a couple of things going on here. One, there's a good, I think, desire to have the terms alternate. That makes perfect sense. A lot of the complexity of why we're having this discussion comes from the term limit. If we didn't have term limits, then we wouldn't have to have so many discussions. What happens if one is short and what happens if one is longer? And we can try and change it so that we say limited by two terms of at least a year-and-a-half per term or something to help with that, so a short term could be dealt with.

But, the reality is that there's one thing we want for a cultural reason, which is non-double elections at the same time to preserve knowledge transfer. But it could happen. Either way, the chair and the vice chair could both walk away. That's unrelated. And that problem has to be dealt with. I think Liman suggested earlier keep the rules simple to allow us the flexibility to do what we need. Then, in another document, that's not bylaws, where things are codified into [you must]. We can document the desires and the conventions of the group that the bylaws enable us to do.

FRED BAKER: Liman, let me step in first. By the way, this is not bylaws. The bylaws [inaudible] that we're talking about for RSSAC is literally the elimination of two words. The statement that there will be two terms.

WES HARDAKER: Fair point. My bad.

FRED BAKER: Okay. So, this is that other document you mentioned.

LARS-JOHAN LIMAN:	At least the point I wanted to make. If it's not the case, then it should be the case that what we want to code in the actual bylaws of ICANN is that the procedure is handled in this document.
WES HARDAKER:	So then the real problem is we're interpreting this document a lot as the wording is mandatory. It's like all this discussion has been around the fact that these sentences mean "thou shall do it only this way."
LARS-JOHAN LIMAN:	I think the document should describe normal procedure, but it should also allow for the group to arrive at necessary intermediate procedures when [inaudible] situations are at hand.
WES HARDAKER:	And I think putting a simple sentence somewhere near the very top that says these are our preferred procedures, assuming no other issues arrive that the [inaudible] deal with might be a way around all of this.
CARLOS REYES:	We could add a sentence to 1.1 there. Purpose of this document.

FRED BAKER:	And that might not be an entire sentence, that the RSSAC develops its own recommended operational procedures or its own normal operational procedures. Basically, insert a word. Would that work for you, Wes?
WES HARDAKER:	Well, I think technically where it said prefer to provide a little bit more guidance. Normal operational procedures which are codified below. But the RSSAC may need to adjust these procedures due to—
FRED BAKER:	In special cases.
WES HARDAKER:	In special cases. I was thinking something events but I couldn't think of the word for "something".
LARS-JOHAN LIMAN:	The word is [inaudible].
FRED BAKER:	[inaudible].

LARS-JOHAN LIMAN: No, the word is not unforeseen because this is foreseen. We foresee that this will happen. So, we cannot use the word unforeseen.

WES HARDAKER: Yeah, I like that.

FRED BAKER: Okay. Any other comments on that? That works for me. Okay. Do we have other issues [inaudible]? Okay. So, what's the process for this? We wanted to have a vote later in the week as opposed to an e-mail vote. Okay. So, basically, you're recommending that everybody read this and be prepared to vote on it in a week's time.

UNIDENTIFIED MALE: Is the seven-day thing encoded in here for stable documents? It's [in this], isn't it? Which means we also ignore it because …

UNIDENTIFIED MALE: That was my question. We are all here, so [inaudible], for example.

FRED BAKER: We conduct a role call for [inaudible].

UNIDENTIFIED MALE: No, because if you are planning for the vote and not doing e-mail, I want to make sure that everybody has a chance to …

CARLOS REYES: What we could do is … This and removing that other sentence are the only changes. We could send an e-mail now just alerting people to those changes.

UNIDENTIFIED MALE: I think that's not a bad idea, mainly because anyways it's a fundamental document so it's good to make sure that the proper voting has been done.

FRED BAKER: Well, and in that e-mail, note that it will be taken on a certain date unless somebody has objections.

CARLOS REYES: So, let's talk about the work plan. So, this, as I mentioned, was a recommendation from the independent examiner and RSSAC agreed to implement it. So, we created this draft I think January it was originally shared. I know, Liman, you had a suggestion about how to actually display the information, but for now what we wanted to do is make sure we captured everything. So, if you

want to take a few minutes to review, this document captures essentially all the regular activities of RSSAC in the course of a year and we've gone ahead and documented who is actually doing every activity, whether it's the admin team or the RSSAC or the caucus.

Obviously, this can be adjusted, but we basically as staff put together a list of things that we do throughout the year for keeping the group on track.

RYAN STEPHENSEN: Ryan Stephensen, Department of Defense. I see in May we have the workshop versus [inaudible] at the end of April.

CARLOS REYES: Yeah. That's just because typically it's been in May. This year, we moved it to April. But the actual dates will fluctuate. That's just to give the group a sense of when planning happens.

FRED BAKER: Well, I think [inaudible] line 21 needs to move up in the direction of line 18.

CARLOS REYES: Sure.

WES HARDAKER: I guess, Carlos, a clarifying question is this document intended to be static or is this something that is every year that we're just going to change [inaudible]?

CARLOS REYES: So, the recommendation doesn't go that far. What I think would be helpful is this lives on the RSSAC website and maybe every year the RSSAC can go in and update it based on what it plans to do for the next year. Staff will maintain it but we can make changes as well. But I think as an annual practice, it makes sense just to check in on what the work is for the next year.

WES HARDAKER: So, is review this document in one of the bullets?

CARLOS REYES: Yes. It's the last bullet, I think.

BRAD VERD: Yes. I don't want to get wrapped around the axle on a couple of things, but I feel like normally this document would be done when – December, January, something like that – for the year ahead and published? Is that correct? So, there is no intent to go in and modify the document as the year progresses if these dates move,

much like the workshop went from April to May. This is a work plan for the year that gets published. This is our goal. It doesn't mean we're not going to change things. This isn't a record of what actually happened. So, I guess I'm trying to go back to we don't need to move the workshop because we're already three months in now and we're reviewing the document that should have been done – in theory, would have been done in the beginning of the year. That's all. Mainly I just don't want to have to go back and maintain this document as things change because things will change, so I just want to make sure we all agree on that, that this is a plan that we put out there for the community, for the board, for everybody to see and then we work the plan.

FRED BAKER: I'm okay with that. I do have a question on line 73, track work party activity. I actually expect to be tracking in more or less continuously. It is in every month. Okay. So, what process do we need to follow here? Do we need to [inaudible]?

CARLOS REYES: So, I think because it was a recommendation from the review, it would be helpful if RSSAC decision was documented. It doesn't need to be a publication but maybe a vote on Wednesday just saying that the RSSAC agreed to do this and then we'll put it up on the website.

FRED BAKER: And that would be basically at the same time we're taking this other vote [inaudible]. Then, let's plan on—

BRAD VERD: It seems like a reasonable way to formalize.

FRED BAKER: That way, we can document that we all agreed to that.

CARLOS REYES: Great. That's it for this work session. Those were the two items we wanted to get through. So, we have 15 minutes left.

FRED BAKER: For 15 minutes he's suggesting I turn my microphone [on]. So, there's a part of me that wants to simply start the topic of the next work session which I expect there might be more than one comment on. On the other hand, 15 minutes isn't a lot. So, does anybody have any objection if we simply stop this section early or start the next one on time and go ahead? Does that work for people? Okay, let's do that.

BRAD VERD:	Please be back on time, so we can maximize the allotted schedule.
UNIDENTIFIED MALE:	On time now means early, right?
BRAD VERD:	Well, what is it? If you're early, you're on time. If you're on time, you're late.
UNIDENTIFIED MALE:	I mean, do you want to be back at 10:15 or 10:30?
LARS-JOHAN LIMAN:	We're in Japan. We will start sharp.

[END OF TRANSCRIPTION]

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