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GNSO RrSG Membership Meeting Session 2
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(Graham):   We're good? Okay great. Hey guys it's now quarter after 12:00. We have now until 1330 to talk about GDPR and then we are going and everyone is welcome the CPH so us and the registries have a half in our session with the GAC. That will be interesting. The goal of that is to share some of our perspective on temp spec and access to data and hear some of the GAC's feelings on those issues. So everyone is strongly encouraged to show up to that.

So I think what I'll do is I'll pass back to my councilors to get the current state of play there in a sec. But I have a brief note before that which is going to be (Graham) being stern for a moment which is so we have a, you know, for contracted parties that have been interested in GDPR we set up a discussion group mailing list with registries and registrars. I know definitively that people have been sharing emails from that list with ICANN staff not just sharing the, you know, here's what the conversation is but the actual specific emails.

And this is so radically awful it makes me furious. To do that undermines our ability to have open and free discussions on what we're feeling and what we're exploring as ideas in a safe space. To share emails for discussions that have - are not complete gives people in the rest of the community an incorrect impression of what we're thinking and what we're doing. If I am aware of who has done this specifically I will kick them out of the group and

figure out what possible measures I can do to make their life miserable because it's totally unacceptable.

So, you know, I don't think we expect these lists to be secret they're not, you know, locked down in that way but we need to respect that these are places where we can discuss, you know, evolve issues, have disagreements amongst ourselves and build consensus. And to undermine that for everybody is really problematic. And so do not do that. If I find out you're doing that you're in trouble. If you find out that someone else is doing that I want to hear about it and tell them to stop because it's so damaging to our ability to make progress on issues. So that's might grumble at everybody in the room.

All right so there's lots to talk about in GDPR. You know I hope everybody is more or less up to speed but let's do a very brief super high level, you know, there's this European law. We had been asking ICANN for a year and a half to come to the table and talk about our contracts and this law on privacy. They did not meaningfully do that until we got a temp spec, you know, less than a week before May 25 which is when this law went live. And we are all expected to comply with that temp spec.

That temporary specification has kicked off and - or it will be hopefully kicking off in EPDP inside of the GNSO to try and enshrine that temp spec into policy. There are real concerns with this. And so a lot of the work that I've been doing at this meeting is talking to people from the BC and IPC about their concerns. And so the dilemma as I see it in front of the council is what the composition of this EPDP is going to look like and what the scope is going to look like. This is the first big problem.

And there are real risks that if we don't get the scope right then we may have put too much work into this EPDP. It has a year to complete. And if it does not complete then there is no temp spec or policy ICANN is unable to enforce their contracts with us. And it is an existential crisis for ICANN and the

community because it's clearly shown that we have – we are incapable of resolving issues of this matter and that would be super bad.

And I think there's also a real possibility that, you know, conflict within the GNSO means we don't get that scope right and then we not been able to start that PDP. And the failure I think of the multi-stakeholder model would be awful. I think it has benefited all of us in this room that we are able to do business in an environment that we participate in the regulation of. And we want to continue in, you know, upholding the multi-stakeholder model as a way of getting things done.

And so we need to work really hard. And we need to talk closely with people on the other side of the world, world being in this case BC and IPC about their concerns and figure out if there are places where we can compromise and to sort of underline the places where we can't. You know it is on that for us as contracted parties it is us that have the liability it is not the other members of the community. And so there are of floor to - there is a floor to what we can compromise on. And we've got to figure out what that is.

While I'm up your editorializing for a moment, you know, I think we're hearing at this meeting lots of concerns from other members of the community about getting access to data how that is confusing and so far varying in it's – in the response rates to that. So I've said it on the list I'll say here again A, we need to be tracking all of this probably what those requests for data are inside of our own companies so that you know how many are coming in and how you've responded and B, that I heard you all to be reasonable about how you address those requests.

Under the temp spec you have to put, you know, I don't have the language in my head exactly but, you know, reasonable access to data for people with legitimate purposes. And at the moment that's up for all of us to determine individually. If you are saying blanket no to everybody that puts us all in a complicated political space so please follow the temp spec and be

reasonable and injudicious in how you're responding to these requests for data. That will make all of our lives here as we're trying to find compromise to move this whole issue forward a little bit easier. So having said all of that perhaps I can pass to my councilors for the current state of play and that would be useful. Thanks.

Darcy Southwell: Thanks (Graham), Darcy Southwell. So the council has been focused all week and we'll continue this afternoon and tomorrow talking about the expedited PDP our new acronym of the year, you know, EPDPs have never been done before so this is a new this is new territory for all of us. I think the council as a whole recognizes all of the concerns that (Graham) just mentioned and shares them. We've focused on sort of the five key issues of the charter this week which is what kicks off an EPDP, you know, leadership structure, membership structure, status reporting. The most contentious issues and the one I shouldn't say most contentious the most complicated is the scope. And we have done some work on it but we have more work to do.

Membership in the PDP is something we just finished talking with - about like this morning. And I think I'm not sure have the most current draft but it's something we need to send to the ExCom and the group to get some feedback on. I think one of the goals of this PDP we want it to be successful. It's very time sensitive. So we have to write that scope correctly and it has to be narrow and it has to be focused and written in such a way to avoid the scope creep. We are focused on the membership being inclusive but keeping that same sort of focus on the scope.

I think one of the things we don't want to run into is a situation where with a normal PDP which is usually made up of GNSO members sort of at will however many want to participate and then anyone from the public things can go off the rails rather easily on a complicated issue because there's so many people. So we're looking at a very structured PDP designating members from each stakeholder group and constituency as well as from the SO, ACs trying to control the number to make it effective but to give adequate representation

throughout the community. We don't want to do this in a vacuum. That will backfire. We don't have enough time to let that happen.

We're envisioning the PDP working for a pretty serious four months of extensive work so the lift for participants is going to be huge. We don't know how many meetings per week that means or how many hours we're trying to figure that out but it's going to be a lot to get this to where it needs to be in four months' time in order to then be prepared to do an initial report for public comment by early November immediately after Barcelona. I'll stop there because I'm sure there's talk about especially on the scope but that's a start if anyone has any questions.

(Graham):   Thanks Darcy that's good. I've got Jeff and then (James) in the queue.

Jeff Neuman: It's Jeff Neuman. Thanks for the update and thanks for all the work that you, and Michele and (Pam) have done over the past well not just the past couple of days but weeks and months or whatever and the months to come. A couple things so I'm coming from this is a purist of - on PDPs and have been doing this a long time completely understand the need for a structured approach, completely understand the need for small group but I ask that we not compromise on things like transparency and representativeness. And so while it is one thing to have a drafting team of the council that's something that's actually deviation of what we wanted to do with PDP Version 2.0 that we created like eight years ago.

Putting that aside we need to make sure that in terms of transparency everything is open. All the meetings - all meetings face to face or otherwise are open at the time the meetings are going on. They don't have to be able to participate right observers can just be in the back. We also will need whoever represents the registrars to frequently come back to the registries. And if that means every day that means every day to explain what's going on, what the key issues are going - that they're going to be talking about and getting

feedback prior to the extent possible those issues being discussed and then to make sure that they're reporting back immediately on all of those.

And the reason I say that is even during this meeting unless you sit in those sessions with the council you actually have no idea what the councils already decided or not decided in terms of the charter. And I know because it's all going so quickly anyway it's hard for you – you guys are sitting in the meetings and then all of a sudden there's the next meeting and the next one. It's hard for you guys to even have time to report back on this is what we decided or this is what we're going to decide next time let's get feedback first and then let's (port) into the systems. So from a PDP standpoint totally understand the need to keep it small structured but let's not compromise on transparency, on openness, representativeness and make sure that we have a successful process. Thanks.

(Graham):   Thank you Jeff. And there's some good points in there. And I think we uniformly agree that those pieces are exceptionally important and that reporting back into the SG is exceptionally important. I think in terms of process and I'm not sure that the council has figured out exactly what the composition is going to look like yet there's some I think it's narrowing down.

But I think it's up to the ExCom to appoint who those people are going to be. And so that's work that the ExCom is thinking about and here at this meeting and talking to people about, about who are the people that are going to be able to commit to that process, engage fully in that process report back like resources like (Zoe) can we help them with to ensure that all that work gets done. And so if people are interested in participating in that feel free to approach me and we can talk more about that because I don't think that's going to be a trivial decision.

Jeff Neuman: On that I'm not interested in participating sorry. But can we create a small group of - a subgroup of registrars instead of just having it always go back to the ExCom can we create any registrar that wants to contribute to our

representative on this issue? Does that make sense? I don't know I said that right.

(Graham): Thanks Jeff. I think so. And, you know, the joint CPH discussion group would have been an excellent place to do this. I still have my concerns that is – it's a list that is still viable given that it was compromised so nastily. And so it could be that we spin up a new one probably joint with the registries again I think is a good idea to make sure that we have alignment there on all of this. But there will need to be a place for people who care about GDPR and want to engage materially on GDPR and want those updates to interact. And the ExCom will take that on to figure out what the place is going to be. I've got Darcy as a response and then (James).

Darcy Southwell: So thanks Jeff, Darcy Southwell. Completely agree with you about transparency. And I probably should have said this before we are looking at an open number of observers there is no restrictions there. So meetings will be open. Observers can be on the list. They can be in the meeting. We're also talking about and none of the decisions - no decisions have been made let's put it that way and it's very fluid right now.

But one of the things we are talking about too is that reporting needs to be frequent and it needs to be very public. And we're talking about a variety of ways of doing that including maybe monthly update Webinars that staff helps put together to ensure that there is good communication and access for everyone to get the basics and understand where things are at, how are they tracking to the work plan, what decisions have been made, et cetera. So there will be open observer status.

The composition would be what we're discussing right now. And I'm waiting for the draft of it is a fixed number of individuals that is representative of the community so that we are also looking at holding – it's not a normal PDP in the sense that you may or may not decide to show up for the meeting that week you have to be an active participant. And so the expression of interest

that will go out will - I don't know what the language is going to say exactly but the expectation is that SOs, ACs, SGs and Cs need to nominate their individuals. So they'll need to work through how they do that.

Many are there groups have said that they will create a sub team within their own stakeholder group or constituency. I would encourage us to do the same. I would also encourage us to have a private group. I'm not saying that we can't coordinate with the registries but I do think we need a sub team that is specific to the registrars. It is very possible that at some point we are going to not agree and not to say we don't coordinate but I think we need to be able to have private conversations about those issues.

Anything else you said frequent reporting yes that was the other thing. And I think we can decide how to do this as a group. But I think that's part of the expectation that I think all – it'll go out in the expression of interest about membership is you have got to be coordinating with your stakeholder group or constituency. You know you are the – I mean what were we talking about? Was it one regular member and two participating members and then some alternates? And so it's a pretty small group and you've got to be going back and forth and getting the feedback from your group to come to that meeting. So we'll need to figure what our expectations are there of what our members do that are on that group.

(Graham):   Sorry chewing. I hope you get to listen to that nicely. Thank you Darcy. That's a good point that we do need our own place as well. My understanding of the work plan as I've seen it is that the bulk of this PDPs efforts are going to be occurring between now and Barcelona because there's a bunch of other pieces that need to happen after that. And so it's going to be a super intense four months basically of work. I think the council was saying something like 30 hours a week and that's a huge commitment. You know and I look around this room and I, you know, the number of people that are - have that time and support from their company is limited. And so we're going to need to be able to support those people as much as we possibly can. Yes (James).

(James):   Thanks and thank you Darcy. And I know that this has been an uphill slog for the council to wrestle with these issues. I have a couple of quick questions. First off just a thought (Graham) as we're having so many difficulties kind of keeping tabs on our list and one idea might be, you know, we have Slack channels established Slack teams established we could maybe move over to Slack. I don't think there's a need for this to be - it doesn't essentially have to be email so that's a thought. Whatever you feel is best.

A question about membership and then a comment about scope, I noticed that we talked or there was discussion about the GAC having a liaison and then that morphed into two GAC members one like public safety LEA and one data protection. And then now that I came back and they said predictably I think we need five one per region not necessarily from any particular part of government which again takes what was supposed to be a lean and mean working group it now makes it significantly larger.

But my bigger concern is if we're going to go down this route and give this expanded footprint to the GAC in terms of decision making in a PDP then I think there needs to be a trade-off. And the trade-off needs to be that the GAC as an organization and from (Manol) and from the vice chairs that they commit to supporting in their communiqués whatever the results of this EPDP are. And that they don't kind of say well we want this, you know, massive delegation to go and participate in a PDP and also we reserve the right to torpedo it in our communiqués for the next couple of years. So I think it's going to be one of the other. They can have a liaison and then they can go nuts with the communiqué or they can have this big contingency in the PDP but then, you know, stand down on sniping from the bleachers. So I guess has that been addressed at council or could it be?

Darcy Southwell: Sorry I was in the trade - Darcy Southwell sorry. I won't say the trade-off has been discussed. I think what we discussed this morning immediately before this meeting was a concern for their internal procedures and how we're ever

going to be able to get things done when they work on a very slow moving concept of how they approve what their GAC representatives can do in a PDP for example which is one of the things they've complained about as being a barrier to their participation.

So one of the proposals this morning was that they be a participant not five of them that they would - it would – they'd be on equal footing with - from a number's perspective with everyone else. But that if they failed to come to the table and be able to give consensus that, that would not be a barrier it would not be counted against the consensus of the group and would not be a barrier. We have not resolved this issue.

We have concerns. I think we're trying to balance those concerns with how do we be inclusive to make sure that this is developed from a representative, you know, representative of the entire community. I think your trade-off idea is a good one although I'm a little concerned that we would be in a difficult spot to negotiate with them to say well if you're going to participate then you have to do this. And I think some of us also are concerned about the slippery slope of setting a precedent for PDPs in general and setting up every PDP like this I mean the not necessarily what happened but…

(James):   So I agree about the precedent. This EPDP is now going to, you know, by default I mean the first time you do anything you're basically writing manual for it right? And I think the concern is is that the PDPs now will all be very GAC heavy. And after participating in that and then steering the outcome of the PDP then they come in with a communiqué and tell the board not to accept it or something like that.

So – and then the second question was with regard to scope. And I don't know if you resolved the issue of including access or anything. I heard I think it was Greg Shatan said that, you know, this is a critical component. This is about having access to the data. And I talked to him afterwards and I said my concern is if there's no temp spec that everybody just stops collecting the

data. So access becomes kind of an irrelevant discussion if there's nothing there to get at. So I would hope that, that is that priority is kind of established in the council discussions because I understand that the spotlight is on access right now. But I'm worried that the cupboards will be bare and that they will have full access to empty shelves.

Darcy Southwell: Thanks (James), Darcy Southwell. So we have had scope discussions. We haven't resolved that issue. There are definitely members of the council who feel that the priority is access. Many of us have voiced concerns that without a valid policy and if this temp spec goes away we have a real problem and you need to address that first.

There - I think that's where we're going to get to the really contentious discussion is what do we have in scope? And every time it has come up there is well the temp spec includes access so let's put them on a parallel track. And I think there are concerns from a resourcing perspective about a parallel track. There are concerns about what informs - when you look at the temporary spec for example what is in there that's problematic from a GDPR perspective. And we need to address that first before you address access otherwise you're putting the cart before the horse.

If there's something that we, you know, data collection for example I mean EPAGs in the middle of their lawsuit. If we don't collect that we can't put it in an access model. So let's answer that question first exactly. So I think we have a lot more - that has been the hard discussion and that is unfortunately because of that we have not spent as much time on it and made as much progress on that. I mean we made an extensive amount of progress on the other areas but that's the critical issue. If anyone else has comments about scope we welcome them to because this is - we want this to work. I think that's the one thing we're all committed to on the council is we know that with this very short timeframe we need to be very careful.

I think the one thing that we did sort of come to an agreement on is that the temp spec by nature of the board issuing a temp spec that is the scope at a high level that's the scope with the exception of anything that's not within the picket fence. And so if SLAs are one thing I think there's another thing we've identified that's outside the picket fence that should not be part of the PDP process. But generally speaking it is the temp spec that we're looking at and whether or not to affirm, deny or change. And that's at a very high level I mean there's going to be more nuances for sure. But…

(Graham):   Thank you Darcy. I've got Jeff and then (Volker) in the queue but briefly my own thoughts because I get to do this as chair is put myself in front on scope. You know I echo Darcy's concerns there that we put too much in this thing it doesn't get done and not getting it done is super bad. One of the – some of the conversations I've been having with people around, you know, from the IPC, BC and from other contracted parties is that sort of one possibility might be that we identify some gating questions inside the temp spec. These are some thorny issues that we need to have material successful work on, complete that. That gives us a pretty clear view that we can get the rest of the temp spec done. And then from there kick off an alternate PD – EPDP, PDP however we want to structure that to deal with the access and accreditation issues outside of the existing temp spec EPDP.

I think there is strong resistance from IPC, BC people to delaying in any way the access and accreditation issues. And, you know, I don't think those – so those concerns are A, with no reason to compromise if there's no timeline and B, we won't come to the table to get that worked on. And, you know, so I've heard that pretty clearly. I don't think that's true.

I think we all have an interest in getting an accreditation and access model complete. It removes our liability in many ways and will make our lives easier. There's lots of, you know, (Elliot) was presenting this morning about our own Tucows's own platform but not all of us have the time or resources to be

doing the sort of thing. So something from outside for us I think is really important us being registrars.

So, you know, there is strong interest in doing that but the risks as I think we see it of pouring too much into that temp spec are severe. And so we need to figure out what that scope in compromise is that we can provide some assurances to people looking for access to data that they will get it and they will get that work in a timely fashion but that we don't risk the entire multi-stakeholder model on that, Jeff and then (Volker) and then (Elliott).

Jeff Neuman: Thanks Jeff Neuman. I would – on the participation and on the, you know, who the representatives I would strongly encourage us to not fight so terribly hard on if the GAC wants to have a couple members five members or whatever it is. At the end of the day the measurement of consensus is by position not by numbers. So unless that's going to be completely disruptive I won't say they should have five and everyone else have one. What I'm saying is let's be open a little bit to additional people on there so long as they're not disruptive and as long as they can still get work done if it means we can get things started simply because at the end of the day to the extent that they are capital C, capital P consensus policies without the registries and registrars agreeing to it or at least one of the two there's no way that anything could be deemed consensus in terms of amending our contracts.

So we need to just pick and choose our battles. Like scope is our battle right, that's the battle. If we have to give a little bit on participation let's try to be a little bit open to that. On the picket fence this is one of my huge whatever it's not that it can't be discussed in the PDP it's just that any recommendation that comes out of it can't be binding upon the contracted parties. So they can discuss SLAs all they want or reporting or the four other things at the registries identified it's just that any recommendation doesn't mean much unless the registries and registrars voluntarily adopt it.

And then I think the last thing is there are other contingencies other than a PDP finishing in a year of things that can be done to move things forward without necessarily destroying the multi-stakeholder process. And I would strongly -- and I have some ideas -- but I would strongly urge maybe the ExCom and some others just kind of thinking of ways outside the box of how things could be accomplished without necessarily sacrificing the whole PDP and the multi-stakeholder model just because we have to get this done in a year we're now 11 months. Thanks.

(Graham): Thanks Jeff. I've got (Volker) and then (Elliott) then Michele.

(Volker): Yes I think it's spot on the money that the scope has to be limited to the main part of the temp spec if we want to get this done. I think our message should be we are highly interested in getting this done. We want this to succeed and therefore adding in the annexes puts a risk to that, that we the EPDP will not be able to finish in time because there will be some highly contentious issues to be dealt with in - as part of these annexes and we therefore would like to see them dealt with afterwards.

That being said a lot of the concerns that I've heard this week from the other side of the river are that their fears are what are our incentives to get this done. What are there a guarantee that we will deal with the universal access model the other parts in the annexes that are important to them that are also important to us I feel. But they feel that if they give that up as part of the EPDP it might never get done. And we should find some way to alleviate those fears to show them that we are interested in this as well so that we have common ground when we say that this should not be part of the PDP because we want it to succeed but we will deal with this afterwards because this is in our best interest as well. So we find – that's the message that we have to carry forward.

(Graham): Thanks (Volker). I went to an IPC party the other night to try and carry that message forward it's just right into the belly. And have been trying to

communicate that and I would encourage everybody else here to do so as well. You know we care. We want to get it done. We need to be very careful about our priorities, (Elliott) and the Michele.

(Elliott): So I want to make a brief comment picking up on what (Graham) said picking up on what Jeff said I'm going to - on Jeff's point first. I'm a deep believer from a multi-stakeholder process perspective that the GAC is their best place for the GAC is inside the process. This is something that I called for in the public forum around the new gTLD program where I thought it would have been great to have them as part of that policy development process instead of outside shooting at it. So I would really, you know, kind of pick up on Jeff's comments and encourage them.

But I think if you think, you know, so if you think through the lens of what is the role of a nation state in global governance this is beautiful. They are a stakeholder coming as a peer to the process instead of as some sort of, you know, senatorial approval layer outside of it. Will that be challenging at the beginning? I'm sure it will be because, you know, they'll have to come into that room and be peers. And I think that's going to be very hard. I'm sure when they're in that room there's going to be threats of national legislation no matter how hard we, you know, wish that it won't be but I really believe that the massive long term step in a positive direction.

And picking up on (Graham)'s point I do want to be more specific and try and narrow, you know, where I think the delta is now around either scope for reassurance. You know I really believe after Steve DelBianco's panel yesterday that, you know, I mean I was really struck by his three tiered model. You know I don't want to assume that everybody here saw it but it did a great job of limiting our responsibilities to things that we are good at and should be responsible for.

And for me, you know, I really believe this can come down to two very specific things a commitment to adopt RDAP. And I know that's easy for us to

say because we kind of did it rip and replace it our GDPR compliance. And, you know, and did RDAP even though the spec is not quite, quite, quite finished. But I'm – I believe there's just a commitment to, you know, with a clear spec or a finishing of the spec to adopting RDAP is one thing. And the other is simply to be supportive of a token based system and, you know, kind of logging and retention.

I think those pieces are all that we need to solve the scope issue. And I don't want to, you know, the councilors and others in the room have been working on this issue, you know, in much more detail than I have. So whether that's something that is simple enough to put inside the scope without fear or whether that's significant reassurances outside of the scope I really think we should understand that those three issues I think are all that stand between us and settling. And, you know, in terms of a token based system, you know, we in this room are going to have to start to federate at some point soon around this because we're going to be, you know, I've been saying over and over this week in panel in my session, you know, we're all going to have to be working in the field while all of this policy work is going on.

You know one of the things that I called out this morning was we strongly considered offering our system for free to small registrars and, you know, as a way to kind of get some federation and less fragmentation. You know we just didn't have the time in terms of GDPR compliance to do that. But, you know, a token based system I think it would be quite magical of us if we were to decide in this room as a separate piece of work, you know, what we would do to potentially share tokens, and share authentication, and access just at that first layer, you know, just at that, you know, this person has a Tucows credential, this person has a web.com credential whatever it might be and, you know, using a common credential system. So I really, you know, would urge both those sort of the, you know, the restraining or thinking to those narrow points and then perhaps thinking about picking up some of that work between ourselves as well. Thank you.

(Graham):   Thanks (Elliott). I think you're touching on there one piece I've heard from members I think it was the BC was this idea of pulling accreditation out of scope and leave that to ICANN essentially ICANN org to figure out with the DPAs of how to accredit people. But keep in the RDAP stuff. And so that the tends to be a little bit narrower, you know, that we will use RDAP and that it will log, and audit, and, you know, accept tokens and that sort of thing which I would encourage us all to think about. I don't have enough detail on that off the top of my head. Maybe someone else can speak to how that might work separating those two components.

On that I'm still worried that there are still thorny issues in there. I still hear a strong push or we can call it bulk access or high speed serial access whatever you wish to call that. But, you know, I think it's pretty hard to justify 100,000 legitimate purpose requests in a second sort of thing. And we need to be really careful about how we still deal with those issues. So someone had thoughts on that RDAP implementation in the temp spec while pulling out the accreditation I'd be curious to hear all about it. I've got Michele in the queue.

Michele Neylon: Yes just a couple of things -- Michele for the record -- the three of us will have to leave in about four or five minutes. And on the membership thing Jeff I totally understand what you're talking about and I'm not - I would love to disagree with you but I won't. However I would point out that if we give the GAC more members then the other ACs and all that will want parity because this is the thing we've been running into. And then we end up where the number of members of the group grows and we're back to the RDS PDP type scenario where way too many chefs we have just too many people.

On the scope and everything else we're trying at council to finalize that so that we can put it to a vote. We were meant to be voting on it today. That's highly unlikely at this juncture. And in terms of timing Darcy can correct me or maybe (Pam) I don't think we can vote even if we say - even if we resolve the issue say later this evening or first thing tomorrow morning by the time we

can trigger a vote even on the mailing list it's another week or two weeks it's at least a week I think was the language we got.

But in terms of what (Graham) was talking about earlier people being available to actually step up and do the work it's going to be – we're going to have a finite amount of time. Looking at the timeline you're talking an initial report by Barcelona a final report early next year. So you're going have – need active members plus alternatives.

(Graham):		I saw Jeff and then I saw (James). Sorry and I skipped (Alex). We'll come back to you. Yes actually I do. I'm going to…

(Alex):		Thanks (Alex), Tucows. Just on the RDAP piece I'm not sure if anyone else from the RDAP Private Working Group is in the room -- it probably maybe just me oh yes there you are -- because the question came up as to the stack not being really finalized. We made a conscious effort in the pilot working group to just focus on the technical level and separate out the policy discussion. So whatever the pilot group will come up with is essentially accommodating right now the temp spec in a separate document.

We have another document with a different profile that would go - that would resemble whatever it was before the temp spec. So anything that comes out as to what is supposed to be displayed this kind of separating can be accommodated. Really what the working group does and it's pretty far is working on the technical implementation of that. And I would encourage everyone who is looking into starting RDAP work or participating into - in that just join us in the working group. Go on the call and look at the documents that we put out I think it's pretty insightful to see where we are and we are pretty far in having that specked out.

Jeff Neuman:		And I'm actually going to follow (Alex) because my comment was fairly similar in that we don't need the PDP for implementing RDAP in fact in our contracts it says that ICANN once the standard is approved could require registries and

registrars to implement the technical protocol within 135 days after approval. So the technical part of that once we finish these profiles we have to figure out the mechanics of how we add those profiles to the agreements which Marc Anderson and I and a couple others are trying to figure out how to do that mechanically.

But so I'm just curious when people say that RDAP needs to be part of the policy process what does that really mean? There are policy decisions but that's not part of RDAP that is RDAP will implement those policies. So I just, you know, people just need to be really careful as to what you mean when you say RDAPs in scope, or out of scope or that we even need the policy process for RDAP because by the end of the year that will be in place, it will be part of our contracts no matter what with or without a policy process. We just need to help others understand the terminology in the council or even in the group as to what we're really talking about in the policy process.

Darcy Southwell: Thanks Jeff. And I think real quickly I mean we haven't talked about it at this level at the council but I think the assumption I mean the temp spec is pretty clear about how RDAP is going to operate from a timing perspective. I don't think it's going to be part of the policy process. There's been no hint of that yet. I mean I know it's in the temp spec but unless policy around that issue is needed for some reason it's – there is nothing timewise its set. Okay

(Graham): Thank you both I've got (James) next.

(James): So just did I hear you correctly that there's not going to be a vote to initiate the EPDP today?

(Alex): It's not tonight you see it's the council meeting is at 1:00 pm.

(James): Okay today so…

(Alex): Yes so it's just we've run down the clock. I mean we're being – we're diplomatically saying highly unlikely but much more bluntly.

(James): Okay.

(Alex): No hope in hell we're going to vote on it.

(James): And is it these issues that you've discussed? Is that the reason why we - the council can't because here's my concern.

(Alex): So we basically we're having the - we have people dragging their heels sticking their heels in on certain like commas it's amazing.

(James): Okay. Well I can't emphasize enough how close to the edge of the cliff they're dancing whether they know it or not. So, you know, I know that you're limited in what you can do and advocate for. And I know that, you know, the registries and the other colleagues from non-contracted but I would please encourage you to do what you can because we knew this was coming. We knew we were going to be in Panama. We knew that we had to get this thing moving because it was already late. And coming out of Panama without this thing initiated is oh boy.

(Graham): Sure. Go ahead Jeff.

Jeff Neuman: Sorry (James) I mean I know but don't you want the stakeholder group to have a look at the charter and everyone in the registrars be happy with it before it gets voted on and approved by the council? I mean I understand your timing but even if by some miracle there's - during this council meeting there's final agreement on I mean I'd like a couple hours or a day maybe to look at it…

(James): You know Jeff yes. Obviously in a perfect situation which perfect left the room I don't know a couple years ago. But my point being that I was willing to trade

that off to get started on this and to kind of, you know, and get this ball moving as quickly as possible with some idea that you can - remember you can go back to the council and get an amendment to your charter if it isn't working but, you know, to sit and wait for everything to be perfectly aligned and the stars to be in the right position to launch this thing to me is also not the right approach. Well, you know, it's just a different philosophy Jeff. I know I'm not going to convince you of this. But I do - I am concerned that there is maybe not with our councilors or maybe not even with most councilors but I think that it appears that with the council generally that we need a healthy dose of urgency. Thanks.

Darcy Southwell: Can I add something (Graham) before we – because we have to go.

(Graham): Yes.

Darcy Southwell: So I want - I do want to emphasize I think the council has done an amazing amount of work. We've actually no and I'm not saying that you're accusing us of not (James). But and I do think we probably underestimated the amount of time needed to talk about these issues when I think about how many hours we've met this week so far and yet we still have not devoted as much time as we should to scope. We've made an enormous amount of progress but I think we made some scheduling I mean we're also on a policy forum with limited time which has been a troublesome thing for us.

I think we're also well aware that we have urgency. So we've talked about a backup plan. We are not going to wait till the next council meeting next month to resolve this problem. It's how fast we can do it after with motion deadlines and everything else that we talked about it and I forget if it's an emergency meeting or whatever that phrase is to have an emergency meeting with then expedited motion process. I do think it's important that we do share what we get with the stakeholder group but I think to (James)'s point Jeff sorry we can't get it perfect and we have a sense of urgency. So we're going to do our

best there and who knows what'll happen at the council meeting that we are going to run down the hall to. Thank you.

(James): So for the record and as you're leaving, I certainly did not mean to impugn the work that is done by yourselves, by our council delegation, by the council generally. I'm just simply pointing out that if you're reading the headlines coming out of Panama City, you know, reviewing the charter, being an important step, and getting the scope right is also an important step but the headline is going to be, you know, council fails to initiate PDP. So I'm just pointing that out. So - but thank you for all of your work. And I know it is not been fun and do everything you can. Keep fighting the good fight. Thank you.

Woman: Very quickly (Graham) if I may. I think (Heather) is fully aware of the peculiar way of this what it looks like. So maybe we hire (James) as a PR consultant how to send out communication. Anyway we got to run. Thanks.

(Graham): Echoing (James) sentiments thank you guys for all your hard work. And all of us recognize that it's not a fun time to be on council right now. It would be interesting but yes especially (James). And, you know, there's probably a good lesson in this about the temp spec EPDP. We, you know, we're going over on just figuring out what's in there and what's out. How are we supposed to actually get through the substance of that in four months?

What else do we want to talk about on GDPR? Everyone is super burned out of GDPR. Does everyone around the room have a good strong sense of what's going on? They feel reasonably informed. They're looking for something else they could use something else to get them going? (Tom)?

(Tom): So I just - I could use some clarity on whether or not the ICANN organization is in agreement that if we're redacting Whois we do it for the entire world and not just EU.

(Graham): That's in the temp spec yes. There is no…

Man: Yes.

(Graham):   …segmentation in the temp spec. (Jacques)?

(Jacques):   Yes (Jacques) for the record. If I might just add something this is due to the fact that in GDPR you don't care where the information disclosed from you care where the data comes from meaning in American provider or South American provider or whoever dealing with the European data would still be subject to the GDPR in Europe. That's why it's so hard to pinpoint.

(Graham):   Thanks (Jacques). I - we don't need to necessarily go into the super weeds on all of this. I want to make sure that everybody knows how to get into the super weeds on all of this but yes.

Jeff Neuman: For the record the temp spec does not say you don't have to provide it worldwide just willy-nilly you have to believe that it's technically or commercially not feasible to separate it out. Just want to clarify the record we are not saying as registrars what we're saying is if it is not commercially or technically feasible.

(Graham):   Thanks Jeff. I think I saw a hand from (Volker) over there. Is that true?

(Volker):   I don't want to get into the nitty-gritty right now.

(Graham):   Thank you. All right 1:03. I know I'm forgetting some pieces that I wanted to bring up here. We talked about scope. We talked - oh there are members in the room for sure who are members of the stakeholder group that might vote elsewhere this is the time where you go into those constituencies and you talk, and you learn, and you can share this is an open meeting and I, you know, I know there's people from other constituencies here.

You know the concerns that we've expressed I think need to be shared and we need to hear from the other side. And so I have some expectation that we will all go do that because it's on all of us right now to see if we can work together as a community to find those compromises to get this thing started and then get that work done. So I encourage everybody to go do that as much as possible. Jeff please?

Jeff Neuman: Two things just last things for me. One is are we and I just had something of the registries I think we're - you're planning a meeting with the SSAC to kind of talk them through their latest advisory to hopefully make sure that the ICANN Board doesn't just adopt it which they tend to do with a lot of SSAC advisories. And two is what are you guys saying to the GAC in 20 minutes?

(Graham):   Good questions. Right so if everybody hasn't seen it the SSAC put out an advisory that I think is pretty disagreeable and causes concerns for a good number of contracted parties. I think we've got a pretty ad hoc meeting I think it's today at five with the ExCom of the RySG the RrSG and the leadership of the SSAC to talk about that. Yes I think (Ben) will be in there and someone who is more dialed into it than I am can talk to them about it but yes we're going to express some concerns with that. I don't have much more detail on that other than that is happening. If other people have read that and want to share their concerns with me then we have between now and 5:00 pm to do that.

On the meeting with the GAC that was set up yesterday. It should be in everybody's emails. And so we just sent a reminder. And I think we want to do three things in that session and I'm not exactly sure who is going to be responsible for those things but it is one to listen to the GAC and hear what they have to say, two I think we want to talk a bit about the notion of another temp spec that people have been floating and talking about and that will be I think mostly on Brian Cimbolic from PIR because he wrote a memo I think that's being shared around on how that's not possible or deep concerns with another temp spec specifically on access.

And, you know, and to all of where you've been saying here today it end runs the PDP and undermines the model and all of those things. And then the third is to talk a bit about access to data and our experiences there and hearing GAC concerns on that – on those processes and the work that we can try and do to make that easier and more understandable and also clarify what our responsibilities are there under the temp spec.

And to that second to last point I made (Elliot) said it on the cross community high interest whatever that panels called now yesterday that he was on that we're going to try to put together like a one pager that we'll share as broadly as we can about how to request access to data in a post GDPR world. And it should be pretty high level. And I think we've got a sort of rough first draft of what that looks like and so it's, you know, here are the places where you can do that for most registrars, here's what they're obligated to provide and you should think about your legitimate purposes. And then, you know, here is where you can find the context and the Whois output or the required contact ability things on our Web sites and stuff like that.

And so hopefully we'll get that done by the end of the week and out the door if anybody else wants to contribute on that they can talk to (Zoe) because I don't coordinate anything anymore, offloaded my entire brain. It is 1:08. We've got 22 minutes between the now and when we're meeting with the GAC. Does anybody else have any AOB? Any other thoughts, or questions or comments things you want us to be doing things you want us to stop doing?

(Elliott):   (Unintelligible).

(Graham):   You want yes (Elliott).

(Elliott):   (Unintelligible)?

(Graham):   Sure okay. That was for people not near (Elliott) and couldn't hear remote he was talking about he's available for answering questions on the tiered access that he was talking about this morning. Last chance for AOB other thoughts otherwise I give you a grand total of 21 minutes to get between here and the GAC room. And I can't remember the actual number of the room but it's…

Man: One, one, three.

(Graham):   …one, two, three and it's down the hallway. Okay I think that's it. Thank you everybody for your work. Thank you everybody for paying attention. These are trying times and they're not easy and it's, you know, it's an interesting time. So I look forward to seeing you guys for the rest of the week and after that we'll be, you know, talking on our regular calls and I'll see you hopefully all in Barcelona. Thank you.

END