

**ICANN
Transcription
GNSO Council meeting
Wednesday, 20 September 2017 at 21:00 UTC**

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Date: 20 September 2017

Coordinated Universal Time: 21:00 UTC:

<https://tinyurl.com/y9tpznzl>

14:00 Los Angeles; 17:00 Washington; 22:00 London; (Friday 14 July) 00:00 Istanbul; 07:00 Hobart

List of attendees:

NCA – Non Voting – Erika Mann

Contracted Parties House

Registrar Stakeholder Group: James Bladel, Michele Neylon (Absent-apology sent - proxy to Darcy Southwell), Darcy Southwell

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, (Absent-apology sent - proxy given to Rubens Kühl), Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan (Absent-apology sent, proxy to Donna Austin)

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoblen, Tony Harris (Absent-apology sent -proxy to Wolf Ulrich Knoblen), Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Stephanie Perrin, Tatiana Tropina (temporary alternate for Ed Morris), Rafik Dammak, Stefania Milan, Marilia Maciel

Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison

Ben Fuller - ccNSO Observer

Carlos Raul Gutierrez– GNSO liaison to the GAC

Invited Guests: Kathy Kleiman, Craig Schwartz

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (Absent-apology sent)

Marika Konings – Vice President, Policy Development Support - GNSO

Mary Wong – Sr Director, Special Adviser For Strategic Policy Planning

Julie Hedlund – Policy Director

Steve Chan - Senior Policy Manager, Policy Development Support

Amr Elsadr – Policy Manager

Berry Cobb – Policy consultant

Emily Barabas – Policy Analyst
Sara Caplis – Technical Support
Terri Agnew - Operations Support - GNSO Lead Administrator
Andrea Glandon - SO/AC Collaboration Services Coordinator
Michelle DeSmyter – Secretariat Services Coordinator GNSO / GDD

Coordinator: The recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. And welcome to the GNSO Council meeting on the 20th of September, 2017. Would you please acknowledge your name when I call it? James Bladel.

James M. Bladel: Here.

Terri Agnew: Donna Austin.

Donna Austin: Here.

Terri Agnew: Rubens Kuhl.

Rubens Kuhl: Here.

Terri Agnew: Keith Drazek. And he has sent his tentative apologies and if he was unable to join the proxy will go to Rubens Kuhl. Darcy Southwell. And it looks like Darcy is just connecting now so she is on. Michele Neylon has sent his apologies, the proxy will go to Darcy Southwell. Valerie Tan has sent her apologies, and proxy will go to Donna Austin. Phil Corwin.

Philip S. Corwin: Present.

Terri Agnew: Susan Kawaguchi.

Susan Kawaguchi: Here.

Terri Agnew: Paul McGrady. And we'll go ahead and track down Paul to get him connected. Wolf-Ulrich Knoblen.

Wolf-Ulrich Knoblen: Here.

Terri Agnew: Rafik Dammak.

Rafik Dammak: Here.

Terri Agnew: Thank you. Stephanie Perrin. And we'll go ahead and track down Stephanie to get her connected as well. Stefania Milan.

Stefania Milan: Present.

Terri Agnew: Thank you. Heather Forrest.

Heather Forrest: Here, Terri. Thank you.

Terri Agnew: You're welcome. Tony Harris also sends his apology, proxy to Wolf-Ulrich Knoblen. Tatiana Tropina.

Tatiana Tropina: Present, thank you.

Terri Agnew: Thank you. And just as a note, she's the alternate for the NCSG councilor, Ed Morris. Martin Silva Valent.

Martin Silva Valent: here.

Terri Agnew: Marilia Maciel.

Marília Ferreira Maciel: Present.

Terri Agnew: Johan Helsingius. I do see...

Johan Helsingius: Here.

Terri Agnew: Thank you. Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Here.

Terri Agnew: Ben Fuller.

Ben Fuller: Here.

Terri Agnew: Erika Mann. I do see where Erika is connected. Carlos Raúl Gutiérrez.

Carlos Raúl Gutiérrez: Thank you. I'm on the phone line. I expect to be in the Adobe room in about 10 minutes. Thank you.

Terri Agnew: Thank you. And in the meantime I do see where Paul McGrady has joined as well. From staff we have Mary Wong, Marika Konings, Julie Hedlund, Steve Chan, Amr Elsadr, Emily Barabas, Berry Cobb, Michelle DeSmyter, Sara Caplis, for technical support, Andrea Glandon, and myself, Terri Agnew.

I would like to remind everyone here to state your name before speaking for transcription purposes. And with this I'll turn it back over to you, James. Please begin.

James M. Bladel: Thank you, Terri. And thank you for everyone taking the time to join us for our Council meeting on the 20th of September, 2017. As per our standard order of business, does anyone have any updates to their statement of interest or their status as a councilor, please raise your hand in the Adobe room now or get our attention if you're just on the bridge.

All right, seeing none, then I would ask if there are any proposed amendments or updates to our agenda, which is currently on the screen in

the Adobe room on the right hand column and was circulated to the Council list earlier. I'm sorry, I saw a hand there briefly and then it went down before I could catch the name.

Was someone wanting to make a note on the agenda or was that with the previous item, the statements of interest? It was Julf. Okay, we're calling you out, Julf. Is there something that you needed or was it an old hand? Okay. Julf has an update on his statement of interest. Please, Julf, go ahead. Julf is indicating in the chat that he has joined the NCUC, the Non Commercial Users Constituency.

Thank you for that update, Julf. And I apologize if I went through that agenda - that call for changes too quickly and didn't give you an opportunity to raise your hand, so my fault there.

Then going back to 1.3, does anyone have any updates to our agenda? Okay, seeing none, let's move on to Item 1.4, the status of the minutes for previous Council meetings and that would have been way back in July, our Council meeting from the 13th of July, those minutes were posted to the GNSO webpage on the 3rd of August. And our minutes from the late August meeting on the 24th of August it says will be posted on the 14th but I would ask staff to clarify if those were posted on the 14th of September or if those are still outstanding.

Terri, Nathalie, anyone have any confirmation on the status of those minutes from the meeting on the 24th of August?

Terri Agnew: Hi, James, it's Terri. And the minutes have been posted on the GNSO calendar.

James M. Bladel: Perfect. Thank you for confirming that.

Terri Agnew: You're welcome.

James M. Bladel: All right, okay then let's move on to Item Number 2, agenda Item Number 2 is a review of our open project and action items. If we could ask staff to load those into the screen, we'll go over them fairly quickly. And please, if you have any comments, questions or note any errors on these please raise your hand or jump in if you're just on the bridge.

As you can see, we have a number of items currently in working group status, several PDPs, our Standing Selection Committee is still ongoing, the CCWG on Auction Proceeds and continued GNSO participation on CCWG on Accountability. We have PDPs SubPro, RPMs, and Next Gen RDS. Curative Rights is still underway but I believe per our last update from Phil, is nearing its completion here as we approach ICANN 60. And we have still some commitments to the CCWG on Internet Governance, per our discussion at our last Council meeting.

We had deliberations on the final report from the Cross Community Working Group on the Use of Country and Territory Names and we still have some work to be done on the ICANN Bylaws Drafting Team. We have the IGO and Red Cross and the Geo Regions review that are pending a Board vote. And then the rest of those items are in implementation.

Anyone spot anything missing or in the wrong place on this open project list? Okay, seeing no hands, then could I ask staff to load the action item list please? Okay once again, our status is that if something is in process it is marked - it's yellow, green means completed and it will not appear on future action item lists. And I believe that something that is marked as I believe it's blue will appear on our agenda today.

So the strategic planning meeting is completed and many thanks to staff as well as Donna and Heather for taking the lead and planning that strategic planning session early 2018. We have the conflicts for Whois and conflicts with local. That is ongoing and I can tell you that there's been some

significant discussions on exactly how we will respond to or proposed responses - options for Akram's letter, but I don't expect we'll see that until our meeting in October, I believe we have one Council meeting prior to ICANN 60 and that will be a topic on the agenda potentially for that meeting.

Heather, go ahead.

Heather Forrest: Thanks, James. Heather Forrest. Can you just clarify you say there have been discussions, is that within the Contracted Party House, within the Registrars, where is that happening? Thanks.

James M. Bladel: Yes, good question. I know it was raised during the - our stakeholder group ExComm that this is an outstanding item and Michele, as you recall, had a number of thoughts on the options. He felt that - and I'm speaking for him a little bit because he's not in this meeting, but during our last call Michele noted his concerns with a couple of options and then his preference for one or two others. And we asked him to go back and put some thought behind that and come back with a motion if he's interested in that.

So that is where it was left in the last Registrar Stakeholder Group call, and I think that that is now kind of being socialized within the Registries as well. So I wouldn't go so far as to characterize it as a Contracted Party House effort right now, I'd say that the ball is in the Registrar's court and specifically Michele's.

Okay, thanks, Heather. But again, the key point here is that I think any movement on this item will occur between our meeting today and the next meeting in October.

We have the CCWG IG which was - or we adopted a motion last meeting but we are still working on some of the follow on work items associated with that. We have a new replacement member for SSR 2 to replace Emily Taylor, and that was completed last meeting. And we've also I believe finalized the

ICANN 60 GNSO schedule, however, and I'll just pick on staff a little bit here, I don't know, are we expecting a full ICANN schedule then - do we have an ETA on when that will be published? Early October. Thank you, Mary.

So Mary is saying early October so we're still waiting a little a couple more weeks on that. But at least a contribution from the GNSO seems to be complete. We have a Standing Committee on ICANN Budget and Operations. This was something that Ed Morris had floated back in Johannesburg and it is something that I would say stay tuned for a call for volunteers if you're interested in volunteering for that work.

IRTP-C change of registrant issues as it relates to privacy and proxy services, the two cochairs of the former Privacy Proxy PDP, that's Graeme Bunton and Steve Metalitz, are currently discussing a couple of options to make a recommendation to Council. But this is another issue where I don't expect any updates until our October meeting. But I think they're looking at a couple of different ways that we can address this issue. In the meantime, there is still that pause on enforcement of this one particular aspect of the IRTP-C.

Red Cross - the reconvened Red Cross Working Group is under way. IGO INGO PDP acronyms, I believe, is one area where I'm not up to speed on where that's going. I don't know that we are - I wouldn't call it stuck but I think it is waiting perhaps on the Red Cross issue to resolve before we continue work on that. And then PDP improvements is an ongoing project as well.

So that's the list of our open action items. Does anyone have any questions or comments or spot any omissions? Heather.

Heather Forrest: James, I'm sorry, old hand but I will say while I have it, that it's my understanding in relation to the remaining IGO INGO recommendations that that's not necessarily stuck, if you like, but we would - my understanding would be we as Council would need the very same sort of instruction that we

received from the Board in terms of considering those, that we had a very narrow remit in the discussion of the reconsideration of the Red Cross names, that we have in that group stuck very carefully to that remit.

And that any discussions that we took outside of that scope would have to come a similar path unless we as Council were to act to respond, to you like, on our own accord. So hence I would say the holdup there isn't the completion of the Red Cross as such, I mean, that's a part of it, it's a pathway if you like, but it's not the trigger. Thanks.

James M. Bladel: Thanks, Heather. You are correct and thanks for clarifying. If I, you know, got that wrong or misspoke. But, yes, we would have to take explicit action to move on the IGO INGO PDP recommendations. I think that it is dependent on both the Red Cross issue as well as the outcome of the Access to Curative Rights PDP. But nothing is happening automatically and it's not stuck due to lack of - or any inaction on our part. So I apologize for using that word or that characterization because that's probably not fair to the folks that are working on those efforts and this one as well.

It would as you pointed out, would require explicit action on the part of Council to change course on that one, otherwise it remains in front of the Board as is. So thank you for that. Any other comments or questions? And Mary is also confirming that in the chat, Heather.

Now one item we might consider is - at the conclusion of those other two - sorry. Echo here. One thing we might consider as a Council, as a group is at the conclusion of those other two work streams, is do we want to do anything with IGO INGO acronym recommendations? And if the answer is that we believe that it is solved in its current state then it should come off of our open action list, it shouldn't, in other words, it shouldn't be able to linger on here forever.

So okay so let's put this away if we could and ask staff to bring our agenda back up as we move on to agenda Item Number 3, which is the consent agenda which is empty for this month so, you know, congratulations I guess.

And then we can move onto our first item of business that requires a vote, this is the Council vote for the Review of All Rights Protection Mechanisms in gTLDs. My understanding is that this is a motion to request Council authorize a data gathering exercise. And the motion is made by Heather. Does the motion currently have a second? Has anyone seconded the motion? I'll go ahead and second the motion so that we can table it and begin discussion. And Wolf, Wolf you've raised your hand?

Wolf-Ulrich Knoben: No sorry, I was just seconding the motion. Thanks.

James M. Bladel: Okay. Thank you, Wolf-Ulrich, and then we'll turn it over to Heather to introduce the motion and kick off the discussion. Heather, if you're ready, take it away.

Heather Forrest: Thank you, James, very much. Heather Forrest. James, would you like me to - let's say I can provide some general context. I'd like to involve (unintelligible) I'm happy to let's say lead as the maker of the motion and clarify for the record that I am the maker of the motion as the Council liaison to the RPM PDP Working Group. So I have been asked to raise this motion by the three cochairs of that RPM PDP working group.

And this is a motion that is derived from quite substantial work within the PDP in which the group has come to a conclusion that particular data sets are needed in order to reach decisions that are not purely based on let's say circumstantial evidence on opinion. And the group has worked for quite some time to put together a specific list of data that is requested. And in light of ICANN policy developments push for data driven decision making has submitted this request.

So with that as a high level background, James, let me ask would you like me to - let's say, formally introduce the motion and then turn it over to one of the cochairs for further clarification or would you like me to have Phil provide that further clarification before introducing the motion?

James M. Bladel: Thanks, Heather. If you could, maybe just read the resolve clauses into the record and then let's turn it over to Phil to discuss the specifics of what data is being collected and the objective of collecting that data. And then while you are both doing that if we could ask staff to load any documents or materials associated with the - I believe there's a PDF in - of the survey or the request itself if we could load that so that the councilors in the room have something to look at. If we could go that way that'd be great.

Heather Forrest: Will do, James. Now I just need to in light of the Adobe I need to pull up my own copy of the resolve clauses. So bear with me.

James M. Bladel: Oh sorry. There, there it's back.

Heather Forrest: Oh no, that's okay. That's okay. Are they back? It'd be quicker than I am. Good. Very good. I'll read quickly and then we can switch to the other material. So for the record, again, Heather Forrest.

Resolve 1, "The GNSO Council approves the DMPM request as submitted by the Review of All RPMs in All gTLDs PDP Working Group."

Resolve 2. "The GNSO Council directs ICANN policy staff to forward the DMPM request to the appropriate department of ICANN Organization for the recorded budget and resource approvals with a further request that the matter be considered and approved in as timely a fashion as practicable.

And Resolve 3, "The GNSO Council requests a follow up report from the Review of All RPMs in All gTLDs PDP Working Group on the progress and outcomes of its DMPM request in time for the GNSO Council's meeting

scheduled for 21 December 2017, and a regular written report thereafter, at intervals of not less frequently than monthly, followed by a detailed status report on the Working Group's view of the utility of the data collection exercise on the progress and timeline of Phase One of the PDP by ICANN61."

James, that is the motion. Thank you.

James M. Bladel: Thank you, Heather. Appreciate that. And then, Phil, you I believe as one of the three cochairs of this PDP, you were - designated as the spokesperson for this issue, if you'd like to go ahead and tee up the request that'd be great.

Philip S. Corwin: Yes, James, I'd be delighted to. Thank you. Fellow councilors, you know, we approve things and then we have to live with them. And one of the things this Council approved back in 2015 was DMPM, a new acronym, Data Metrics for Policy Making. The implementation was unanimously adopted. And this working group, by happenstance, happens to be the guinea pig it, the first but by no means the last PDP working group that will be submitting this type of request. Some may be less extensive, some may be longer, some may not require any funding, some may ask for more funding.

But this is a new procedure created by the Council and implemented through the community. So and might I say while we are the first, the cochairs - and one of my cochairs is on today's call, Kathy Kleiman, the other one, J. Scott Evans unfortunately at the last minute had to - something else intervened and he couldn't be on this call.

We've inquired by staff, the other working group, Subsequent Procedures, whose work is also related to the launching of any future round of new TLDs, we've inquired - we the cochairs have inquired of staff, they have not yet submitted such a request but given that this is the new policy that all working groups must comply with, it's not inconceivable that they would at some point during their work, and that that could similarly have some impact on their

projected timeline as well as ask for some allocation of ICANN financial resources to do so.

Now this very long form that's in front of you there are 14 separate items. In terms of the - seven of these items do not involve any outside assistance or any need for additional ICANN funding. These are data gathering tasks that most of which already ongoing within the working group being conducted by staff and prior to the adoption of and implementation of DMPM.

They all would have been under the radar but now that we have this standard matrix, they're all listed. So you should be clear that the ones that we believe will require some professional assistance and some financial support are only half of the items listed on this standard form.

All of these data needs are the way our working group's been operating is that we've created sub teams on each of the RPMs and these data requests implicate the sunrise registration, and trademark claims notice RPMs created for the new TLD program.

Those sub teams, in order to expedite our work, review the charter questions relevant to those RPMs, they consolidate the duplicative ones, they eliminate some that don't seem very promising, they consolidate others, and then they go on to identify the data requirements to answer the questions and identify what data is already available and what data is not yet available but likely could be developed and would be a material assistance to fulfilling our charter. So that's the background on these data things. They're the result of weeks and weeks and weeks of sub team work as I just described.

If the Council were not to approve this data request, the stuff already being done by staff - I'm not sure how it would affect that, it's all included in this matrix. But much of it is already ongoing. But the other data needs that require some professional assistance and designing effective surveys and some financial assistance to get that professional assistance, would not

proceed, would not be able to proceed. We don't have the expertise or the resources within the working group to do that on our own.

And as a result, the final report would be materially weakened and subject to extensive criticism for not gathering data needed to answer the questions when it could have been available. So I would hope we wouldn't wind up with that result.

If you approve this motion, staff has estimated the amount of funding that might be required for all the surveys - assistance in designing them and then disseminating and analyzing them, approximately \$50,000. We're not happy with that number, although it's not a huge number within the context of ICANN budget, or the new TLD program, but if the motion is approved it will then be up to staff and the cochairs to work with ICANN's financial people and to identify what resources are actually available. And if we have to pare back the effort for the assisted data gathering based on resource constraints, we'll have to do that. But we're not in a position to do that at the time because that conversation can't start until the motion is approved.

I know there's a lot of concern about the effect of this effort on our timeline. And again, our timeline - we have no fixed deadline. I don't know of any PDP working group either participate in that had a fixed deadline. We've made good faith estimates of our timeline as we go along and we've adjusted them periodically based on our progress and based on new information or questions that arise.

But so it's not as if there's some deadline we'll be violating if we go down this road of collecting this additional data that's been identified as essential to our mission. However, the cochairs and staff have already discussed numerous methods by which any time taken up by the creation of the surveys, the collection of the data and the analysis thereof can be put to other uses to keep our Phase 1 work - Phase 1 being the analysis and recommendations

regarding the new TLD RPMs, our Phase 2 is the UDRP analysis which is off until the end of next year.

We're going to do everything we can to minimize the impact by double or triple tracking our work so that we're not spending weeks where we don't have working group calls and are inactive on other issues within our charter. So we'll minimize it as much as possible and we still project finishing our Phase 1 work next year, which was the time that the Subsequent Procedures Working Group will be completing as well.

So I don't want to say anymore at this time. I'm happy to engage in dialogue as I know Kathy is. I've answered a number of questions over the past few days on the Council list that have been raised by other councilors. I responded 45 minutes ago to a very recent suggestion for an amendment from the Registry Stakeholder Group which I have to say looks like a very rough draft as an amendment when I reviewed it but I'm not in a position to agree, disagree or negotiate on it because of its late arrival.

I would ask the Council to approve the motion and let us proceed to work with ICANN on developing a realistic budget for this. If we defer this motion, it'll simply add to the delay. And if we don't get Council approval for data needs identified as critical to completing our work in a responsible way, it will materially weaken our final report. Thank you very much. I'm happy to answer questions.

James M. Bladel: Thank you, Phil, really appreciate your comprehensive presentation of the context and the background leading to this request and the potential impact it will have on the work of that group.

We have, as you noted, we have some discussions on the list and we have a queue currently in the room. So the first question will go to Paul. Paul, go ahead.

Paul D. McGrady: Thanks, James. Paul McGrady here for the record. I wanted to pile onto what Phil was saying which is in our new data driven environment we really don't have the choice but to do this kind of data collection, otherwise the PDP will just be a collection of opinions and the outcome is primarily upon who shows up for the call rather than by gathering, you know, third party data that we can then take as a working group and try to get past initial (unintelligible) and get to improvements if and are necessary. So there is sort of a - we have to do it component to this.

My primary concern though, and I think Mary to a certain extent has addressed this in the chat, which is the \$50,000 amount seems extremely low in relationship to how much information we need to get from how many people. If it is just the minimum sort of - in essence a placeholder and, you know, an adequate amount will be budgeted for this then that's terrific. There's no voting statement or anything like that but I did want to highlight the IPC's concern about that dollar amount.

And then lastly, Phil said something that kind of gave me pause which I hadn't heard before and that was the idea that if ICANN Org can't give us adequate money, then we would have to go through and you know, take a look at the questions and maybe cut some of them. I'm just hoping that, Phil will confirm that the working group would do that and not the cochairs because obviously what questions get cut out of the survey will affect the outcomes of the survey and we want to make sure that whatever - if we do have to take a knife to this that's it's done in a way that is fair to everybody that's participating in the working group. Thank you.

James M. Bladel: Thank you, Paul.

Philip S. Corwin: Can I quickly respond to Paul on one issue?

James M. Bladel: Yes, I would say if you can be brief because we do have a lengthy queue. But go ahead.

Philip S. Corwin: Yes, Paul, thanks for your comments. Just to clarify the cochairs have done in everything within the working group we leave all substantive decisions to consensus of the working group members, the cochairs don't try to impose their own views or priorities on the working group.

James M. Bladel: Thanks, Phil. That's an important point. Next up is Heather.

Heather Forrest: Thanks, James. Heather Forrest. I would like to raise a specific point and - a point slash question in light of the comments that Paul has just made and indeed Mary has noted the \$50,000 value in the chat. How did we come up with \$50,000? How is that specifically tied to the request? It's probably a question, James, ironically, that I'm turning to Phil if that's okay? Thank you.

James M. Bladel: Thanks, Heather. I note that Mary has her hand up to respond so, Mary, if you would like to take that one, go ahead, please.

Mary Wong: Thanks very much, James, and everyone. This is Mary from staff. So as we noted, this is a minimum estimate and we based this minimum estimate on feedback that we got from folks who had done similar, well not entirely similar but fairly broad-ranging surveys. This includes speaking with Lori Schulman who helped with the INTA survey as a member of INTA staff.

I should say that the request does read like and it could potentially be up to five or six different surveys. The working assumption that staff had when we put this together is that because there is a significant overlap in the questions and the types of questions that are being asked across different target groups, that what could be done in order to maximize whatever available resources there are, is to essentially have one survey designer who will design something like an omnibus survey that can then be customized or split up as the case may be to reach different target groups. In other words, if we are talking about five or six different large surveys then definitely \$50,000 is far from enough. I hope that helps.

James M. Bladel: Thank you, Mary. Helpful clarification but not exactly good news. Heather, does that address your question?

Heather Forrest: It does for now, James. Thank you. I'll turn it to others. Thanks.

James M. Bladel: Okay thank you. And next in the queue is Darcy. Darcy, go ahead.

Darcy Southwell: Thanks, James. Darcy Southwell. Obviously the budget is a significant concern. I think we all agree that data driven decisions work best, DMPM aside, and the need for it. But I guess I have some concerns, it's going to be an expensive spend and some of these questions seem to me at least from the Registrar Stakeholder Group perspective, I'm not even sure if some of this data even exists given how you know, registrars operate. So I'm a little concerned and I'm not as familiar with some of the other areas that you're asking questions about in the survey.

But do we have any concerns that what we're asking isn't even out there or if we're asking the wrong questions? Because we're going to be spending a lot of money one way or the other in order to get something that may not have the kind of value we need to move forward with this. Thanks.

James M. Bladel: Thanks, Darcy. I'm not sure if that's a question to Phil or a question to staff. I had something similar kind of percolating around as well as Phil was teasing this up is do we know that the data exists? And if it does, and we're able to get it, do - are we confident that that will you know, coalesce the work of the group, the positions of the group? And I don't know if - Phil, if you're in a position to answer it either.

Philip S. Corwin: Well I'll give a brief response, James. The questions in the request are not intended to be the final form of the questions. I thought we had made that clear. And that's why one reason we need to - some professional consultation to better shape these questions to - so they ask the right questions and

maximize the data collection. I will say that the cochairs became aware of the need for this request just a few weeks ago and we've rushed to get it in for the 10-day deadline running very fast so we could have a discussion on this Council call and not lose another month trying to refine it a bit more.

So it is a little bit rough around the edges. We did as best we could. But the final questions will be shaped by the consultation with the professionals and we'll further be asking is there a likelihood of unearthing valuable data if we ask the question in the final form.

James M. Bladel: Okay, thank you, Phil. Thank you, Darcy. Just a note that I've put myself in the queue as a place holder because I think we could spend a lot more time on this than we have. So the next speakers will be Rafik, Martin and Rubens and then we'll have to close off on this agenda item. So, Rafik, go ahead.

Rafik Dammak: This is Rafik speaking. So first, yes, I do believe that we should support this data driven approach. And I see already that, I mean, my comment - I see already that we have discussion about the budget and so on. So it was more like a question here, so based on the response from Marika, it seems that what existed as - for PDP (unintelligible) that this is not enough and we have to make this a special request. And (unintelligible) negotiating with financial team. So my question here is for future, should we, I mean, ensure or guarantee that we have more significant budget for any other data driven - how say - data collection request since we want to move on that direction?

So I'm kind of concerned that we have to negotiate on this kind of matter because it's special request. And it's, again, what we are regarding the budget for FY'18 is we need much more support for the policy development process.

James M. Bladel: Thank you, Rafik. It's a good point. And I think one of Phil's earlier statements was that this was a guinea pig for the DMPM project, and I think for future budgets when requests are made to the GNSO we'll have to ensure that staff

and the GNSO leadership probably not me but future GNSO leaders will have to work with staff and the leaders of various ongoing PDPs to collect and budget for those requests when the budget is being hammered out so that they don't come through like this in an unbudgeted fashion. So that's a good point. And something that we'll just have to pick up going forward.

Martin, you're up next.

Martin Silva Valent: So Martin Silva for the record. This is just a quick support to this motion. I work inside of the RPM and this is crucial to the procedure of the discussion. This is one of - there is a very big gap of (unintelligible) of information and power between the different stakeholders and at least coming from the non commercial part of the discussion, I've seen a lot of debates being agreed only because there was a general consensus on opinions. And being as an outsider from the information point of view, because I really don't have access to the phenomenon behind trademark complaints or registry procedures, I think this - getting this objective information and data is really a necessity to have a fair, just and most of all rationale decision.

You know, we can say okay we did - what this working group is doing is based on rationale reality and not only on consensus opinions. So just those two cents of my support. And as well as an obvious statement the questions that (unintelligible) will be doing they must also ensure that we get this objective view and not just (unintelligible) a partial view or something that is ultimately - only to a certain party. Thank you.

James M. Bladel: Thank you, Martin. Next in the queue is Rubens.

Rubens Kuhl: Thanks, James. Rubens Kuhl, Registry Stakeholder Group. I'd like to point out that a few minutes ago I sent some - I make some suggestions and I haven't figured either (unintelligible) responses or we do take as friendly and incorporate or we do not take them as friendly so I wonder whether (unintelligible) why people think of that. I would like to point out that what

people usually call data does not include anecdotal evidence, so the PDP working group request includes anecdotal evidence and that's fine, they decided that it will be needed, it will be interesting.

But what most people consider data would only be what they mention there as (unintelligible) data. So when we say that we like data driven policy making, we usually say (unintelligible) data and not anecdotal evidence. But workgroup requested and that's what's on the table so we need to look into that. So if the (unintelligible) and seconder of the motion would (unintelligible) if they agree with the amendments - if they find it friendly or not that would be helpful. Thank you.

James M. Bladel: Thank you, Rubens. And we hadn't forgotten your proposed amendments that were sent to the list. And I think Phil referenced them. We were looking for the opportunity to introduce them. Staff has them now loaded into the Adobe room. But the speaking queue on this has been fairly extensive. I think that we can open up a discussion on these specific amendments and I think for that I would turn to the maker of the motion, Heather. Heather, did you have any immediate thoughts or reactions to Rubens's proposed amendments, these redlines?

Heather Forrest: Thank you, James. This is Heather Forrest. I do - I appreciate the input that Rubens has provided. And I as the maker of the motion and the vehicle here - I'm the representative of the three cochairs, so in essence, I look to them for their views on this. I note that Phil's comments on the Council list were raised certain concerns with these. And so as the maker of the motion, James, however it is that the cochairs - and I note we only have two of them on the call and that's perhaps not ideal. But I am led by them in this regard as I'm a representative of the PDP. Thanks.

James M. Bladel: Thanks, Heather. And to paraphrase I think Phil's comments earlier and on the list that these motions were fairly significant as well as coming very late before our call, about 46 minutes before the top of the call. I don't know if that

opinion has changed, Phil, maybe you can indicate in the chat. I just want to point out for time keeping purposes, we're way over schedule, when we talk about budgets for this item in terms of dollars, we're already over budget in terms of our time on this call.

And I think that if we are in a position where we have significant questions remaining and we have yet these very material amendments being proposed by Rubens but not just by Rubens, am I correct, Donna and Rubens and Keith is absent, but am I correct in my understanding that this is resulting from discussions within the Registry Stakeholder Group? So this is not simply the feelings or thoughts or reactions of one particular councilor.

So if that is - if that is the case then I note that Phil pointed out some very dire consequences for rejecting this motion. And I think we all took that to heart. But I think that perhaps we could benefit from a little bit more time not only to study the request but also to study these particular amendments. And I'd ask Phil if he could very briefly, within you know, two minutes, just give us a, you know, Phil or Kathy, if you can give us your thoughts on what a deferral would mean for this particular data request if we were to defer this to study it further. Phil, go ahead.

Philip S. Corwin: Yes, let me speak to that, James. Phil here for the record. One, I would hope we wouldn't defer, it will just cause - unless Council eventually votes down the motion, which would basically be abandoning a large part of the new DMPM policy and implementation, I'm not sure what deferral would just lengthen our timeline and delay the time that we can begin discussing of funding and with ICANN and prioritization within the working group if there are funding limits.

When I look at the proposed amendment, which I'm in no position to agree to, disagree to or negotiate on given the fact that it arrived 46 minutes before this call commenced and there was no time to discuss it among the cochairs even much less with the working group. It seems that it's talking about two things,

one, priority and I think I can commit that in addition to the commitment I made to Paul that if we have to pick and choose which surveys go forward, because of budget constraints, we're going to consult with the full working group to determine which of the data inquiries will be most promising for our work.

And we can - I don't have any problem committing to keep Council informed at the same time if Council wants that degree of information coming in. And so far as managing the timeline, I think I already spoke to the fact that we're already planning the cochairs with staff of how to use any delay in reaching final recommendations on the RPMs that are the subject of the data inquiries to pick up our remaining work to minimize any extension of our timeline caused by this necessary data gathering project. So I hope that would be satisfactory to get a vote today. Thank you.

James M. Bladel: Thanks, Phil. And I note that in the chat there there's a couple of other comments, I think from Cheryl and Paul about the importance of not holding this up and to make sure that we are effectively converting this request into survey questions. I simply was asking, you know, what the impact of that would be because I have more than negligible concerns that if this were to go to a vote I don't know the - I think the outcome is, you know, I don't know that I could handicap it but I don't think it's a necessary to assume that it would pass.

So I think I was trying to find another way we could refine it a little bit more. But if the temperature of the room is that we'd like to give this an up or down vote so as not to delay or hinder the timeline of this request then that's certainly something we can proceed with. Kathy is last in the queue here. Kathy, go ahead.

Kathy Kleiman: Great. Coming off mute. Thank you so much for allowing me to join this call today. This is Kathy Kleiman. And I am, as Phil said, one of the three cochairs of the working group. So my response to the delay would be yikes,

you know, there are time issues and reminded of that. I just don't think this as big or it's as big as we think it might be. We're responding - a number of these questions - and I can see where Rubens is coming from in terms of anecdotal data and we actually fought over kind of the wording of anecdotal data because it tends to have a negative connotation. And here it's really not.

So just quick background, I apologize for holding everybody up, the working group's been criticized for not having neutral wording, you know, we're all lawyers, but we're not professional survey writers. So part of this is just getting that neutral wording. We've also been warned of the danger of multiple surveys so we want to get this out there and we want to get all the questions that way we know people are tired, we know stakeholder groups are tired, we know registries, registrars, registrants, trademark owners, are tired of responding. And we need them to respond. We need the data.

There's a lot we don't know about sunrise periods. There's a lot we don't know about trademark claims. And this, you know, the answer to Darcy's excellent point, you know, (unintelligible) good but if it does exist we need it. So part of this is just we'd like to get the survey out so we can get the data back and analyze it and proceed. Thanks so much for your consideration.

James M. Bladel: Okay, thank you Kathy. And I notice we have some other folks raising their hands. We need to bring this one in. So my understanding is that if we were to proceed with a vote today then that would require a consideration of Rubens's proposed amendments and those would first have to be determined whether they're friendly or unfriendly. And my first response is from Heather and Phil that they would be taken as unfriendly and so we would first need to vote on the adoption of these proposed amendments. Is that a correct assessment, Heather, that these would not be able to take these as friendly?

Heather Forrest: Yes, James. To be clear, I would speak on behalf of the cochairs here and we have two cochairs on the call, and they both expressed that these are unfriendly. So on their behalf I would put that forward. Thanks.

James M. Bladel: Okay. Thank you, Heather. So let's be clear what we're doing, folks. It doesn't seem like there's an appetite to move or even a schedule to move to any kind of a deferral. We would need to instead proceed with a vote first on whether or not these amendments can be incorporated into the motion - Rubens's amendments here that are displayed.

The first - I guess the first question I would have for staff is that how do we determine whether an unfriendly amendment is adopted? And that is - I believe a roll call vote, is that correct? Someone who has - we haven't done one of these in quite a while so a simple majority vote. Okay, but I believe it's conducted via roll call because I don't know that we can do a voice vote unless we were all in the room. Okay, so with that, let's then proceed to a roll call vote on incorporating the redline amendments from Rubens/Registries into this particular motion. Terri, if you'd do the honor please?

Terri Agnew: Certainly. Thank you. Please respond as I call your name. Valerie Tan...

((Crosstalk))

James M. Bladel: Sorry - I'm sorry, Terri, can I interrupt you? We want to be clear that we are voting yay to accept the proposed amendments and nay to reject the proposed amendments. Thanks.

Terri Agnew: Thank you. With that we'll go ahead and begin the vote. Valerie Tan, absent, but proxy to Donna Austin. Donna Austin, how do you vote for Valerie Tan?

Donna Austin: So for Valerie voting against the proposed amendment - friendly amendment.

Terri Agnew: Thank you. Thank you. And Donna Austin for yourself?

Donna Austin: Voting for the friendly amendment.

Terri Agnew: Stephanie Perrin.

Stephanie Perrin: Voting for the amendment.

Terri Agnew: Thank you. Tatiana Tropina.

Tatiana Tropina: Voting against the amendment.

Terri Agnew: Thank you. Rubens Kuhl.

Rubens Kuhl: Voting for the amendment.

Terri Agnew: Thank you. Philip Corwin.

Philip S. Corwin: No on...

Terri Agnew: Phil, I just want to be clear, you're against it?

Philip S. Corwin: Yes, against it.

Terri Agnew: Thank you. James Bladel.

James M. Bladel: I'm voting against the amendment. Thank you.

Terri Agnew: Thank you. Marilia Maciel.

Marília Ferreira Maciel: Against the amendment, thank you.

Terri Agnew: Martin Pablo.

Martin Silva Valent: I vote against the amendment.

Terri Agnew: Michele Neylon is absent but proxy given to Darcy Southwell, so Darcy, how do you vote for Michele?

Darcy Southwell: Voting against the amendment.

Terri Agnew: Thank you. And Darcy Southwell for yourself?

Darcy Southwell: Voting against the amendment.

Terri Agnew: Thank you. Susan Kawaguchi.

Susan Kawaguchi: Voting against the amendment.

Terri Agnew: Paul McGrady.

Paul D. McGrady: Voting against the amendment.

Terri Agnew: Keith Drazek is absent but proxy given to Rubens Kuhl. Rubens Kuhl for Keith Drazek.

Rubens Kuhl: Voting for the amendment.

Terri Agnew: Thank you. Johan Helsingius.

Johan Helsingius: Voting for the amendment.

Terri Agnew: Heather Forrest.

Heather Forrest: Voting against the amendment, Terri. Thank you.

Terri Agnew: Thank you. Tony Harris is absent, apology given to Wolf-Ulrich. Wolf-Ulrich, how do you vote for Tony?

Wolf-Ulrich Knoben: Voting against the amendment.

Terri Agnew: Thank you. One moment. Wolf-Ulrich Knoben for yourself?

Wolf-Ulrich Knoben: Yes, voting against.

Terri Agnew: Thank you. Rafik Dammak.

Rafik Dammak: Voting against the amendment.

Terri Agnew: Thank you. Stefania Milan.

Stefania Milan: Voting for the amendment.

Terri Agnew: Thank you. One moment please. Thank you, that does conclude the vote. One moment while I get the results. For the Contracted Party House we had three votes in favor, four against. For the Non Contracted Party House we had there in favor, 10 against. And the motion fails. The amended motion fails.

James M. Bladel: Thank you, Terri and thank you, everyone, for that bit of process there. Now if we could back to the original language of the original motion, which is now what we have. I think that if we can step back from this for one moment and look at what Rubens was trying to accomplish with his amendments and I believe in line with a lot of what we heard during our conversation and some of the exchanges in the chat, is that the PDP leadership believes that this is essential to their work and needs to be completed and voted today to keep this going in a timely manner.

However, there are a number of concerns about the way that the - setting aside the budget concerns and the staff resource concerns, the next biggest concern is the ability to separate and distinguish between anecdotal or

qualitative responses to the survey requests versus actual quantitative responses.

So with that in mind, I'd like to propose that we instead, go back to the original language of the motion here and add something in the resolve clauses perhaps the - between 1 and 2 that the GNSO Council instructs the leadership of the RPM PDP to work with ICANN staff and the outside - and any outside experts to structure the data request such that, you know, in order to minimize anecdotal data or to maximize the usefulness of qualitative data and metrics, something along those lines as a potential new resolved, which I think provides some additional guidance on this work back to the PDP leadership and back to the folks who are going to be crafting the language of the data request, because my concern here - and I'll just be blunt, is that if we go forward with this as is, that it may not - it may not pass.

And that I think would not only hinder the work of the PDP but also send a very poor vote of no confidence in the DMPM process that we approved a couple years ago. So thoughts from Heather, thoughts from Wolf-Ulrich and the PDP cochairs noting that we're halfway through our Council time on this agenda item, but I think is this language salvaged - salvaged the effort and is it something that we can proceed on? And I see Kathy, Heather and Phil, so very quickly, Kathy. I'm sorry, Kathy, if you're speaking we can't - not on the phone. Okay. We'll go next then to Phil.

Philip S. Corwin: Yes, James, I take the intent of his proposed amendment as friendly. I would just - I'd want to consult with staff in that I think the assumption that anecdotal data, that it, you know, a collection of opinions which can then be quantified, what people's opinions were for example, the opinions of trademark owners regarding the usefulness of a particular RPM or whether a proposed modification would be beneficial or harmful, in a way it's an opinion but quantifying it would be useful.

So my only concern is the assumption built into the amendment that quantitative data is always more beneficial or useful than anecdotal data whereas collecting opinions and quantifying opinions may often be very useful in this type of exercise. So I wonder if we could reword it a bit to structure the data request to maximize the usefulness or the relevance of the collected data, something like that that doesn't prejudge what type of data may be most - of the most qualitative assistance in regard to a given question.

So other than that concern, I have no problem with the intent, and in maximizing the usefulness and relevance of any data that's collected.

James M. Bladel: Okay, Phil. And just please note that I was - if it wasn't clear, I was kind of crafting that as, you know, (unintelligible) there. I take your point about the term "anecdotal data" and will go back to your proposal and my understanding is if we make that change then that would be considered a - and this would be considered friendly by the cochairs of the PDP.

Philip S. Corwin: It would be by this cochair, yes.

James M. Bladel: Okay, thank you. And I see Kathy is agreeing with you in the chat as well. So I don't know if we can capture that, staff, while we then go to - I think we have to put, yes, while we're - good point, Paul. We are - we're going to work on that here if we could, let's see, "To work with ICANN staff and any outside experts to structure the data request in such a way that the" - I believe "the value of the data is maximized - the value and relevance of the data collected is maximized."

Is that - does capture it, Phil, or did you...

Philip S. Corwin: Well it's - yes, I think the way it is, that's close enough. We all know what the intent is and that's always been our intent particularly if we encounter budget

constraints and have to prioritize which surveys go forward in consultation with our working group.

James M. Bladel: Thanks, Phil. And I'm noting that Heather in the chat is noting that anything that - as the maker of the motion she is accepting anything that you deem to be friendly as friendly for the motion itself. Kathy, your hand is still up, did you want to speak to this very quickly? No, hand went down.

Okay as a seconder, I, you know, I clearly would take this as friendly so then I (unintelligible) if this is acceptable to him as well. Okay, in the chat Wolf-Ulrich has noted that this is acceptable so we will modify the motion to make that the new Resolve Number 2, the old 2 becomes new 3 and the old 3 becomes new 4. And I think with that we may have hopefully attached a parachute to this thing and let's see if we can get it through.

So if there are no objections, let's then move to an acclamation vote. Terri, if you would please?

Terri Agnew: Thank you, James. And just to confirm, we can go ahead and do a voice vote versus roll call vote, correct?

James M. Bladel: That's correct.

Terri Agnew: Thank you. We'll go ahead and proceed with a voice vote. Would anyone like to abstain from this motion, please say your name. Hearing no one, would anyone like to vote against this motion? Hearing none, would all those in favor of the motion please say "aye"?

(Group): Aye.

Terri Agnew: And to go through our proxies, Darcy Southwell, proxy for Michele Neylon, please express your vote.

Darcy Southwell: Aye.

Terri Agnew: Donna Austin, proxy for Valerie Tan, please express your vote.

Donna Austin: Aye.

Terri Agnew: Wolf-Ulrich Knoblen, proxy for Tony Harris, please express your vote.

Wolf-Ulrich Knoblen: Aye.

Terri Agnew: Rubens Kuhl, proxy for Keith Drazek, please express your vote.

Rubens Kuhl: Aye.

Terri Agnew: Thank you. With no abstentions nor objections, the motion passes.

James M. Bladel: Thank you, Terri. Thank you, councilors. Note before we close this off, the two themes that emerged from our discussion were concerns about the budget and making sure that the survey...

((Crosstalk))

Coordinator: Your call is placed on hold.

James M. Bladel: Okay. I was on hold there or maybe it was the whole call. So I would ask that folks stay engaged, please, with that effort to draft the survey. And I'm sure the co-chairs of this PDP will keep us informed. And I would ask staff to keep us informed as the budget and the spend for this effort is tracked and particularly if it starts to get well in excess of that \$50,000 limit. So we will proceed but we are I think asking everyone to please continue to monitor this as it progresses. Okay. Thank you for your patience on that.

We are more than halfway through our call. Let's see if we can salvage our timeline here. Item Number 5 is Council vote on the charter - sorry, the final report for the Cross Community Working Group on the Use of Country and Territory Names. Heather Forrest has submitted the motion. I will go ahead in the interest of time and second the motion. This is something that has, I believe, was published recently and we've discussed at previous Council meetings as now time for us to consider a motion to adopt.

Heather, if I could ask you to introduce the motion by reading the resolved clauses into the record and as well as presenting any notable context - particularly anything that's changed since our last meeting. If you're ready, please go ahead.

Heather Forrest: Thanks, James. And to note that (unintelligible) by virtue of my connection as the GNSO cochair of the Cross Community Working Group, and not necessarily through the constituency. "The GNSO Council adopts Recommendations 1, 2 and 4 of the Final Report of the Cross-Community Working Group Framework for the Use of Country and Territory names as TLDs."

Resolve 2. "The GNSO Council adopts the underlying objective of Recommendation 3, and in particular supports Recommendation 3 Alternative A, recognizing that the use of geographic names as gTLDs is clearly within the GNSO's mandate as per ICANN's Bylaws, and also recognizing that this is a matter of interest for the ICANN community as a whole."

Resolve 3. "The GNSO Council instructs the leadership of the Subsequent Procedures PDP to consider the Final Report of the Cross-Community Working Group Framework for the Use of Country and Territory names as TLDs, and to ensure continued collaboration with other parts of the ICANN community in addressing issues relating to the use of geographic names."

Resolve 4. "The GNSO Council recognizes the significant contribution of the CWG UCTN to the ongoing development of policy on the use of geographic names in the DNS, and thanks the members of the CWG UCTN for their Final Report, which clearly documents the history and context of policy-making in relation to geographic names."

Resolve 5. "The GNSO Council instructs the GNSO Secretariat to communicate these resolutions to the ccNSO Council, as co-chartering organization of the CWG UCTN, as soon as possible."

Thank you.

James M. Bladel: Thank you, Heather. And before we begin discussing this just I think on behalf of myself and I think all of the Council, I think and the GNSO community, thank you for the time and efforts that you've dedicated to this - to the leadership of the CCWG over the last few years. I think having your expertise has been a huge asset to this work so please accept our thanks for that.

We'll go ahead and table this now for a discussion. I did have one question, I think probably for Heather is that when we say that we're adopting Recommendation 3 and Alternative A on geo names, that is essentially the cornerstone of the referral to the SubPro PDP and the creation of Work Track 5, in other words, one door closes, another door opens. Is that a correct statement?

Heather Forrest: James, this is Heather. At the time that the final report options on recommendations were drafted, the Subsequent Procedures PDP was underway but the proposal for Work Track 5 is relatively new so Recommendation A does not make any specific mention of - or Option A rather - does not make mention of Work Track 5, it merely references the PDP. And I think that's appropriate in even in light of the recent let's say proposal for Work Track 5 in that it leaves the door open if Work Track 5 is,

you know, determined not to be the best vehicle for this, then it gives the PDP room to determine how else this should proceed. Thank you.

James M. Bladel: Okay, thank you - thank you, Heather, for that explanation. Okay, councilors, does anyone wish to speak to this motion? Does anyone have an questions for Heather or I believe Cheryl was also extensively involved with this work. The queue is clear. I think the last agenda item took the fight out of everybody here. Is that possible.

Okay, if there are no hands up at this time then I guess one final question do we know where the ccNSO is currently on this? I believe they have voted to adopt, is that correct, Heather?

Heather Forrest: James, this is Heather. Yes, the ccNSO has voted to adopt. They followed up with a correspondence in relation to Work Track 5 but in their formal motion before the ccNSO Council they voted to adopt. Thanks.

James M. Bladel: Okay thanks. Yes, I do remember now the letter from Katrina. Thank you for that. Okay, so if there are no other questions or comments then we can move to a vote on this agenda item. If I could ask Terri to conduct a vote by acclamation please.

Terri Agnew: Thank you. Would anyone like to abstain from this motion? Hearing no one, would anyone like to vote against this motion? Hearing none, would all those in favor of the motion please say "aye"?

(Group): Aye.

Philip S. Corwin: Aye.

Terri Agnew: Thank you. Going to our proxies, Darcy Southwell, proxy for Michele Neylon, please express your vote.

Darcy Southwell: Aye.

Terri Agnew: Donna Austin, proxy for Valerie Tan, please express your vote.

Donna Austin: Aye.

Terri Agnew: Wolf-Ulrich Knoblen, proxy for Tony Harris, please express your vote.

Wolf-Ulrich Knoblen: Aye.

Terri Agnew: Rubens Kuhl, proxy for Keith Drazek, please express your vote.

Rubens Kuhl: Aye.

Terri Agnew: Thank you. No abstentions, nor objections, the motion passes.

James M. Bladel: Thank you, Terri. Thank you, councilors. And thank you again to Heather and all of the contributing folks on the CCWG Country and Territory Names. Let's then close this item and move to Agenda Item Number 6, which is our final vote for the day - or a final motion for a vote for the day. And that is the confirmation of the (unintelligible) for the ICANN Accountability and Transparency Review Team Number 3, boy, it seems like just a little while ago I was on ATRT Number 1, but I guess that was almost a decade ago.

So the SSC I think worked very quickly and expeditiously and thoroughly to consider the slate of candidates who were seeking GNSO endorsement. And we have a motion from Susan presenting their recommendations. We'll give staff just a moment to load that up. As you recall, we - for these review teams, the GNSO as one of the SOs and ACs, can submit three guaranteed or primary candidates and we then have the ability to submit four additional alternate candidates and if possible we'll try to get those seated as well particularly to balance diversity of gender and region and language but also included any relevant expertise.

That is - that's something that we certainly will always try to do but it's not always a certainty that anyone beyond the three primaries will be seated. The alternates however, are occasionally called up as we saw with SSR 2.

So with that said I note that there's no second for this motion so if - in the interest of time I'll go ahead and second this motion so we can begin discussing it. And I would ask Susan to introduce the motion and to read the slate of candidates that was selected by the Standing Selection Committee. Susan, if you're ready, over to you.

Susan Kawaguchi: Yes, thanks James. Susan Kawaguchi for the record. And just a little bit of background we are finding the SSC working very well together and everyone's very diligent on examining the applications for these positions. We did note in the second resolve clause that we're concerned about the diversity and we would hope we would have more candidates so the SSC in general asked me to voice to the councilors that if you could encourage your communities to put forward more candidates, that would be very helpful.

We do, as you'll see in the list of candidates, some of them are, you know, those that have been on other review teams so sometimes in our discussions it's hard to balance picking the applicant or candidate that is - has the most experience and fits - fulfills most of the criteria for these teams and then also fulfills the gender diversity and the geographical diversity.

So we all need more people to do this work and so hopefully each community can bring others along that have - may not have that experience but can gain it in other ways so they'll be ready for the next round of review teams. So and Donna, your comment is exactly right, there is so much going on that it is hard. But we (unintelligible) on that so I wanted to voice that.

So Resolved Clause 1, The GNSO Council nominates, ranked in order: Brian Cote, Registry Stakeholder Group, Wolfgang Kleinwächter, NCSG, Stéphane

Van Gelder, RySG, as its primary three candidates for the ATRT3. Furthermore, the GNSO nominates, in ranked order: Tatiana Tropina from the NCSG, Michael Karanicolas, NCSG, Adetola Sogbesan, BC, Erica Varlese Registry Stakeholder Group, to be considered for inclusion in the ATRT3 by the SO-AC Chairs should additional places be available that need to be filled.”

And just one more note, we do also track representation by the GNSO stakeholder groups and constituencies and in the previous two rounds of candidate selections for review teams, we did not select Registry Stakeholder Group candidates, actually we did but he was also selected by another AC or SG. And so this sort of balanced that also that we are always aware of where the representation is coming from and when we’re selecting candidates.

So, James, did you want me to read the rest of the resolved clauses or is that...

James M. Bladel: Yes, if you could please?

Susan Kawaguchi: Yes. Resolve 2, “The GNSO Council acknowledges concerns raised by the SSC about the general lack of diversity, gender, geographic, in the pool of candidates for Review Teams, and will encourage SG/Cs to widely publicize calls for volunteers and make efforts to promote sufficient diversity in the pool of applicants for future application processes.”

“The GNSO Council instructs the GNSO Secretariat to communicate resolved Number 1 to the staff supporting the ATRT3.”

“The GNSO Council instructs the GNSO Secretariat to inform the applicants that have received endorsement that the GNSO Council expects that, if selected for the ATRT3, the applicant will represent the views of the entire GNSO community in their work on the ATRT3, and provide regular feedback

as a group on the discussions taking place in the ATRT3, as well as the positions being taken by GNSO Review Team members.”

And Resolve 5, “The GNSO Council requests staff supporting the ATRT3 and application process to send a response to those applicants who did not receive endorsement for this Review Team, thanking them for their interest. The response should also encourage them to follow the ATRT3 work, and participate in Public Comments and community discussions and to apply for future opportunities within the GNSO Community as they arise.”

James M. Bladel: Thank you, Susan. Thank you to you and to everyone on the SSC for their quick turn on this slate of candidates, very strong slate of candidates if I might add. And I would just want to point out that Brian Cute was the chair of ATRT 1 and ATRT 2 so we're very fortunate to have him volunteer again. And I hope that presuming this is adopted, I would hope that he considers taking some sort of a leadership capacity in ATRT 3 as well. We could certainly - that work will benefit from his experience.

With that said, are there any questions or comments on this motion, on the slate of candidates, or on the - from councilors on the bit about how we can encourage broader volunteers and more diverse pool of volunteers? Anything in the motion is fair game and we'll open the queue.

So seeing no hands and noting that we're trying to catch up to our posted time schedule, we can go ahead and move to a vote by acclamation to adopt this slate of candidates for ATRT 3. Terri, if you would please?

Terri Agnew: Thank you, James. Would anyone like to abstain from this motion, please say your name. Hearing no one, would anyone like to vote against this motion? Hearing none, would all those in favor of the motion please say “aye”?

(Group): Aye.

Terri Agnew: Thank you. Thank you, moving on to - thank you, moving on to our proxies, Darcy Southwell, proxy for Michele Neylon, please express your vote.

Darcy Southwell: Aye.

Terri Agnew: Donna Austin, proxy for Valerie Tan, please express your vote.

Donna Austin: Aye.

Terri Agnew: Thank you. Wolf-Ulrich Knoblen, proxy for Tony Harris, please express your vote.

Wolf-Ulrich Knoblen: Aye.

Terri Agnew: Rubens Kuhl, proxy for Keith Drazek, please express your vote.

Rubens Kuhl: Aye.

Terri Agnew: Thank you. No abstentions, nor objections, the motion passes.

James M. Bladel: Thank you, Terri. Thank you, councilors. And thank you again to Susan and the SSC and for everyone that's volunteered. I don't now - I'm looking kind of in the direction of staff here - I don't know when the next meeting to convene the chairs of the SOs and ACs to finalize the final list of ATRT 3 delegates, but I expect that will happen sometime in the next couple of weeks. And once we have all the endorsements from the other SOs and ACs, then of course it is our goal to not only seat our three primaries, but any alternates that can help balance out diversity of the entire review team and we will do that. And then we will communicate back to the candidates and to the Council. So thank you.

Okay, let's then move onto agenda Item Number 7, we're slowly catching up to our time here so that's good. I thank everyone for their patience in the

beginning and their expediency here in the last couple of items. Item Number 7 is a discussion of the GNSO Operating Procedures and Bylaws. This is again I think continuation of our work to incorporate the changes associated with the transition and the new empowered community and all those things that are driving these changes to our bylaws.

Marika has an overview of where we stand currently and so I'll turn it over to Marika and you can - we'll then have some questions at the end. So, Marika, if you don't mind, go ahead.

Marika Konings: Thanks, James. Yes, this is Marika. So yes, I prepared a couple of slides just to remind you of, you know, where we came from, how we got here and then hopefully you can discuss where you want to go next.

So basically a bit of background, as you may recall, the council formed GNSO Rights and Obligations under the revised bylaws drafting team which we shortened to the Bylaws Drafting Team, which is basically tasked to look at the revised ICANN Bylaws post transition and to determine what would need to be adjusted or modified both in the bylaws as well as GNSO Operating Procedures to allow for the GNSO to participate as a decisional participant in the empowered community.

So the drafting team has submitted its final report on the 1st of December last year and the Council subsequently directed policy staff to implement those recommendations by drafting proposed language for any modifications or additions to the GNSO Operating Procedures and applicable part of the ICANN Bylaws.

This request also included a request to evaluate whether the proposed recommendations and resulting modifications were considered consistent with the post transition bylaws. As part of this assignment, we did work closely together with the Bylaws Drafting Team as going through their recommendations and determining how to translate those into concrete

changes we did come across a number of open issues and questions. There were a couple of inconsistencies and we also wanted to confirm some assumptions that we made in providing that language.

And as a result of that we actually managed to work through all those open issues and questions so basically the, you know, the proposed changes as posted were supported by the drafting team as being in line with what they had recommended or least those open issues that we had identified.

As a result of that work, we did produce as well a report on how each of the recommendation was addressed as well as the actual proposed changes to the GNSO Operating Procedures and the ICANN Bylaws which were published for public comment on the 19th of June. We took (unintelligible) into proposed changes was really to take a minimalist approach really (unintelligible) to accomplish what the drafting team recommendations sent out to do.

We did highlight in the staff report that additional work is likely needed to facilitate the GNSO participation in the empowered community such as the creation of templates or FAQ sheets. We also highlighted that there are probably a number of relevant processes that will need to be developed by the GNSO Council as well as GNSO stakeholder groups and constituencies. And that particularly relates to the ability for individuals to petition the GNSO.

So there's one instance in the case of Board directors that individuals are able to petition the GNSO Council directly in the case of other petitions and right of inspection, those petitions by individuals are expected to be received by stakeholder groups and constituencies. But currently there's no mechanism in place for how that would work. So again, that's probably an area where further work will need to be undertaken.

We did also take this opportunity to fold in some of the outstanding changes to the GNSO Operating Procedures that came out of earlier work or as a

result of the changes in the bylaws for example, a number of references were outdated. We updated the schedule for Board election to make sure it aligned with the new timing and notification requirements of the empowered community.

One thing that came out of the GAC GNSO Consultation Group was this notion of a quick look mechanism which we've now integrated into the PDP Manual. And also a recommendation that came out of the PDP improvements work in relation to including the charter as part of the preliminary issue report has now been incorporated.

So what are the main changes resulting from the Bylaws Drafting Team? Basically six main categories - many cases it was deemed that no changes were needed because there was sufficient guidance in the existing GNSO Operating Procedures and the ICANN Bylaws to make clear, you know, what action would need to be taken or how action would need to be taken. Or they had already been otherwise addressed and I think the SSC is a good example of that, you know, all the recommendations in relation to appointments are basically being addressed by the SSC so no further changes as such would be needed to the Operating Procedures or Bylaws.

There were a number of new voting thresholds that were determined by the Bylaws Drafting Team so those have been reflected in the relevant section of the ICANN Bylaws, and that's basically the only changes that are being proposed to the Bylaws as such which is the section on voting thresholds.

There are a number of changes to the GNSO Operating Procedures that reflect that certain decisions are accepted automatically through the consent agenda, again this is this notion where the GNSO Council serves more as the administrative body to, you know, rubber stamp decisions that are taken, you know, within stakeholder groups and constituencies.

There's a waiver included that would waive current timing requirements in specific circumstances to meet the decisional participant obligations. There are a number of timelines that are contained in the bylaws that do not fit with the timelines of the GNSO Council currently has. And again, following consultation with the drafting team, it was deemed that this was probably the easiest way to make that fit and I know this is also an issue that is of broader discussions are taking place on that on whether some of those timelines are, you know, workable in practice. So again, the way this was accommodated by having a waiver to allow for quicker action when needed.

We also provided some clarification of certain petitions submitted by an individual need to go via stakeholder group and constituency. And as mentioned, that is something that will require further work. And (unintelligible) by an individual for the Board Director removal they need to go directly to the GNSO Council for consideration.

So the public comment we got six submissions from the different GNSO stakeholder groups and constituencies. We received explicit support for the proposed changes from the Registries, the BC, the Registrars and the NCSG as well noting that, you know, they didn't see any inconsistencies with the Bylaws Drafting Team with no specific objections to the proposed changes from the other groups.

The BC, IPC and the ISPCP did restate the position that they also outlined in a minority report to the Bylaws Drafting Team final report that in their perspective the GNSO Council is not the appropriate vehicle for the GNSO to exercise empowered community rights and responsibilities but their view is that these responsibilities should be held directly by GNSO stakeholder groups and constituencies.

There were also a number of specific comments that were provided and in the staff report staff basically outlined how we either believe that, you know, some of those comments were already addressed or can either be easily

addressed by minor changes or, you know, need to be addressed somewhere else as they're not within scope of this particular exercise.

So next steps, it's now for you to consider what the next steps should be and giving some examples here of what next steps could look like. A next step could be the adoption of the revised GNSO Operating Procedures and the ICANN Bylaws, you know, with the minor update that we suggested in the staff report to address those comments. You could give further consideration to the comments that were submitted by the GNSO Council and that could, you know, potentially be done in consultation with the Bylaws Drafting Team if you believe there are any open items that their input would be needed on.

I would like to point out that, you know, until such time the revised GNSO Operating Procedures and Bylaws are in place, you are operating under the existing GNSO Operating Procedures and Bylaws, which for most decisions means a simple majority vote. So that's something to take into account.

And also to note that any changes to the ICANN Bylaws will also require Board approval. So following your approval, we would need to open another public comment period on the specific changes to the Bylaws, and as noted those are the updated voting thresholds following which those would need to go to the ICANN Board for approval. And only after that would that specific part become effective. And I think that's all I have.

James M. Bladel: Thank you, Marika. This has been a huge undertaking and a significant amount of work. And so thank you to you and all the folks who are participating on the Bylaws Drafting Team and those who submitted comments as well. It's good to know that we at least have some temporary voting provisions in place so that there's not, I mean, it's not necessary for us to rush this through, we need to get it right because we are deep inside the DNA of the GNSO at this point and so it's very important that we proceed carefully.

Any questions for Marika or comments either on this item or where we go from here? Do we have any members of the Bylaws Drafting Team that would like to add anything to Marika's presentation? Okay, well we have an empty queue but I would ask that councilors please stay engaged with this work. This is fundamentally important to how the GNSO Council and how the GNSO community operates under this new environment and so it can benefit from everyone's contribution, so thank you for this.

Next up is on our agenda is Item Number 8. We have about 20 minutes remaining. And we have about 20 minutes allocated, although I'm hoping we won't use it all. This is a proposed discussion process to propose a process to change a community gTLD. This will be presented by our friend Craig Schwartz. Craig, as you know, is - as you may know is - represents the fTLD registry, which I believe has dotBank and dotInsurance if that's correct, Craig, I'm sure you'll correct me if I've gone too far afield on this.

Craig has a brief presentation and then I believe would also like to set aside some time for Q&A. So, Marika, is that a new hand or...?

Marika Konings: Yes, this is Marika. If I can just go briefly back to the previous item because it would be helpful to have some kind of guidance on where you want to take this next especially as there are some further steps that need to be taken. You know, is this something that we should line up for a vote for the next meeting or, you know, do people think that more time is needed? And I'm happy as well to pose that question to the mailing list. But that would be helpful to get some direction.

James M. Bladel: Thanks, Marika. So the fact that I think that no one raised their hand at that time probably means they need a little bit more time to digest the presentation and particularly the changes from the last report. So I will make a note to post the list that this would come up either the Council discussion item or as a motion that we would consider during our October meeting.

Paul, go ahead.

Paul D. McGrady: Thanks, James. Paul McGrady for the record. I think more time is the answer. This is very chunky and it's going to take us a lot of time to socialize it back with constituencies and with the Abu Dhabi meeting coming up pretty much immediately. I'm a little concerned that if it goes on for a vote very next call that it is going to, you know, it's just going to get pushed off. So I would say, you know, absolutely we should keep moving forward but we need to be realistic about the timeline. Thanks.

James M. Bladel: Thanks, Paul. You know, I can't really speak for the Registrars but I think moving incrementally with a deliberate and cautious pace is probably their preferred approach as well. So okay, I think we are now ready for Craig. Craig, if you're all set and we have you on the line, if you could introduce your topic here and then if you could leave a little bit of time for Q&A that'd be great. So I'll turn it over to you.

Craig Schwartz: Terrific. And thanks to the Council for giving me an opportunity today to brief you on work that's been undertaken for nearly the last year to develop a process for a community-based registry operators to amend Specification 12, their community registration policies to their Registry Agreement. My plan today is to keep the speaking portion to less than 10 minutes and to leave ample time for discussion.

I won't read through the agenda point by point but you can see it and look through it quickly and I think you've all gotten the slides in advance anyway. I do want to point out that today's presentation is not a review of the process itself, although I know a copy has been provided to you, but rather an overview of how we got to the process at hand. Additionally, the presentation is a request of the Council to support work on the process as implementation rather than policy.

So the genesis of the problem is actually quite simple. About this time last year, fTLD made a request of ICANN to amend our registrant eligibility policies to include new classes of regulated entities, specifically for dotBank, we wish to add bank holding or parent companies that are supervised by a relevant government authority.

(Unintelligible) of ICANN was made after we received a request from our communities to amend these policies. We followed our publicly available policy development process and with the support from our Advisory Council and a resolution of our Board of Directors, we submitted our request to ICANN.

By the way, all of our Advisory Council and all of our Board Directors are members of the banking and insurance communities, we have no outside participants, so this request literally was coming from those respective communities. And while we believe this should have been a straightforward request for ICANN to approve that request was denied and based on the position that ICANN doesn't have such a process in place to consider these types of requests.

So following ICANN's denial and an appeal from fTLD, I had an opportunity to meet with ICANN GDD and Legal staff last October. And one of the outcomes was that that we were asked to help ICANN develop a process for considering changes to Specification 12. And recognizing the value of having a process in place, and wanting to support ICANN's request for assistance, we said yes. A working group was formed.

And at the time all community-based registry operators and applicants were invited to participate in the development of the process. And then we spent literally the next eight months drafting something for ICANN and its community to consider. During this time, we also had several consultations with the Registry Stakeholder Group as well as ICANN GDD, Legal and Policy staff.

To be clear about the purpose of the process, it's solely a mechanism for a community-based registry operator to amend its Specification 12. It's not a means for a community-based registry operator to undo its commitments to its community. And it provides safeguards to applicants that were eliminated from consideration as a result of either a community priority evaluation or a community objection proceeding.

The purpose of including this slide in ICANN's history of implementation is to share that it has since the publication of the final Applicant Guidebook and launch of the new gTLD program, undertaken implementation activities that effectively mandate how registry operators may pursue certain activities. And listed here are a few examples of what's been treated as implementation.

The development of Specification 13 for brand registry operators is a good example of how a change to the Registry Agreement was treated as implementation and I do acknowledge that this came with the GNSO's support and blessing. All fTLD and the working group is asking for at this time is the same level of support for our process to amend Specification 12.

Drawing your attention at the last bullet, if there was an implementation process to enable a new gTLD applicant to amend its application post filing, and prior to award, it seems reasonable that there would be a comparable implementation process to amend the Registry Agreement post award. And we actually have experience with the application amendment process because we did amend our dotInsurance application to be inclusive of the global insurance community versus the initial focus of the US.

And this was in direct response to requests that we got from community members based outside of the US and that change request was ultimately approved.

In addition to believing that the development of the process should be treated as implementation, the process as proposed is not inconsistent with the GNSO's principles, recommendations and implementation guidelines for the introduction of new TLDs nor is it inconsistent with the ICANN Board resolution to adopt the GNSO's recommendations.

Further, substantial community work has already been conducted including that by the working group and the Registry Stakeholder Group. GNSO resources, as you well know, are already stretched quite thinly with existing policy work that generally has broad implications for a wide range of stakeholders and perhaps the most compelling is the process consideration of the process that it may impact very few registry operators as it's really only those that have a very narrowly defined Specification 12 such as those for fTLD and dotBank and dotInsurance.

In reality, most community-based registry operators that have a Spec 12 have written them so very broadly that they would probably never be - never have a need to use such a process. They effectively could do what they want because of the way that Spec 12 is presented and memorialized in their Registry Agreement.

As already mentioned, a considerable amount of time has already been spent on process development and community consultation by the working group, RySG and ICANN. And to wrap it up fairly quickly here as for next steps, the working group and as I understand it, ICANN GDD staff, would like the support from the GNSO Council to accept the process work as implementation, that the process be posted for public comment to solicit ICANN community input, that there be further engagement with the GNSO Council as appropriate, and that activities are undertaken to enable the availability of the process to community registry operators early next year and preferably as soon as possible.

In closing and speaking on behalf of the working group, we believe the process is truly an implementation issue and also a decision to treat the process as anything other than implementation would almost certainly delay the availability of it by probably another year and result in detriment to the community-based registries and the very communities they were created to serve.

So with that, I'll wrap it up and leave lots of time for discussion.

James M. Bladel: Thank you, Craig. Thank you for presenting this in a timely fashion so that we can leave some time for Q&A. Just noting we have about seven minutes left in our call but hopefully councilors had a chance to review this and have any questions now is the time. I'll go to the queue and see if we have any hands. First up is Rafik. Go ahead, Rafik.

Rafik Dammak: Thanks. This is Rafik speaking. Thanks, Craig, for the presentation. So I'm, yes, I'm jumping to the last slide about the proposed next step. Okay, so I understand that you are proposing that GNSO support the process as an implementation, so we are not talking about the whole new process. But, I mean, what is the expectation with - how to start the public comment period on that process and what does it mean, the further engagement with the GNSO here?

Just wondering here for the Council what you are expecting us to do and did you have in mind to use any other - any kind of existing process we have in our open procedure or PDP, how to say, yes, the existing PDP in that matter to include this? So I'm just kind of first of all this, I understand - I think I understand the background and the reason for working on the process, but since the part of the community we're not -was not involved on this so I was kind of trying to see how we can get this on board, on track and to include the rest of the community so.

Craig Schwartz: Thanks, Rafik. The one piece that we're missing right now is written feedback from ICANN and they made a commitment to the working group that we'd have it by the end of this week. What I envision is that the process could be posted for public comment. And there probably will be several different comment periods in order to allow other stakeholders to participate in the consultation, whether it's the ALAC, or other stakeholder groups.

And what I see as a - is an iteration of the process through that consultation ultimately getting to something that the GNSO Council could get behind and support much like it did the creation of Specification 13 to the Registry Agreement and ultimately sending this up to the Board.

With respect to taking this through a formal policy process, such as a PDP, our view is that it's probably not necessary that there's enough precedent for this type of work being handled as implementation which is really what I tried to outline today, and that a PDP would unnecessarily take a lot of time, use a lot of resources and ultimately serve to benefit maybe 2% of all the gTLD registry operators, so a big investment in time and cost for benefit for very few.

And now of course as fTLD I want the benefit but I think there's a better and more efficient way to do it than through a structured policy development process.

James M. Bladel: Thank you, Craig. Thank you, Rafik. Rafik has a follow up question in the chat, Craig, said something about saw a mention of guidance process. And it looks like Marika is responding, that - to provide guidance to the Board on issues that aren't within the remit of a PDP but concern new gTLDs, so that might be one potential option. So I think that I have my hand up but I'll go - I'll just drop it here and let Donna speak. Go ahead, Donna.

Donna Austin: Thanks, James. Donna Austin from the Registry Stakeholder Group. So thanks, Craig, for the presentation. And I guess just to give a little bit more

context to what's been going on with this particular issue, Craig has been, you know, discussing with it with ICANN staff, Legal and some from the Policy staff as well. He brought the issue to the Registry Stakeholder Group and we had a discussion about, you know, what's the appropriate method to move forward.

Based on how the Registries had engaged with ICANN on a number of other previous similar related issues, so throughout the new gTLD program and working through some of the implementation issues, there has been, you know, generally the way that ICANN GDD has approached a number of the implementation issues is that, you know, work with the Registry Stakeholder Group in particular you know, where, you know, some of the issues that we've had that kind of dialogue with them was particularly the two character issue at the second level.

You know, that was a - something that was contained in the Registry Agreement but we worked through that with the GDD team. And, you know, obviously they're working with the GAC as well. But that went - so we had some engagement on that level and then generally the process is for implementation is that it goes through public comment. You know, in relation to Specification 13 and how that came about, that as more a direct consultation between the GDD team and members of the Brand Registry group so that was something that was done outside of the Registry Stakeholder Group but it was a direct conversation with those that were impacted. And that led to Specification 13.

That was brought to the Council and I think Council agreed that, you know, to move forward on that. But there were, you know, there was some discussion around how that would be handled as a policy issue because it wasn't you know, dealt with in the original PDP. So just to give some context and flavor that there has been considerable discussion within the Registry Stakeholder Group on this issue. And, you know, some concerns about gaming because

the community TLDs came through a CPE - in some cases came through the community priority evaluation process.

So there was, you know, a lot of discussion about how to ensure that that can't be gamed, that a community TLD maintains its status as a community TLD and the change in policy - internal policy of that TLD does not go beyond the bounds of what was in their application. So just to give some context, that there has been considerable discussion within the group that Craig has pulled together, which are primarily community TLDs, conversations back and forth with the GDD, but also within the Registry Stakeholder Group. So I just wanted to give that flavor, James. Thanks.

James M. Bladel: Thanks, Donna. That was very helpful background and context on this and I think important for our consideration. I had one quick question, I note that we are one minute over our allotted time so I'll ask Craig if he could be very brief. I haven't looked at the process itself, but the question is does it envision that any changes would go back through the community evaluation process and that these would be - the TLD would be rescored under the previous scoring and that those would be compared and then it would still necessarily need to, you know, meet that threshold for delegation? Is that part of this process or...?

Craig Schwartz: No, rescoring the application is not part of the process. The registry is now a registry, it's bound by its Registry Agreement to ICANN. And if it's a designated community registry operator it has that status so there is no rescoring.

James M. Bladel: Okay.

Craig Schwartz: And we don't believe that rescoring is necessary nor did commenters on the draft process and specifically some of the standard applicants that were eliminated from consideration by, for example, that CPE process.

James M. Bladel: Okay. Thank you for explaining that. Okay, so I don't see any more questions or hands in the queue or in the chat. Here's how I'm proposing the working group and the registry and it looks like ICANN GDD are asking the GNSO to make a decision and the decision is whether we believe this is consistent with the program and with the policy as it stands in which case it is implementation and we would just put this out for public comment - this process out for public comment and refer that back to ICANN staff.

Or that if we don't feel it's consistent, we feel that it's substantial enough of a change that we would consider whether it warrants some policy development effort either you know, either launching a PDP or, you know, including it in some work that's already ongoing if that's even possible. I don't know that any of us have the - enough of a foundation of awareness or instruction from our stakeholder groups to proceed on either of those points right now. So what I'm going to ask councilors to do is to please review this presentation, review the process itself, which I believe has been circulated to our list, and to socialize that within your stakeholder groups and constituencies and consider coming back in our October meeting, which is in early or mid October with the intention to consider which direction we want to go with this particular request.

So that's kind of a teaser for next month and a preview for what we need to do between now and then. Thank you very much, Craig, for wrapping this all up in a easily digestible package that we can then take back to our respective groups. And we ask you to bear with us a little bit longer while we work on that question.

Craig Schwartz: Fair enough. Thanks, James and thanks to the rest of the Council.

James M. Bladel: Okay, thank you for that, Craig. And that brings us to Item 9, which is AOB. We don't have any flagged items AOB and nothing came up in our agenda so if there's any AOB now, please speak in the next 30 seconds. And otherwise we will move to adjourn for our September call. Okay, no items of AOB so I

think we can consider this call to be adjourned. Thank you very much, councilors, thanks to everyone who stayed on a couple minutes late and in particular those who are observing the holiday, enjoy the time off. And we can stop the recording and catch up with everyone next month. See you on the list. Thanks, everyone.

Terri Agnew: Thank you, everyone. Once again, the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines and have a lovely rest of your day.

END