

**ICANN  
Transcription  
GNSO Council teleconference  
Thursday 21 December 2017 at 12:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-council-21dec17-en.mp3>

Adobe recording: <https://participate.icann.org/p3i6wszs6m8/>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

**List of attendees:**

**NCA – Non Voting** – Erika Mann

**Contracted Parties House**

Registrar Stakeholder Group: Pam Little, Michele Neylon (absent- apology sent – proxy to Darcy Southwell, joined at 13:10 UTC), Darcy Southwell

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek (telephone only – dropped at 13:30 UTC) , Rubens Kühl (dropped at 13:20 UTC)

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

**Non-Contracted Parties House**

Commercial Stakeholder Group (CSG): Marie Patullo (Newly elected BC councilor replacing Phil Corwin after his resignation), Susan Kawaguchi, Philippe Fouquart, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Stephanie Perrin, Tatiana Tropina, Rafik Dammak, Ayden Federline, Arsene Tungali

Nominating Committee Appointee (NCA): Syed Ismail Shah (absent)

**GNSO Council Liaisons/Observers:**

Cheryl Langdon-Orr– ALAC Liaison

Ben Fuller - ccNSO Observer

Julf (Johan) Helsingius– GNSO liaison to the GAC

**Guests:** Kathy Kleiman, Philip Corwin, J Scott Evans – RPM Co-Chairs

**ICANN Staff**

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (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 – Policy Director

Berry Cobb – Policy consultant

Emily Barabas – Policy Support Senior Specialist

Ariel Liang – Policy Analyst  
Mike Brennan – Technical Support  
Nathalie Peregrine – Manager, Operations Support  
Terri Agnew - Operations Support - GNSO Lead Administrator

Coordinator: Recordings have started.

Nathalie Peregrine: Thank you very much. Good morning, good afternoon and good evening, everybody. Welcome to the GNSO Council meeting on the 21st of December, 2017. Would you please acknowledge your name when I call it for the roll call? Thank you ever so much.

Pam Little.

Pam Little: Here.

Nathalie Peregrine: Donna Austin.

Donna Austin: Here.

Nathalie Peregrine: Rubens Kuhl.

Rubens Kuhl: Here.

Nathalie Peregrine: Keith Drazek.

Keith Drazek: Here.

Nathalie Peregrine: Darcy Southwell.

Darcy Southwell: Here.

Nathalie Peregrine: Thank you. And Darcy is proxy for Michele Neylon who has sent his apologies for today's call. Carlos Gutiérrez.

Carlos Raúl Gutiérrez: Here, thank you.

Nathalie Peregrine: Marie Pattullo. Marie is our newly-elected BC councilor replacing Phil Corwin. Welcome, Marie.

Marie Pattullo: Thank you, Nathalie. I'm here.

Nathalie Peregrine: Susan Kawaguchi.

Susan Kawaguchi: Here.

Nathalie Peregrine: Paul McGrady.

Paul McGrady: Here.

Nathalie Peregrine: Philippe Fouquart.

Philippe Fouquart: Here.

Nathalie Peregrine: Rafik Dammak.

Rafik Dammak: Here.

Nathalie Peregrine: Stephanie Perrin. I don't believe I have Stephanie in the Adobe Connect room, we'll circle back and get hold of her.

Arsene Tungali.

Stephanie Perrin: Here.

Arsene Tungali: Here.

Nathalie Peregrine: All right, thank you, Stephanie. Noted and, Arsene, thank you ever so much. Heather Forrest.

Heather Forrest: Here, Nathalie. Thank you.

Nathalie Peregrine: Tony Harris. I see Tony is noting in the Adobe Connect room chat that he's not on the audio for now but he's here for the roll call. Thank you.  
Tatiana Tropina.

Tatiana Tropina: Present, thank you.

Nathalie Peregrine: Martin Silva Valent.

Martin Silva Valent: Here. Hello.

Nathalie Peregrine: Ayden Férdeline.

Ayden Férdeline: Present.

Nathalie Peregrine: Syed Ismail Shah. I don't believe we have Syed in the Adobe Connect room. We'll follow up with him. Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Present, Nathalie.

Nathalie Peregrine: Ben Fuller.

Ben Fuller: Here.

Nathalie Peregrine: Erika Mann. I believe we're still trying to get a hold of Erika. Julf Helsingius. Julf. All right, we'll try to follow up with Julf equally. And we'd just like to know that Erika Mann has joined the Adobe Connect room. From staff

we have David Olive who's sent his apologies, we have on the call Marika Konings, Mary Wong, Julie Hedlund, Steve Chan, Emily Barabas, Berry Cobb, Ariel Liang, Terri Agnew, Mike Brennan for technical support and myself, Nathalie Peregrine.

I'd like to remind you all to please remember to state your name before speaking for recording purposes. Thank you ever so much, Heather, and over to you.

Heather Forrest: Thank you, Nathalie, very much. And welcome to everyone. This is our final GNSO Council meeting for 2017. And our next GNSO Council meeting will be face to face in – at the end of January. So to start off, may I ask – actually first, may I say a very warm welcome as Nathalie has noted in the chat to Marie Pattullo from the Business Constituency. Marie fills the seat recently vacated by our former colleague, Phil Corwin, who will join us for another agenda item in today's agenda. Welcome, Marie, this is your first Council meeting. Anything that we can do to help you to make it – to make it an easier transition please do let us know. And also please convey our welcome to all of the new members of the BC ExComm.

So that – with that may I ask, does anyone have any updates to their statements of interest? I see no hands, marvelous. And anyone have any requested amendments, edits or additions to the agenda before us? Again I see no hand so we will take the agenda as it's presented in the AC window, and we will note in 1.4 we have the minutes of the meeting on the 1st of November, which was a two-part meeting. Those minutes were circulated by Nathalie and they were posted on the 23rd of November. And likewise our meeting of the 30th of November the minutes were posted on the 21st so that gets us fully caught up, which is a wonderful way to end the year and many thanks to Donna, Rafik and staff for making that happen.

Item 2 is our view of the projects list and the action items list. Perhaps if we start with the projects list, that would be the best start, we'll review that, see

where we are, see where the changes are and Marie, for your reference, this is something you likely would have missed, what normally happens is that the staff put together an amended version of the projects list and circulate that prior to the Council meeting, roughly that 10 day document deadline. And they provide that in both the clean and a redline version. And I can say for myself I particularly find that redline version helpful because it shows you exactly where the changes are.

So project list is in front of us. You'll see that we have marked a number of items complete which is – which is an excellent thing. We have the – hang on, let me just page back up. We have the CWG UCTN, the Cross Community Working Group to develop a framework for the Use of Country and Territory Names, of course that group has finished and wound up its effort so that here has been marked as complete.

We have a few other changes. Marika, anything specific and Berry has very...

((Crosstalk))

Tony Harris: ...Council.

Heather Forrest: Hi, there Tony.

Tony Harris: My first name is Tony. My second name is Harris. That's T-O-N-Y and then H-A-R-R-I-S.

Heather Forrest: Nathalie, I'm going to jump back in. I have a feeling I wasn't alone in dialing into Tony. And Tony might actually think that I'm the operator. In any event, I will carry on.

The comment that Berry's made in the chat is indeed a helpful one. What we have done is there are items that have been marked complete here that will

move off of the project list in the next version. And may I ask, Marika or Berry, Berry perhaps you might be across this document the best of all of us, any vital changes that we have to point out here before we leave this one?

Berry, please. Berry, I'm not sure if it's just me. It might be a problem on my end but I wasn't able to hear you. And Rubens says, "Not either." Okay, very good. Mic issues, it's all right. Very good. We'll give Berry a second to type and then very good. So Berry will point out the key changes for us in the chat. Much appreciated, Berry.

And while he does that, I will say from my perspective, having reviewed the document there wasn't anything earth shattering in terms of the changes but I think it was very helpful that we did have a number of items that were cleared off of this that will then not appear in the next version when we look at this in January.

So any questions on the projects list before we move onto action items?  
Marika, please.

Marika Konings: Yes, this is Marika. Thank you, Heather. I can maybe step in for Berry. I'm trying to assume what he was going to say. One of the other things that has been added is under initiation as you're considering during today's meeting the charter for the GNSO Standing Committee on Budget and Operations. And Berry noted as well, you know, assuming that will happen at this meeting or maybe a subsequent meeting, we would actually move that project to the other category.

You may note that at the end of the document there's another category that has a bit of a mix of projects in there. There's the other standing committee there, the Standing Selection Committee, and there are a couple of items there that will be triggered at a future date per previous GNSO Council adopted recommendations. So the proposal is to also add this – the standing committee to that other category as it doesn't have a defined start or end date

like some of the other projects that fall in the other – into the other category that you see listed above. I believe that is what Berry wanted to point out, so I hope I did it for him.

Heather Forrest: Very helpful, Marika, and much appreciated. Thank you. Nathalie, thank you for the projects list. May we trouble you to put up the actions items list for us please? And while that document is appearing I'll say that we've worked rather hard within leadership to – we came out of Abu Dhabi ICANN 60 with a fairly long set of action items and you'll see here a number of ticks, we've really made a concerted effort to clear the decks as best as possible before the end of the year. The items that remain are largely there because of timing, some other externality that we couldn't shift them all.

So with that in mind, a quick look at these. Of course coming out of our last Council meeting was a vote to appoint the chair – for myself as the GNSO representative to the empowered community. And I'm pleased to confirm that that communication has gone through and I am on the EC admin list. And all of that seems to be functioning perfectly well so that's already in place.

IRTP-C, of course was also on our agenda and successfully passed in the last Council meeting so that you'll see here is marked completed. Brilliant effort with the GNSO review of the GAC communiqué and thanks again to all folks who participated on that drafting team. We managed to get that document completed in time for the Board's meeting and that was quite helpful. Donna, please.

Donna Austin: Thanks, Heather. Donna Austin. So just a note for everybody that the Board and the GAC did have their discussion about the GAC communiqué last week, and I – it might be helpful, Nathalie, if you could put the link in the chat for folks that are interested in listening to it. I would say that it wasn't very illuminating but it did happen. Thanks, Heather.

Heather Forrest: Thanks, Donna, very much. And just my comment in the chat, having listened to the recording it seemed they got bogged down in items that weren't really open for discussion at that meeting, but be that as it may, very helpful there to have the AC room link in the chat. Thank you, Nathalie.

ICANN 61 meeting planning of course is on our agenda for today. We'll be able to provide an update as to where we are. And I suspect by now many if not all of us would have received the travel request form – travel requisition for ICANN 61 so we can speak to that when we get to that item in our agenda.

Many thanks to our colleagues, Cheryl Langdon-Orr and Jeff Neuman from these Subsequent Procedures PDP for helping us to get out the response letter to the ccNSO, the ALAC and the GAC regarding comments made in relation to Work Track 5 so you'll see that here is also marked as completed.

The GNSO strategic planning session, that is on our agenda as an AOB item. We'll be happy to provide an update on that at the end of our meeting today. The ICANN procedure for handling Whois conflicts is, likewise, a substantive discussion item on today's agenda so we'll leave discussion on that for that point.

ICANN organization paper on suggested incremental changes to the ICANN meeting strategy. There have been a number of posts in relation to this on the Council list this week, that document was published and I believe the public comment period opened on the 14th of December. And Donna Austin, being very much involved in the changes to the meeting strategy and being very careful, let's say, in being our representative on meeting strategy workshops and related activities has volunteered to take leadership of that in – on behalf of the Council leadership so much thanks to Donna for that.

And I note we have a deadline, and I'm not sure, Donna, you might be able to refresh my memory, I think it might be the 15th of December is our – is our

response – or excuse me, 15th of January might be the response deadline for that – for that input.

Donna Austin: Yes, Heather, I think it's – I thought it was February, but anyway it's – we've got time.

Heather Forrest: Good. Thanks, Donna. Thank you. We'll follow up on that. the Standing Committee on Budget and Operations, we have that as a substantive item on our agenda for today so we'll leave that item alone for the moment.

SSR 2 I'll be happy to provide an update from the perspective of the SO/AC chairs and what's happening there. And Council leadership, you can see here, certain things have happened, Council leadership has spoken with our GNSO reps from SSR 2 and we're working out, you know, ways to get a broader update to the Council. We couldn't do that in time for this meeting but we're very keen to see that Council as a whole has an update from our reps from SSR 2 in a meaningful way so we will continue to work on that.

Appointment of the next GNSO liaison to the GAC, we have confirmation – have received confirmation from Manal, the new Chair of the GAC as to a point of contact for Julf who fills the role recently vacated by Carlos. And so that item is complete barring the fact that we're waiting until I believe it's the 9th of January for GAC leadership to be available for a call for all of us. It's a bit more delayed than we wanted it to be but with IGF and other things at the end of the year we just weren't able to get GAC leadership all together in time before the end of 2017.

So there – you're right, Julf, it is the 8th but it's the 9th here. It's always tomorrow where I live so forgive me when I say a date for most of you it's likely to be the day before. So then that meeting is scheduled and we shall have an update on that in January but we're looking forward to a productive session because all discussions so far with GAC leadership has been very helpful.

The review of RPMs PDP data request, that's a substantive item on our agenda for today. And I suspect we'll have one if not more of the cochairs teed up to take us through that. And we can refer back to why it is that we've asked them to come to this particular Council meeting in that that tracks back to the original motion that was approved by Council so we'll make a reference back to that.

ATRT 3 is largely static in light of – in light of SSR 2 and discussions broader discussions around review teams and how those should function. It is the case that the GNSO is ahead of the other SOs and ACs in terms of progressing that matter. But I would say that I think there are you know, fairly consistent concerns across the community that we not kick ATRT 3 off until we're confident that the problem that have led us down to where we are with SSR 2 not be repeated. So at the moment that one is sitting.

GNSO Operating Procedures and ICANN Bylaws, that is on the schedule for our face to face session so we can expect more on that in January. And PDP improvements is an item that sits here at the bottom of our agenda. It's a work in progress. We made reference to it in the previous Council meeting on the 30th of November and we don't have any further updates on that at this point.

So Marika, Mary, Steve, Berry, staff, have I missed anything that you think got to be pointed out here that I've forgotten? Marika and Mary are typing. Wonderful, nothing from Marika, nothing from Mary. Fantastic. Any final questions on action items? No, excellent. Excellent. Marvelous.

So if we could go back to our agenda we will carry on with our – with our course of business here. And we have nothing on our consent agenda. I will just say, Nathalie, just in case it's driving anyone nuts, I have a bit of feedback on my line and everything is muted on my end other than my

speaking microphone. Wonderful, thanks, Nathalie, I just didn't want to drive anyone crazy.

All right, I suspect there's a line open so everyone, if you could just check to make sure that your microphone is off that would be very, very helpful.

We have no items on our consent agenda for today so we move right into our one and only vote for the meeting, which is the adoption of the charter for the GNSO Standing Committee on Budget and Operations which has already earned itself the new acronym, SCBO. You will see here in the Adobe chat window the motion as submitted by Michele.

Now we don't have Michele on the call today. He's given his proxy to Darcy Southwell so I've – for – unfortunately for Darcy I put Darcy on the spot for procedural reasons it would be best if Darcy introduces the motion as she's Michele's proxy. But then I'd like to turn it over to members of the SCBO to talk about this in more detail.

So with that, Darcy, I'll turn it over to you. Thanks.

Darcy Southwell: Thanks, Heather. Darcy Southwell. And I unfortunately don't have a great introduction for this because I wasn't prepared. Sorry about that. But this is the general standing committee – let me back up, sorry, my screen just scrolled – a motion for the Standing Committee on Budget and Operations. I think we discussed this a couple of meetings ago where we're looking to find a way to better address at an earlier point in time the ICANN budget drafts that are posted to have a regular team that is routinely not only looking at the posted budgets that are out for, let's say, public comment but also to work with staff in order to be regularly in touch about how the budget is going. I hope that's helpful.

Heather Forrest: Thanks, Darcy. It is. And we'll provide more detail when we get to discussing the motion. Could I trouble you please to read the motion into the record?

Darcy Southwell: Absolutely. Whereas, the GNSO Council expressed the desire to establish a GNSO Standing Committee to assist with the development of GNSO Council comments to be submitted to comments – excuse me to comment forums as it relates to ICANN’s Budgetary and Finance matters. On an informal trial basis, a small team of Council members developed two proposed public comments, to the IANA-PTI FY19 Budget & ICANN’s Reserve Fund Target Level, on behalf of the GNSO Council that were later accepted and posted to ICANN’s public forum.

The small team reviewed and further refined a draft charter for the proposed standing committee. The Council reviewed the charter and agreed that as this is a new entity and approach, it would be desirable to test the process and criteria outlined in the charter to assess whether it is fit-for-purpose.

To that end, it is proposed that: A, the charter be adopted on an interim basis, B, SCBO be formed in accordance with the charter, C, SCBO to apply the charter for at least the FY19 Draft ICANN Budget & Operating Planning cycle, D, SCBO to conduct a review of the comment formulation process and suggest changes the Charter, if appropriate, and report back to the GNSO Council accordingly, E, the GNSO Council to confirm the GNSO SCBO Charter as is, or, as modified based on the review.

Resolved, The GNSO Council adopts the GNSO Standing Committee on Budget & Operations SCBO Charter on an interim basis and instructs the GNSO Secretariat to launch a call for volunteers per the membership criteria outlined in the SCBO Charter as soon as possible.

Two, The GNSO Council appoints a to be named person as the Council liaison to the SCBO. Until such time the SCBO has selected its Chairs, the liaison will serve as the interim chair. Three, The GNSO Council tasks the SCBO to carry out the review and comment formulation for the ICANN FY19

Draft Budget planning cycle and to submit its proposed recommendations to the GNSO Council with sufficient time for consideration.

Four, following the completion of the ICANN FY19 Draft Budget planning cycle, the GNSO Council requests the SCBO to report back to the GNSO Council with its assessment of whether the charter provides sufficient guidance and flexibility to carry out its work, and/or whether any modifications should be considered. Acknowledging that this is a work in progress, the GNSO Council will review this assessment as well as whether any modifications should be considered.

Five, the GNSO Council thanks the small group of volunteers, Erika Mann, Ayden Férdeline, Philippe Fouquart, Michele Neylon, Martin Silva Valent, and the GNSO Council leadership team, for its work on the charter.

Heather Forrest: Darcy, thank you very much. This is Heather. Much appreciated for doing that, and again, very sorry to put you on the spot. So we have our motion ready and I will say by way of introduction to the discussion that the most recent meeting of the SCBO turned out to be myself and the staff, the support staff. And we had a discussion at that meeting to say that the charter such as it was is in very high level form. And I wasn't necessarily thinking that that should stop it from coming to the meeting today because as you see here quite clearly articulated in the Resolve clause, the intention here is to kick this thing off and see how it works. So it is very much a work in progress.

You'll remember that this standing committee was a suggestion of Ed Morris, now I suspect it would have been ICANN 59 that that suggestion was raised or even previous to ICANN 59. So we are making good on that and following up, but it is very much the case that this group needs to find its legs a bit. So with that may I ask if anyone from the small group of volunteers, we've got Erika, Ayden, Philippe and Martin, if anyone would like to come and add some context to the discussion here before we move on? And Rafik, thank you very much, Rafik; Rafik has seconded the motion. Much appreciated.

All right, I see no hands from the small group. Does anyone have any questions in relation to this, the GAC charter? Paul, please.

Paul McGrady: Thanks, Heather. Paul McGrady for the record. So I guess my question is, as I'm looking over the draft charter what are the kinds of things that could be – could come back to Council as changes? So for example, there's quite a bit of discussion about this for items in the budget only within the remit of the GNSO Council so that we're not duplicating work done by constituencies and all that. Will that issue come back to boomerang or is that one settled? What other issues are not settled such that this is an interim charter instead of a final charter? Thanks.

Heather Forrest: Paul, this is Heather. Thanks very much. Now I haven't – I say this with a disclaimer, I haven't been on all of the group's meetings but this is a question that has been raised and specifically some of the – I would say there's more questions than answers at this stage. The concern that we have is whether it is possible for timing to factor in here, how mechanically, how do we make it such that the standing committee of Council will have an awareness of what the SGs and Cs are submitting in relation to the budget so as not to overlap, so as not to conflict.

And, you know, we've sort of tested out the idea of can we bump forward the deadline, if you like, make a soft deadline for SGs and Cs to have their comments ready for the standing committee to see and that just doesn't seem practical because in the end it seems like we all end up making our submissions right up at the deadline of submission. So there's a challenge here as to how we manage this standing committee moves forward without exactly, as you say, without stepping on the toes or circumventing or distracting from the work that's traditionally been done in the SGs and Cs.

And I think at this point there aren't answers to those questions but at least the questions have been raised. Donna, please.

Donna Austin: Thanks, Heather. Donna Austin. I just wonder whether it might be helpful, and I don't know whether this has been done previously, but it might be helpful to understand Paul's question a little bit more to actually provide to the Council the responses that the Council has provided to the budget in the past because I recall from last year that we were very careful to keep our comments related to Council what we consider were Council-related issues.

And I know from feedback that I got from the Registry Stakeholder Group that that was greatly appreciated that the Council actually took the time to review the budget and make those explicit comments that related to Council issues. So that might be helpful in potentially understanding what falls within that remit and then to Heather's point, having the ability to review the SGs and C's comments before the Council submits ours could be helpful in the sense that we could support some of those comments if they're consistent. So I think just a couple of suggestions there, Heather.

Heather Forrest: That's very helpful, Donna. Thanks very much. And it's very much the case that when you see last year's submission it's quite obviously different from. And as Berry has very helpfully noted and I want to make a special point here to mention the outstanding support that Berry has given to this group. I don't think we'd be at the point of having a motion today were it not for Berry's persistence. So Berry, very public thank you to you.

You'll see that this is – is framed in high level language. We've got things that need to be tested, but I personally believe that we're in a position that we have enough to move forward and give this thing a try. And I will remind everyone that this is exactly the approach that we took when we formed the Standing Selection Committee which has now been in operation for some time. We weren't really sure how that was going to work. We approved an interim charter and let them do essentially a cycle of their work and then came back and considered how things worked and what could be improved ad so on.

So I think we're in the very same position here. And Paul, I certainly take your comment in the chat about the nature of an interim charter. Rafik, please.

Rafik Dammak: Yes, Rafik speaking. So, yes my question is just about with regard to membership, so I understand that the committee will be formed basically by members from the Council and also the subject matter experts from the stakeholder group and constituency. But I was wondering about the size of such committee if we invite many people and how it can be managed. So I'm not kind of suggesting any cap but how we think about the size and how to make it manageable because I don't think (unintelligible) to have it as a working group, but just a committee that can work for that to provide the comment that can be reviewed and approved by the Council.

Heather Forrest: Thanks, Rafik, very much. Marika, please.

Marika Konings: Thanks, Heather. This is Marika. To Rafik's point, the way it's foreseen or structured in the charter is that indeed members would come from the Council and they would be the ultimate decision makers on, you know, what gets sent to the GNSO Council for its consideration. But the charter also allows for participants that are nominated by stakeholder groups and constituency leadership to participate in the conversations and provide expert knowledge and input.

The hope there being that, you know, those people that are responsible within the stakeholder groups and constituencies for preparing their respective comments on the budget take an interest as well in these conversations and are able to flag if they believe that, you know, either the comments that are being considered by the standing committee are, you know, interfering with what stakeholder groups or constituencies are trying to put forward or maybe as well trying to indicate where there may actually be synergies across all groups so that may helpfully be amplified as well through a Council submission.

So again, that is what it's intended to be. And indeed, you know, Heather as you noted, the whole reason for making this an interim adoption actually allows for this group to work in that way for the submission on the FY19 budget but then if there's a sense that, you know, maybe it didn't work as intended or maybe there are some tweaks the group can come back and make specific changes before it's kind of set in stone for future submission.

It was done similarly for the Standing Selection Committee and that seemed to have worked quite well. That group is now reviewing its charter and likely proposing a number of changes to accommodate some of the experiences they had in practice. So again, that is what is being proposed. You know, this is a – this is something that the Council is trying out but hopefully this will allow for a course correction if it didn't work out and didn't do what it was intended to do.

Heather Forrest: Thanks, Marika. This is Heather. And I note Carlos had his hand up so I'm going to ask – flag my question and say I'm considering what do we do with resolve clause 2 in that I don't think we're in a position to be able to appoint the liaison at this time. So we need to think about that. Carlos in the meantime, please.

Carlos Raúl Gutiérrez: Yes, thank you very much. I fully understand this idea of flexibility in the charter, I just want to make a mention that I don't feel very well about the brackets around the number 2 in the whereas because I think the budget and the reserve fund budget level are two totally different animals. And being the only place where the reserve fund target level is mentioned, I question if we should just strike reserve target level out for this motion and just keep it very general about budget and operations. I would feel better because I think mixing the two of them the regular budgetary exercise and substantial decision like the fund target level should be dealt separately. That's my only comment to the proposal but I'm ready to vote with the majority. Thank you very much.

Heather Forrest: Thanks, Carlos, very much for the intervention. I'll note that we are in a difficult spot in a sense of the very first thing that this committee worked on was the reserve fund target level comment. And now they're turning their attention to the budget. So for the purpose of this cycle in essence the mistake has already been made or it's already been done. But it is something that we can consider. Are you comfortable if we consider that moving forward, the separation of the two, I mean? Carlos, I'm not sure, maybe if we've lost you...

Carlos Raúl Gutiérrez: I'm sorry, I was on mute. If the main target is the reserve target fund we should put it into the resolution, that's my feeling.

Heather Forrest: Thanks, Carlos. Understood. Well we've already dealt with the reserve fund target response, that was a few weeks ago. So that one's behind us and we now turn our attention to the budget which, as Berry notes in the chat, launches on the 15th of January and really it's I think the budget that was the original consideration here in – I certainly can't speak for Ed, but I know that his was really something that germinated out of the empowered community new responsibilities and particularly around the budget. So I think it's quite right that we move our attention onto the budget submission.

And of course the GNSO as a member of the empowered community has a different role than prior to IANA transition now in relation to the budget, so I do think that it's a helpful – it's a helpful amendment to our processes but just exactly what the parameters are of that are I'm not entirely sure and I don't think the – that the group is either. So I think for now I think, Carlos, your concerns are well heard and raised and we can address them in the next cycle. So again, this is an interim thing and we can consider this going forward. Hopefully that addresses your concerns. Thanks, Carlos.

Any further comments on this or may we move to a vote? All right, I see no hands and I'm happy – in fact it's a good idea perhaps that I put up my hand

so go back to my question about Number 2, I'm happy to volunteer to serve as the liaison in a sense of what I intend to do given that this is a large part of my role as EC admin understanding the budget submission. I'm happy to – and how quickly one's name gets written into a motion, I'm happy to volunteer so that my name can be inserted in Number 2 there.

And we have Rafik to second the motion. I'm happy to sit there as liaison for now and to the extent that as we move forward and the group sort of gains its own legs, and a member of the group would prefer to serve as liaison, that's perfectly fine. But I'm happy just for the purposes of getting the motion across that we do that now.

Paul asks, "Can we do a voice vote?" I certainly have no objection to that. Does anyone – if you do have an objection to the voice vote please show your hands now or make some signal of some kind now. I see nothing, marvelous. Nathalie, may I turn it to you to take us through a voice vote please?

Nathalie Peregrine: Thank you very much, Heather. And just before we start I'd like to note that Syed Ismail Shah sends his apologies for today's call but did not assign a proxy so he'll be counted as absent for the purposes of this 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.

Nathalie Peregrine: Thank you. Darcy Southwell, proxy for Michele Neylon, please express your vote, say "aye."

Darcy Southwell: Aye.

Nathalie Peregrine: Thank you very much. So one absence, no abstention, no objection, the motion passes. Thank you very much, Heather.

Heather Forrest: Thanks, Nathalie, very much. Much appreciated. So that allows the Standing Committee on Budget and Operations to continue its work and we will look forward to updates from them in terms of progressing that charter.

So the next item on our agenda is a discussion item. It is a follow on from – no doubt you'll remember the discussion that we had in our November 30 meeting on next steps for Whois conflicts with privacy law. And what was determined on the 30th of November was that we would form a small sort of drafting team working group of councilors to put together a draft charter on – put together a draft charter for the formation of a new group.

And we have met once as a small drafting team, and have discussed the sorts of things that could be put into the draft charter. We have a – what I will say is very rough draft and if we could show that on the screen just to show our progress to date that would be very helpful.

Excellent, thank you very much, Nathalie. So you'll see here a document that looks very much like other charter documents that we have created in the recent past. We had a template for these and staff has very helpfully put together a rough form of a document that has the sorts of things that charters tend to have in them. You'll notice a very comprehensive statement of the background there.

And I would say that in our – in our meeting what we determined as a small group was that the two items – substantive items of greatest importance that we needed to take back for input to our respective SGs and Cs were the question of the scope of the group and the composition of its membership. The other items in the charter we found to be fairly noncontroversial or level 2 sorts of items.

Paul McGrady was on that call as was I think Pam, as was Keith. Would anyone who was participating in that small team like to make any comments and fill in any gaps that I may have left out here? I see no enthusiastic takers. Paul, thank you.

Paul McGrady: Thanks, Heather. Paul here. We had a good call. I think that we were able to separate conceptually a couple of things. One was the difference between this effort here and the effort of ICANN to provide a – some relief from Whois compliance while it sorts out this GDPR issue and the – sort of the separate track of contracted parties providing business plans about how to deal with GDPR issues. So we're able to untangle those.

We were also able to untangle a conceptual problem that I was having. My concern was that we were building something that would be a trigger for any problem that a contracted party thought might violate a law but Keith was able to get us back on the rails and I think now it's clear that this is Whois only, although not precedential in the sense of binding you know, whatever we do here may, you know, be a basis some other mechanism later but we're not building that something other mechanism now. So that was good clarity there.

We went as far as we could without some of the others on the call who could not make it. They – are heavily invested on this topic and so we wanted to make sure we didn't get too far down the road without them. We're meeting again shortly after the new year to see if we can get this charter in final shape. I hate to, you know, I hate to say things like this and jinx us but we're hoping it'll be up for the January call for the Council to look at and hopefully vote on.

Heather Forrest: Thanks, Paul. That was extremely helpful and a good comprehensive update of where we are. So again, to reiterate the two – the two points substantive points on which we would, you know, want input to be filtered up through the folks sitting on the small drafting team are around scope and you'll see

comments on scope in Page 2 of the document, and then around composition. I think it's broadly been understood by the members of the small drafting team that the charter drafting team would be populated by councilor whereas there's a discussion about broader representation, broader membership in the – in the subsequent group, if you like.

So those are the two points that I would encourage everyone to take back to their respective SGs and Cs, have a discussion about and be prepared, as Paul says, to inform your councilors in time for soon after the holidays when we get back and start to work on this in prep for document deadline, which is the 20th of January. Any further comments, questions on this item? I think we're still in a very early phase as Paul has said. But I personally feel like we've made pretty significant progress here and have a pretty good shot for coming to a good solid solution in the next few weeks.

All right, I see no questions, comments, concerns. I see no hands. So with that why don't we move to our next discussion item? Excellent. Thanks very much. We have the agenda back up for us in the AC window. And you'll see that our next discussion item is an update on progress for RPM PDP's data request. You might remember that this – the DMPM request came to Council in its September meeting and was adopted at that meeting.

And at the time that it was adopted it was adopted on the basis that the group report back as to the status of that request in time for our 21st December Council meeting, which is exactly where we are now. So hence this was foreshadowed when we approved the motion back in September. And I think it's a good time anyway as we're rounding things up for the year to give an update on where things stand. And I see Mary has her hand up, so I will turn it to Mary.

Mary Wong: Hi, Heather and everyone. This is Mary from staff. It's just a note to let you know that we are getting the RPM chairs on the call. They had actually called

in earlier but we'd asked them to call back a little bit later. So they should be back on in a few minutes but I was just wanting to let you know that.

Heather Forrest: Fair enough, Mary. Thanks very much. And of course it's sometimes difficult to coordinate the timing of things. Mary, on a basis on that, what do you recommend? Should we move on to our next agenda item and sweep back to this or should we perhaps open the discussion? I hesitate to open the discussion without the cochairs here to hear it, but perhaps if we wanted to prep for having the cochairs on, that would be perfectly fine. So I'll take your guidance, Mary, as to what you think is best. Move on or stay here and discuss?

Mary Wong: Hi, Heather. I believe that Kathy is now on the bridge but we're trying to get Phil and J. Scott back on so since they called back earlier, the staff recommendation would be that perhaps if you want to move on to the next item and come back to this if that's all right?

Heather Forrest: Perfectly fine Mary. And, Kathy, I'm sorry we're going to bore you with a few minutes on ICANN planning for – or planning for ICANN 61. And I will note that we need to make an edit, I'm sorry, though I didn't catch this sooner, in Item 6 – 6.1 in our agenda says, "Update on planning for ICANN 61." Oh and perhaps that's accurate, perhaps that's not a mistake and a blending of the next two items.

Excellent, so we'll park that for the moment and we'll go to our other planning for ICANN 61, which is Item 7 and here we can note that we have now the proposed block schedule for ICANN 61. It has been circulated; it is in the next round, if you like of gyrations which involves the placement of cross community topics and so on.

Donna, may I put you on the spot since you're our planning whiz, to point out any – and I would also like to turn it to Marika and Nathalie – any concerns to

highlight things you want to flag that we ought to be thinking about as SG and C level and indeed at Council level. So Donna, perhaps I turn to you first.

Donna Austin: Thanks, Heather. Donna Austin. So I guess I'd just note that at this point in the planning there was a block schedule that was shared with the planning committee some time ago. That's been updated. The major change is we had three cross community topics slots for Monday and one on Thursday and that's now been changed to three on Monday and possibly two on Wednesday, if I'm correct.

But the number of cross community topic sessions is still under discussion. There was a soft deadline for topics to be submitted and I think that was the 15th of December or around that time and there were five topics that came forward, two of them are GDPR-related, one of them is a case study on SSR 2 and another one is on ICANN's data initiative and the other one is related to geographic names. So there – those have already been submitted but there's still time for additional topics to come forward until the 15th of January. And I think on the 18th of January there will be discussion from the planning team to go through that.

What Nathalie has put up on the screen now is just a bit of an outline of where the PDPs will fit, the PDP working groups will fit into the schedule currently. But as everybody would understand, you know, this meeting doesn't happen until March so we're a few months away so this is very much preliminary so I wouldn't hang your hat too much on this. But just to note that there will be a number of PDP working groups that will be working on the Saturday, the Council sessions will be on the Sunday. And then, you know, Monday through Thursday or Friday is what most folks you know, pretty comfortable with in what normal form has been.

So I think that's all I have for now, Heather. But I think the important takeaway here is this is preliminary and I don't expect too much to happen

between now and January given the holiday season. But we'll update Council when we have more information. Thanks Heather.

Heather Forrest: Thanks, Donna, very much for that update. On the two purely logistical points, again I'll note that if you haven't received your travel requisition, your travel request for ICANN 61, please let us know and we need to follow up with Travel. Marie, we'll make sure that it's communicated to ICANN travel that you're the appropriate person to replace Phil in that regard.

And also just a reminder the announcement went out to the Council list, if not earlier this week it was the end of last week in relation to the announcement of the hotels for ICANN 61. So that is very helpful. Any further questions, comments, concerns about ICANN 61? If not, we'll turn back – I will – fingers crossed - we'll ask, do we have our three cochairs from RPM PDP? We have two. Wonderful, excellent. Mary, could you tell us – excellent, Kathy and – we have Kathy and Phil and are we trying to get J. Scott online or should we...

J. Scott Evans: I'm here.

Heather Forrest: J. Scott, hi. Lovely. Thanks. Excellent, so we have Kathy Kleiman, Phil Corwin and J. Scott Evans, our three cochairs of the RPM PDP Working Group. And again, this is an update that was envisioned at the time that Council approved in September the DMPM request that was submitted by this PDP. And so with that introduction I will turn it over to the cochairs to take us through an update. Thanks. Phil, J. Scott, and Kathy, I'll let you decide who speaks. Sorry.

Phil Corwin: Yes, this is Phil. I can kick it off. It's nice to be back with my former Council colleagues. I see you're carrying on well. I guess what's in front of us on the – in the Adobe is a timeline for the RFP for the data surveys relating to sunrise registrations and trademark claims. And you see it before you, it looks like the award will be sometime in April to first week of May and then we expect to have the results back in July, I believe, I can't – let's see if – and meanwhile

the working group is engaging on a challenging part of our Phase 1 agenda, which is review of Uniform Rapid Suspension.

We had a good call yesterday agreeing on a uniform approach to evaluating and answering the charter questions and adding to those questions for URS, and we've clearly we have lots of time to do a thorough job on URS because we'll be waiting on this data survey. And we'll keep pushing along as rapidly as we can. I don't know if my cochairs have anything further to add to that or if staff wants to add on the contracting process.

J. Scott Evans: This is J. Scott. I mean, you know, as we reported –we've reported on several times, one of the things we've discovered as we began our work is that there – ICANN wants to have decisions based on data but in this process created no mechanisms for gathering any data. So we had to create our own mechanisms in order to gather data for us to base our decisions on or any recommendations we might make to answer the charter questions.

And so, you know, here we are going through an RFP process that, you know, is new to the chairs and is new to all the members of the working group because we've never done anything like this before. And it has caused us to have a few delays, but I think everyone has remained focused on the work and trying to move things forward. And as the chairs and with our very competent and exceptional staff, we have tried to adjust our work so we had parallel work streams going on in order to make up for any delays that might occur in waiting on data.

I think that we have a very large working group, we tend to have active calls with a great deal of participation, we even do rotated calls so we offer an opportunity for the Asia Pacific teammates to have a time which is more convenient for them to participate. But in general I think we're pushing our work through and handling the twists and turns that might come our way as best we can.

Heather Forrest: Thanks, Phil and J. Scott, that's very helpful. I'll turn over the floor; does anyone have any questions for Kathy, Phil and J. Scott? Donna, please.

Donna Austin: Thanks, Heather. Donna Austin. And thanks for the update Phil, Kathy and J. Scott. I think at the time that the Council discussed this there was an overall – an overarching concern about the impact that this is going to have on the timing of the final report and implications for the Subsequent Procedures PDP Working Group.

I note that this proposed timeline goes as far as the preliminary findings but do you have a sense of when the initial report would be available and then timing for the final report? I mean, to me it doesn't seem unreasonable to expect that this is going to bleed into 2019. Thanks.

Heather Forrest: Thanks, Donna...

((Crosstalk))

Heather Forrest: Oh sorry, Phil, Kathy, J. Scott, we'll turn it to you. Phil, you sound like you're ready to go.

Phil Corwin: Yes, I was just going to say we're working with staff to update the timeline based on our current work plan for URS and what we now see as the timeline for this – for the data surveys. And we should have that done shortly. But it is going to extend somewhat and, you know, we had hoped the survey would come back mid to late spring rather than now projected to come back with preliminary findings in July.

But it's only recently that we've become aware of the lengthy nature of the RFP process and when we asked questions about whether it was possible to contract that through sole source contracting or something like that we were advised that this is pretty much as aggressive as it can be. So we have to

work with the facts on the ground. But we should have an updated timeline that we can share with Council fairly soon is my understanding.

Heather Forrest: Thanks Phil, very much. This is heather. Carlos, your hand is up. Please.

Carlos Raúl Gutiérrez: Yes thank you very much. I feel very much the words of J. Scott Evans having spent two years in the Competition Review Team looking for data. We – so I'm going to limit myself to one question. How are we going to take – to have a look at the RFP once it's published and is it possible to make some comments to that because otherwise I will recommend the group to set the expectations on the data very, very – or as low as possible. I mean, we have been through some exercise in Competition where nobody has responded to the surveys and so I – two questions, do we get to see the RFP and comment? And second, be ready to continue with a very low level of response. Thank you very much. Sorry for being so negative today.

Heather Forrest: Thanks, Carlos, very much. Kathy, J. Scott, Phil, any comments in response to Carlos?

J. Scott Evans: Yes, this is J. Scott. I'm not sure, I don't know if we have an original plan to share the RFP with the Council. But that's something we'd have to take to staff because that's really administrative function of how ICANN works and we're just navigating that ourselves. We should also say that the timeline you see before you with regards to the RFP process I believe is still somewhat tentative based on the information we've received from the administrative staff within ICANN.

We have not published this completely to the working group for that very reason; we've shared with them sort of a tentative idea of how everything will be but we are still working ourselves through that process. We'd have to check with staff to make sure that that's something we could do. I don't see any reason other than if it would cause substantial delay just because of that why we couldn't, but this whole process is sort of wrapped up in the

administration and the running of ICANN on a day to day basis. And this, to be quite frank with you, I'm not familiar of it enough to give you an opinion of whether that's something we could or could not do, but it's certainly something we could find you an answer to.

Heather Forrest: Thanks, J. Scott. Mary, please.

Mary Wong: Thanks, Heather and thanks Carlos, for the question. This is Mary from staff. And just to supplement what J. Scott has said, as I put in the Adobe chat, this is an RFP process that has very specific steps, requirements, and procedures which explains the timeline. In relation to the RFP, yes, it will be published when we issue it but in the course of preparing the RFP, which staff is now doing, the working group has a sub team that is working with staff and the chairs to prepare guidance for that RFP so that the RFP when it's published is really fashioned as much as possible in line with the PDP requirements.

As J. Scott said, whether or not this is going to be shared with the Council is something that we will take back to the group. But I just wanted to note that not only will the RFP be published at that point in time, but also that this may be something that we can work through with Heather as the Council liaison to the PDP if that's helpful. Thanks, Heather.

Heather Forrest: Thanks, Mary. And I will be very happy to – I don't know how helpful I will be, be very happy to try and be helpful in the context of my role as Council liaison in terms of making that happen. So thanks for raising that as a possibility. Kathy, please.

Kathy Kleiman: Great. Thanks, Heather. Hello everyone. This is Kathy Kleiman. To Carlos's suggestion, I want to respond first that we've learned a lot from Lori Schulman about the International Trademark Association survey and some of the issues and questions that they had and some of the problems where they had people – respondents stop in the middle and not complete the survey. So we're learning from that.

I would love to learn from Carlos and the CCTRT found out as they were trying to gather data as well. There may be informal ways short of the final RFP that we're creating and sharing that, there may be more informal ways, Carlos, for you to assist us. I think actually as kind of mentioned, I think we're operating in the dark on a lot of this. The more information the better and we've spent an extraordinary amount of time, I think probably too much, but an extraordinary amount of time so I'm not sure adding a little bit more wouldn't hurt. Thank you.

Heather Forrest: Thanks, Kathy. Paul.

Paul McGrady: Thanks. Paul McGrady here. And just to add onto what Kathy said, perhaps what we should also be doing is encouraging people to submit surveys and data of their own. Kathy mentioned the INTA survey which has its warts but was also done by, you know, a reputable survey company and is as far as I know the only third party data that's been put into our system. And so you know, perhaps what we could be doing in addition to building our own data collection mechanisms is to encourage others to do theirs and to submit theirs for consideration the way that INTA did. Thanks.

Heather Forrest: Thanks, Paul. And I would note that we have Michele Neylon who has just joined us, Michele, welcome. We're currently discussing the DMPM request by the Review of all RPMs PDP. Paul, your hand is still up, old hand I suspect. Yes, there we go. Any further comments, questions? So we're very grateful to J. Scott, Phil and Kathy here for being on the call. Any further questions for them? I suppose I have one which is to say cochairs, have you had an opportunity to discuss this timeline with the cochairs of Subsequent Procedures PDP and if so, let's say what was the outcome of those discussions? Thanks.

J. Scott Evans: This is J. Scott. Can you hear me?

Heather Forrest: Yes, J. Scott, thanks very much. Go ahead.

J. Scott Evans: Well, Jeff Neuman is one of the cochairs of the Subsequent Procedures is on our working group so he's fully aware of where we are. We have not had a formal discussion with them but I do believe we are slated to have a meeting with him sometime in January so that we can discuss that. We have not had a formal discussion with them since we learned the RFP process sort of flow and how that will affect the timeline. We have not had a formal discussion but Jeff is on all our calls, he's fully aware of where we are so I'm sure he's informing them of what is taking place and how it's affecting us. But as far as a formal call to discuss I think that's set – I believe we discussed having something in January.

Heather Forrest: That's helpful to know. Thanks, J. Scott. And it's – we'll follow up on that and of course we have Cheryl on the call today and have every confidence that informally you're working quite well together, so that's great to know. Any final comments, questions, concerns in relation to this agenda item? No? Cheryl is smiling in the chat. Happy cochairs, that's wonderful. J. Scott, Kathy, Phil, any final points from you, final questions of us? This is, you know, equally your opportunity to ask us questions or ask us for help or input. I see no hands...

((Crosstalk))

Heather Forrest: Oh, Phil.

Phil Corwin: This is Phil. I have nothing further other than, you know, following up, we'll be interested to learn what the current timeline projection is for the Subsequent Procedures when we talk with the cochairs in January and while we're dealing with this survey issue overall the working group is working at a pretty efficient and cooperative manner so at least the atmosphere within that working group is good and positive and cooperative, so I think that's always important. And with that I have nothing else to add.

Heather Forrest: Thanks, Phil, very much. With that unless we have any final comments from J. Scott or Kathy, give you a second to say so if you do.

Kathy Kleiman: This is Kathy. I wanted to wish everybody happy holidays and happy new year.

Heather Forrest: Thank you, Kathy, that's very kind. Good stuff. Well thanks to all three of you for attending today, much appreciated. And all the best with your work as it picks back up in January.

Phil Corwin: Okay, bye.

Heather Forrest: There we are. Excellent. That brings us now to Item 8 in our agenda, having addressed Item 7 before we spoke to the folks from RPM PDP, and 8 is any other business. The first item of any other business is an update in relation to SSR 2. And I think there's two streams of activity here that we can report on. I will give a quick update on the one stream which is what's happening at SO/AC level and then I will turn it to the small group to deal with what we're doing here at the Council level.

At the SO/AC leaders' level, we – as I reported in the November meeting rather, the SO/AC leaders put together a survey of – a survey of questions around essentially, you know, how in your view, you know, how have we gotten to the point that we've gotten to? Is there assistance that you need? How can we move forward effectively? What can we do for you? I was adamant that we not do anything you know, as SO/AC leaders that might somehow make an assumption as to what SSR 2 Review Team members need or want without checking with them first.

Very helpfully we received responses from all members of SSR 2 in relation to those questions. And as you might predict, there were certain commonalities and there were certain differences in responses. The one

unifying response I would suggest was in relation to communication, that all of the members of SSR 2 Review Team in some form or fashion thought that communication was poor, some providing specifics and saying communication between the Board and SSR 2 was insufficient, some saying communication between the SO/ACs and SSR 2 and some saying between SSR 2 and everyone else. So communication certainly is something that's been highlighted as a question going forward.

I will note from a GNSO perspective that it was quite sad to read the announcement that I then passed onto you of James Gannon's decision to step back from SSR 2. It's a shame to lose James in that I think he's quite experienced and certainly someone we felt comfortable to put on as our GNSO representative before. And that raises some questions for us in terms of what we do for – for going forward, so, you know, we're now down a – down a representative.

And so to that extent we've had some discussions at the Council leadership level with our SSR GNSO reps to ask them, you know, how do they feel at this point in time, have we sufficiently worn out their patience in terms of all this? This is of course not at all a pleasant experience for them.

How can we get a broader update from them to the Council and do so in a you know, in a friendly manner and not – I was very conscious that we not simply haul them onto the mat here before Council and give the impression that that's what we wanted, you know, what we would like is an update to know how we can help them and not you know, not give any sort of ill sentiment otherwise. I think it's important that we support our reps and let them know that they're supported.

So that's something that we're following up. I might turn to Donna and Rafik, and then I'd like to open it up for discussion around what we might do in relationship to – in relation to appointing some new members and how we get some representation of the GNSO on this committee going forward. So,

Donna, Rafik, might I turn to you for your perspective having spoken with our SSR 2 members? Donna, please. Thanks.

Donna Austin: Thanks, Heather. Donna Austin. You know, it was helpful to have the conversation but unfortunately it didn't help the situation. I think Heather, as the representative from the GNSO is in a difficult position as are the other SO and AC leaders in trying to work out how to find a path forward on this because it's new territory. And it's very sensitive territory as well because at the end of the day there is a team that's being impacted by some of the innuendo and rumor that's going on around this. So to the extent that it's possible to find a solution in quick order I think that's really important, but it has to be balanced against finding the right solution understanding potential implications.

So, you know, I think Heather's representing us well but I don't underestimate that this is a very tricky situation. And I would say that, you know, even from the conversation that we had one of the concerns that I really have about the longer this takes to resolve the more likely it is that we will see more people drop off the existing SSR 2 team. And I don't think that's what we want.

Obviously those that have been on the review team have done a significant body of work already, and that will be lost if we lose too much of the existing team or if, you know, or if it requires, you know, an additional half a dozen people to come in and join that team then they're going to set back significant months as well while they get everybody up to speed. So you know, this is a really unfortunate situation and I don't know how, you know, how to take this forward but it has to be a balance and it has to be respected of the sensitivity, so I thank Heather for the leadership that she's doing on behalf of the GNSO and I don't understand the, you know, the challenges that are in front of Heather. Thanks, Heather.

Keith Drazek: Hey, Heather. This is Keith.

Heather Forrest: Thanks, Donna.

Keith Drazek: Can I get in the queue please?

Heather Forrest: Fantastic. Yes, Keith. Let me just respond very quickly to Donna and then I would be very grateful to turn to you. And in fact, Keith, if you don't mind, I'd like to give Rafik an opportunity just from a leadership perspective and then I'd like to turn to you, before I do that, just make a quick comment to say one of the challenges that I have faced is that it appears to me – and this is my impression – it appears to me that the GNSO is thinking differently about this than are some of the other SOs and ACs.

Some of the other SOs and AC leaders are not really expressing surprise as to the fact of our being here and now of course that makes very good sense when we're talking about SSAC given its letter in relation to SSR 2. But I'm not entirely sure, you know, we've had a leadership transition in the GAC, and I'm not entirely sure how well across the other SOs and ACs are with some of these questions that we're thinking about.

It is of course a huge issue and it is complex and it's quite difficult to get your head around. So I think leadership transitions and other things is maybe, you know, causing a certain amount of delay and that delay has its own problems in a sense of – in a sense of the impact on the morale of the group and their willingness to continue and of course the optics of things.

I will say that, you know, I said, we've got two streams of things to talk about. One is what's happening at that level and the other is what we're doing within Council. And I see Susan's raised her hand so I'm going to leave Susan to speak to those things. So we have a queue of Rafik, and then Keith and then Susan. So Rafik, please.

Rafik Dammak: Yes, thank you, Heather. This is Rafik speaking. I do agree with what Heather and Donna explained. My feeling is that there is kind of, you know, still the

members of the SSR 2 don't really understand what are the concerns and they were not made clear. And also I really – I do believe what people say that conclusion from Donna that the more that takes time to solve to all issue it jeopardize the SSR 2. We have now one member who resigned; we don't know how many resign future. We do need to solve this quickly where we don't have the luxury to spend months to work out on this.

And I want also to thank Heather for her leadership with the other – with the other SO and AC because I think GNSO is taking care more kind of the position to push and to support I think our members. We need to support them more. So this is kind of my – what I have – the first I perceive and we need to kind of probably set maybe just kind of deadline that by when we should find a solution and agree and how to move on. If other SO and AC they still have concern or they – maybe they don't believe anymore that this – the current structure or this – the current team is the right one they should say so and at least to be I think fair to the members who volunteered there. So yes.

Heather Forrest: Thanks, Rafik, very much for your additional input. Keith, please.

Keith Drazek: Okay, thank you Heather. And thanks to Donna and Rafik for their comments as well which I wholeheartedly support. So just to back up, you know, the small group met last week to focus on sort of trying to find a path forward to resolve this concern, this issue that the Board forced on us as a community. And you know, we had talked about, you know, going through a bit of a process, I guess, of assessing some of the concerns and trying to determine if, you know, there was an opportunity at this time over the next month to try to resolve some of those concerns.

And I still think that that's a worthwhile exercise. But I also recognize that the longer this goes the worse this situation gets both politically from an optics perspective and as Donna and Rafik noted, the current members of the review team may start dropping away, which makes the problem even worse.

So while I think that going through the process that we described or that's discussed in the small group of, you know, being methodical about trying to assess what the concerns are, it's still a worthwhile effort.

If the other SO and AC leaders feel like they are prepared to reactivate this group and then try to work on the problems after it has been reactivated, then I would fully support that. I do think that there's, you know, in light of the letter that came from NTIA this new administrative, David Redl really calling out the Board for, you know, for its action and putting really I think the onus on the SO and AC leaders to get this thing back going, I think that's advice that we need to, you know, seriously consider.

So Heather, I guess what I'm saying is that if the other SO and AC leaders as a group are prepared to move forward, I wouldn't want the GNSO to be the holdout that delays things, if that makes sense. And so just to wrap up – and I'm going to have to drop for another commitment, I do apologize. But I think just so everybody knows the small group that gathered agreed to draft a communication essentially a GNSO communication about our plans and I was going to send that to Susan Kawaguchi who volunteered to help co-draft later today. I will still do that.

And then we'll share it with the small group and then once the small group is comfortable with it we'll share it with the Council. And I think essentially that letter will be the communications to the community broadly about our intentions. And I think we now – if others don't disagree, probably ought to indicate that we're ready to sort of move forward quickly and get this restarted if the rest of the community agrees. Thanks. I'll hang on for a minute if anybody has questions or comments for me and then I'm going to have to drop. Thanks.

Heather Forrest: Thanks, Keith. Much appreciated and joining remotely I know it's a busy week. I'll just say very quickly any questions for Keith? Or, Keith, we might

get questions to you offline if that's okay and that doesn't put you on the spot. Let's do that and that will keep Keith in the clear. Susan, to you please.

Susan Kawaguchi: Thanks, Heather. And this is Susan Kawaguchi for the record. And I agree with everything that's been said especially Keith's statement. And just as a note to Keith, I'll try to – if you send me that letter today or whenever you have the time I'll try to turn that really quick so that, you know, it can go to the full small group hopefully later today.

But I do think we should follow our own process. We've had a resignation of one of our, you know, candidates, and even though, you know, the SSR 2 is still in, you know, the suspended state, I think we should send this over to the, you know, Standing Selection Committee which I'm chairing right now, and instruct the committee to start a review of the existing candidates. We had – we sent seven candidates, reviewed and approved seven candidates for the original selection. And obviously we ranked those and then we had to go back and pick, you know, endorse or recommend the fourth ranked candidate which was Norm Ritchie, to replace Emily Taylor.

But that leaves three other really good candidates and there was, you know, actually everybody that applied were credible candidates. So the SSC could start their work but we need that instruction from the GNSO Council. And I would urge us to do that so that, you know, because it will, you know, we have the holidays and then it will take a couple weeks to do that work, and come back with a recommendation to the GNSO Council.

But I think besides the fact that we need to get on this at work, I think it also will send a message to the rest of the community it's like we have a process, GNSO has a process, we're following our process, we're assuming that the right decisions will be made and the SSR team will be able to go back to work very quickly and we are prepared to send as many candidates – fully vetted candidates and – to the SSR team as they need.

So you know, I mean, we've never had less than eight or nine candidates to review on the Standing Selection Committee per review team so I think we are – we're in a good situation, we have a lot of great volunteers. And we should leverage that and just sort of lead with our processes and that we're ready to go back to work.

Heather Forrest: Thanks, Susan. That's helpful. So just to clarify for everyone, the small group that Susan and Keith are referring to, you might recall in our 30th of November Council meeting we asked for volunteers to review the documents that had been created by SSR 2. There were two documents, one was a skill matrix so the review team members evaluated their own skills, the skills of other members and with a view to identifying gaps. And they also prepared a scoping document that explored the scope of their efforts.

So we have formed a small group within Council to evaluate those documents and make a response not just generally to what has happened but to those documents. And it is very much the case that the GNSO, lest I gave that impression, the GNSO is certainly not the hold up here. It was made very clear to me at ICANN 60 that the community was keen to see this thing restarted and that has been my consistent message, and until I hear otherwise that will be my message.

So it's certainly not the case that I've argued otherwise, it is by contrast other SOs and ACs that are seeking to I suppose, yes, I'm not even sure, delay is not the right word, but I have been met with a certain degree of resistance when it comes to the idea of immediately restarting. We can't really tell – we as the GNSO and the GNSO Council, I don't think we're in the best position to kick off the SSC process yet insofar as I think we need to review that skills matrix first and have an evaluation of that document to see what skills the review team members say they're lacking and that ought to guide our SSC – our Standing Selection Committee process.

And I think we have some discussion to have if we look at that skills matrix as a small group and we say that the remaining candidates that we have don't adequately address those skills. So I think there is a certain order to things that we need to do and we have made it a priority to meet in the very first week when we come back in January to reform in that small group and go back over the comments on this – the skills matrix and the scoping document. So I think that's really a first step that has to happen before we kick this thing to the Standing Selection Committee.

I'd also like to just highlight the comment that Keith made about the letter from the US government, that I found very interesting not least because it called out the Board's attempts to float this, for lack of a better word, by SO/AC leaders and on the spot you know, demand some kind of buy in, if you like. And to this day feel personally uncomfortable that the SO/AC leaders have taken on responsibility for restarting this thing but we don't know why it was stopped.

And we've essentially been co-opted into reasons that are not our own and as yet remain relatively unclear. I will certainly say that it's the case from our GNSO reps that they're not entirely clear themselves why this thing was stopped. And it's the case that that was an inconsistency in the absence of the survey. I've seen a number of comments in that chat saying should we ask them about, you know, what's gone wrong and do we know what the problems are and why are we doing whispers. And in the end some of the SSR 2 members responded to the survey by saying, you know, yes they did think there were problems and some said they didn't think there were problems. So that in and of itself is a challenge.

Susan, your hand is up. Please.

Susan Kawaguchi: Thanks, Heather. And Susan Kawaguchi for the record. I do not think the work the SSC could do – does, you know, manages in this process precludes the skills assessment and needs of the – I think we could do them in tandem

and just in an effort to make this not be pushed too far into February, that if the SSC started its work and, you know, first of all the candidates have to be contacted and see – the existing candidates, the last three –if they're still interested and have the ability to – for the time commitment.

I think we could do a skills assessment and review those candidates' skills if the C could help with reviewing the skills of those candidates while a skills assessment need for the SSR 2 is going on so that we know, you know, we have something to draw on on the experience that – the existing candidates have. So I would really hate to delay – sort of do this, you know, step 1 and then step 2, I think it could be done in tandem. But that's just my opinion.

Heather Forrest: Fair enough, Susan. Thank you very much. And I think you're right, there's a timing element to this and I don't see – I don't see why certain things couldn't be done in tandem. I do think it would be helpful, Susan, just speaking personally here, if the SSC were able to review the document – the skills matrix against the qualification and the experience of the remaining candidates, I think that would be very helpful and that would certainly expedite our work. And of course, Susan, you're on our small team as well so you're the bridge between the two if that's – if you're happy to serve in that role then that would be super helpful.

Susan Kawaguchi: Most definitely. I just don't know from a procedural you know, step whether or not, you know, we have to be formally asked – the SSC has to be formally asked. Maybe staff can enlighten us on that.

Heather Forrest: That's a good question, Susan, and I wonder, let's say there's two things, and Marika is typing in. And Marika, let's be very specific. Does the – does Council need to ask the SSC to review the skills matrix? Or does – is it the case that Council needs to ask the SSC to go through the appointment process? Because I think there's preparatory work and then there's the appointment process. Is there a reason why we couldn't kick off the

preparatory work without kicking off the SSC if you like? We can ask for whatever we want. Fair enough. Fair enough.

But I'm wondering if we don't, you know, if we need a formal ask, if you like, to have the SSC begin that process. Donna, your hand is up, please.

Donna Austin: Thanks, Heather. Donna Austin. So it occurs to me that we could, you know, we could start a process to replace James, but I'm just wondering I think the SSC has seen a number of people step down in addition to Emily, I think there were two or three others. How do we factor into the – I don't – what I'm trying to say is I don't know what the current composition of the SSR 2 is so how many people are left? And how many more people does it need? Because I think that was one of the potential solutions that people were suggesting or recommending.

The other thing I worry about in pushing potentially – pushing the SSR 2 to start their work again without fully understanding the reasons why the work was paused in the first place, if it was personality driven, which is, you know, one of the suggestions going around, whether that also has a problem within the SSR 2 that we would see other people drop off and then have to back-fill that.

So I think there's a – this is really difficult to try to map and understand the consequences of making certain moves here, but I think certainly the SSC could potentially kick off a process to find somebody for James but do we do that in the holistic context of what the SSR 2 currently is or potentially could be? Thanks.

Heather Forrest: Thanks, Donna. And in light of Marika's comment in the chat about the formality, I wasn't sure how formal that formality need to be. I want to wrap this up by proposing that we as the Council note in the minutes to the extent that everyone is comfortable with and agrees with this, that we ask the SSC to review the remaining – the remaining applicants that are left out of that

initial process and to do so against the skills matrix and note their findings on that specifically. I think that raises the – or that addresses Donna's concern to a certain extent about the holistic process and merging that with a specific process around James. I think if we can get that work started and likewise it addresses Susan's concerns about timing.

Anyone object to that process? Paul's noted in the chat he agrees. Are we happy to instruct the SSC to review the existing candidates against the skills matrix? Darcy agrees. Perhaps for efficiency sake I'll ask is there anyone that disagrees if you could raise your hand or show that by one of the signals? I see no disagreement. So, great, let's note in the minutes then that Council has instructed the Standing Selection Committee to review the skills matrix prepared by SSR 2 against the qualifications of the candidates from the first round. And that will get us started on that.

And with that I will close us on Item 8.1 and we'll turn to our final item which is an update on the strategic planning session. So we have I suspect about to be shared, we've got our draft agenda, excellent. This is the most current version. And this is still very much a work in progress despite the fact that we're not that far out from the session. What has happened in between this meeting and our 30th of November meeting is that Donna and Rafik and I have met a number of times with staff and also with Jonathan Robinson who is our nominated facilitator.

Jonathan is happily able to attend and is quite keen and has been very, very helpful in helping us to refine the agenda and answer specific questions around things. James, as former Council Chair, we were really envisioning that he could participate and contribute very effectively to discussions around the role of Council and his experience as Council Chair but unfortunately he is unable to attend so we have been notified of that.

In terms of attendance as well, we have refined our thinking on our keenness to have Board members involved in what we're doing and aware of what

we're doing. And it is the case that I will put out an invitation to our GNSO representative on the Board, which would be Becky and – forgive me it's very late – and now I'm on the spot and that's terrible.

Donna Austin: Matthew.

Heather Forrest: Thank you. Wonderful, thank you. It's nearly 1:00 am here, apologies. So we'll be reaching out to them as well as to Avri given her long-term connection with the Council and invite them to lunch on Day 3 to discuss with them the progress that's been made in the course of Days 1, 2 and 3 up to that point. It is also the case of course that we've got a Council meeting on the Tuesday at the end of the day. And as usual all remote participation facilities will be made available for the Council meeting.

So what happens next in terms of all of this is of course much more work on the logistics, the planning on something like this is fairly mind boggling and staff are doing a great job of keeping us in line. I will follow up with Jonathan on the second and/or third of January to run through the agenda in more detail, to get him fully across and also get his substantive input to the agenda given that he'll be facilitating sessions and we'll start working on that.

Staff is very busy putting together the materials for preparation of – or preparation of councilors prior to attending and that's very much in progress. Michele, to your question, all councilors bar Syed, Syed has notified that he's unfortunately unable to make it and I have followed up directly with him to explore remote participation options with him. We are very keen that this you know, that this be an opportunity as was envisioned when we put in the request that councilors get together and have an opportunity to meet and have an opportunity to do some strategic planning and talk about the sorts of things that we don't normally have a chance to do in a Council meeting. So that at the moment is our only apology.

Now that said, I'm about to say something uncomfortable and I don't want to end on this note but there are a number of folks who have not confirmed with ICANN Travel in relation to this session and the deadline was the 20th of October. Now I personally blew the deadline because I was, you know, on route to Abu Dhabi and dealing with other things, but it is imperative, absolutely imperative that you respond to that travel request immediately.

ICANN Travel is not going to be in the office next week and we're now at a point where we're going to incur significant extra costs because of delays in response. The only one of us that has an excuse for delay in the response is Marie because Marie has only just joined Council as of today. So that has to be done, absolutely must be done. And Marie's off the hook with a smile. So that's a comment on logistics.

We are working on this and refining the agenda, as I say, and I'm confident that when we get back in January at the end of that first week of January we should have another substantive update for you on how things – on how things are going. Any questions on Council strategic planning? Donna, Rafik, anything that I forgot to mention?

Donna Austin: Nothing that I can think of, Heather.

Heather Forrest: Great. Wonderful. Well thank you very much. That bring us to the end of our agenda and of course the end of our Council meetings for 2017. My opportunity to wish everyone – end on a happy note – wish everyone a very safe happy end of the season and of course we're all looking forward to a happy, healthy and prosperous 2018. Any final remarks before we close the call?

And, Ayden, to your question, I'll let staff follow up and we can name and shame in private but we need to make sure that we do that right away because we're getting pressure on our end in terms of rising costs.

So many thanks to everyone. Happy end of the year and we will look forward to being in touch in the early – in early January. Nathalie, if you could close the call for us that would be wonderful.

Terri Agnew: Thank you very much. Once again, the meeting has been adjourned. Please remember to disconnect all remaining lines and happy holidays to everyone.

END