

AC Chat GNSO Council 30 November 2017

Nathalie Peregrine:Dear all, welcome to the GNSO Council meeting on 30 November 2017 at 21:00 UTC

Tatiana Tropina:Hi everyone

Nathalie Peregrine>Welcome Tatiana!

Rafik:good morning all

Ben Fuller:Evening all

Erika Mann:My plane was delayed, waiting for boarding, won't be able to speak.

Martin Silva:Hi all

Nathalie Peregrine:Noted, Erika.

Erika Mann:Thank you Nathalie!

Carlos Gutierrez:safe travels Erika

Ayden Férdeline:Hello all

Erika Mann:Still on the ground, should have landed an hour ago. Bad weather. Not clear when the plane will leave Carlos.

Michele Neylon:evening

Heather Forrest:Sorry - I'm back. Computer chose an extremely inopportune time for updates

Julf Helsingius:Is there a keyboard shortcut in AC to mute/unmute mic?

Darcy Southwell:Sorry to be late!

Syed Ismail Shah:Hello Everyone

Cheryl Langdon-Orr (CLO):Hi Sorry to be late

matthew shears:Hi all

Cheryl Langdon-Orr (CLO):He had audio and connectivity issues in the last call (Rubens)

Heather Forrest>Welcome Steve D!

Steve DelBianco:Thanks, Heather

Erika Mann:Is the connection bad for everyone?

Tatiana Tropina:Erika, lots on noise on the phone bridge

Syed Ismail Shah:I am here.

Mary Wong:Please mute your mics if you are not speaking, thank you!

Marika Konings:Please remember to mute your microphones when not speaking

Keith Drazek (RySG):I'm getting background noise.

Marika Konings:And please try to use the conference bridge instead of AC audio, especially for voting purposes.

Erika Mann:I'm here just can't speak because too many would be listening/airport

Cheryl Langdon-Orr (CLO)::-)

Syed Ismail Shah:Yes

Nathalie Peregrine:Rubens Kuhl is having connectivity issues and sends his apology for today. His proxy is Keith Drazek.

Heather Forrest:I find the redline extremely helpful, thanks

Heather Forrest:Fabulous, Cheryl - much appreciated for that update

Cheryl Langdon-Orr (CLO):be done today then

Steve DelBianco:regarding item 3 [Travel Support Questionnaire], what is deadline to submit responses?

Marika Konings:@Steve, I believe that deadline was 20 November.

Mary Wong:Travel Support Consultation closed on 17 November, but we have been accepting late submissions. Please let me know ASAP if your group intends to provide responses but have not yet done so.

Julf Helsingius:Right

Mary Wong:We are beginning to compile the responses, to review them and report to the Board and senior executives.

Steve DelBianco:@Mary -- the BC is working on a response. I will push them to submit by Monday 4-Dec

Marika Konings:I think Mary's response was re. the travel consultation :-)

Mary Wong:@Steve, thanks for the head's up - yes please, 4 Dec will work but later may be problematic. Feel free to ping me if/when you submit and I will make sure the folks collating the responses look out for it.

Marika Konings:It is RSSAC and GNSO who have endorsed candidates for ATRT3 to date.

Steve DelBianco:Our experience with SSR2 indicates that SOAC leaders should try to fill all 21 openings on the review teams

Keith Drazek (RySG):Agreed Steve

Marika Konings:To see ATRT3 candidates endorsed to date: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_64jRAw&d=DwIFaQ&c=FmY1u3Pj6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=PDd_FX3f4MVgkEti9GHvVoUhbecsvLhgysXrxgtbL10DTBs0iljYiBM_uTSDzqG&m=DRVuyIBM_X4rzGmzHpma3iK9_kLagQ26sntg_afc2Q&s=yRie_UnHSdQ9b3E0vUM4-cXUzRFmfjdepvYnPDBHg30&e=

Susan Kawaguchi:The GNSO always nominates 7 candidates for RT's so we are prepared to fill any vacant seats

Heather Forrest:Indeed number of candidates is a matter of consideration for SSR2 - I'll say more on that when we get to that agenda item

Susan Kawaguchi:RDS RT only have 11 members very thin team

Keith Drazek (RySG):I think we (the GNSO) nominated the full number we could, but the final seating of members by SO/AC leaders went with a smaller number (14 of 21).

Donna Austin, RySG:I think there have also been a few SSR2 members who have stood down and they don't appear to have been replaced. This should be reviewed too.

Michele Neylon:+1 Donna

Michele Neylon:I have a vague recollection of there being some confusion about the nomination process and the exact numbers

Marika Konings:one of the PDP Improvement items is tied to the revised GNSO Operating Procedures.

Ayden Férdeline:RE: Item 4. Will there first be a vote on accepting amendments?

Ayden Férdeline:How does this work? (I'm new here... ;-)

Mary Wong:@Ayden, if a proposed amendment is not considered friendly, yes.

Rafik:was going to say I am happy to second the motion

Heather Forrest:Michele- would you like to intervene before Donna introduces motion?

Marika Konings:In this case, it is not an amendment to the motion, but to the accompanying document.

Michele Neylon:Heather - I'll wait

Michele Neylon:No I'll wait

Michele Neylon:You teed up the BC so I'll wait :)

Heather Forrest:OK Michele

Heather Forrest:Would it be possible to display in AC the text submitted by BC?

Steve DelBianco:The GNSO Council agrees with the GAC that the continued and lawful availability of WHOIS/RDS data for consumer protection, intellectual property rights protection and law enforcement activities is a vital public concern and that ICANN should strive to explore all possible mechanisms under the GDPR to ensure that this data remains available for legitimate activities that protect the public and promote a safe, secure, and trustworthy online environment. Especially, when the WHOIS/RDS data is associated with a domain name used for commercial activity.

Heather Forrest:Thank you

Marika Konings:I've also put the text up in the pod on the screen

Donna Austin, RySG:Marika, can you also provide the existing language too please?

Steve DelBianco:Item 3 in the response table

Marika Konings:@Donna - up now as well

Donna Austin, RySG:thank you Marika

Pam Little, RrSG:I also agree with Michele's comments

Tatiana Tropina:Agree with Michele - how can we agree or disagree if the process is ongoing and our opinions are not aligned?

Erika Mann:The problem with the current language is that registries/registrars will have to comply with legislations. The current language is indeed problematic.

Steve DelBianco:By ignoring the entirety of the GAC Advice on GDPR, what signal are we intending to send from Council on that ?

Tatiana Tropina:Steve, this is definitely not something we can agree 7 minutes before the call or even on this call.

Erika Mann:Agree Steve. With slight modifications one could let the text pass ... my opinion at least.

Heather Forrest:Sorry - not Marika, I meant Donna

Donna Austin, RySG:I'm not sure that I can agree to that proposal Paul.

Tatiana Tropina:"some ofthe GNSO members" is quite a vague wording

Ayden Férdeline:Rather than "some members", can we instead name those who agree? I am confident no one in the NCSG supports this language.

Tatiana Tropina:Ayden. + 1

Heather Forrest:Can we agree to "the GNSO notes the GAC's advice...."

Heather Forrest:or "acknowledges"?

Arsene Tungali:The NCSG is against this wording

Steve DelBianco:7 of the 15 pages in our response table are taken-up by the GAC's Advice on GDPR. It's half of the text in there. I just assumed that would merit some kind of response.

Steve DelBianco:Again, apologies that the BC was late to notice the lack of a response.

Tatiana Tropina:Steve, I get your concern, just not comfortable with the language yet

Heather Forrest:shares the GAC's concern about the future of WHOIS?

Carlos Gutierrez:@Paul, i agree that "we are working on it...."

@Michele keep pushing there!

Susan Kawaguchi:GNSO is concerned with impact of the GDPR on the future of the WHOIS record

Paul McGrady:[The GNSO Council is concerned about the future of WHOIS in light of the impact of GDPR and this topic continues to be under significant discussion in our community.

Darcy Southwell:I think the RrSG can support Paul's draft language.

Donna Austin, RySG:I think Paul's language would work.

Ayden Férdeline:"The GNSO Council acknowledges the concerns of the GAC in ensuring continued, proportionate law enforcement access to relevant WHOIS/RDS data in limited circumstances." is about as far as I could go

Marika Konings:Up on the middle screen is now Paul's proposed language

Michele Neylon:I can support Paul's language

Michele Neylon:I can't support Ayden's

Michele Neylon:sorry Ayden

Keith Drazek (RySG):Paul's language works for me too.

Philippe Fouquart:Paul's language is OK with me

Tony Harris:ME TOO

Erika Mann:+1

Susan Kawaguchi:Paul's language is acceptable to the BC

Heather Forrest:Donna - are you on mute?

Tatiana Tropina:I support Paul's language

Paul McGrady:I like it!

Arsene Tungali:Paul's language works for me as well

Susan Kawaguchi:sounds good

Rafik:I support the changes

Marika Konings:Staff will update this in the actual document

Susan Kawaguchi:Thanks all

Keith Drazek (RySG):I want to thank Donna for coordinating and everyone who contributed to the GAC communicate response drafting.

Donna Austin, RySG:and Keith, please pass on our thanks to Phil.

Paul McGrady:Yes, thank you Donna! Much appreciated!

Keith Drazek (RySG):Yes, a voice vote is fine.

Ayden Férdeline:voice vote is okay with me

Tatiana Tropina:voice ok

Paul McGrady:Voice

Michele Neylon:voice vote is fine by me

Darcy Southwell:Voice is ok

Arsene Tungali:voice is okay

Heather Forrest:Brilliant - thanks everyone - great work

Steve DelBianco:Thanks all, and apologies for the late amendment from BC

Keith Drazek (RySG):Heather, when we get to Item 7 on the Whois Conflicts procedure, as we discussed on the list, I would like to withdraw the motion for a vote, but would still like to discuss the topic. That should save us some time on our agenda.

Heather Forrest:Thank you Keith - noted

Marika Konings:@Keith - withdraw or defer to the next meeting. If you withdraw it will need to be resubmitted, if you defer, it automatically moves on to the next meeting.

Donna Austin, RySG:I'm happy to second this motion.

Steve DelBianco:thanks to Graeme Bunton for surfacing this LOCK issue in Abu Dhabi meeting with CSG. And for seeking our input via email afterwards. We are good with this motion

Paul McGrady:+1 Heather.

Keith Drazek (RySG):Thanks Marika. Good question. Can we decide that after today's discussion?

Marika Konings:sure, you can decide at the end of the discussion what you would like to do :-)

Erika Mann:Support

Keith Drazek (RySG):Ok thanks. My hope is to move it forward in December, but we need to discuss the path forward to be sure that's do-able.

Donna Austin, RySG:Gosh Erika, are you still waiting for your plane to take off?

Erika Mann:Yes, snow

Rafik:I am hapy to second this one

Rafik:this motion :)

Michele Neylon:Damn it Rafik - I wanted to second it :)

Michele Neylon:Erika - where are you?

Heather Forrest:I am honoured to serve in this role if all agree

Paul McGrady:Support!

Syed Ismail Shah 2:I agree

Rafik:@Michele you came thirs ;)

Tatiana Tropina:support

Marika Konings>Note that I updated the 3rd whereas clause to align with the update provided today.

Steve DelBianco:May the Power be with You, on the Empowered COMMUNITY

Paul McGrady:@Steve - ha!

Erika Mann:Support

Tatiana Tropina:Erika are you in German airport? It snows so much here (2 hours train ride from FRA)

Paul McGrady:Iowa is pretty distant

Carlos Gutierrez:@Marika did you read what Tatiana wrote? so don't complain about Costa Rica weather

Heather Forrest:Everywhere is distant from Tasmania

Marika Konings:@Carlos - definitely not complaining, just waiting for summer to kick in ;-)

Heather Forrest:My primary concern is that we don't overrule/ignore the IAG, as that sets a dangerous precedent

Donna Austin, RySG:When did the IAG complete it's work? I

Heather Forrest:Does forming a new IAG also overrule/ignore the previous IAG?

Marika Konings:@Donna - I believe May 2016 based on the date of the Final Report

Marika Konings>Note that the IAG did not opine on the consistency with the underlying policy recommendations (which the Council is being asked about), but as Keith notes there was no consensus support for it.

Marika Konings:Also note that the Council requested public comment on the added trigger to determine whether this new trigger was doing what it was supposed to do. That input is what the Council has been provided with and is expected to consider.

Steve DelBianco:We should endeavor to be more descriptive than to say something is "unworkable", per Paul's point

Donna Austin, RySG:I don't think we're trying to do an end-run around anything. The Council agreed to the recommendation of the IAG and also agreed that a review be conducted, which was also done.

Paul McGrady:@Donna, agree that there is no malintent, but we do need to be respectful of our volunteer community's work. They considered this issue and could not reach agreement to bring it into being. I think it is perfectly within our remit to send it back to the IAC and ask them to reconsider, but I don't think we should be in the business of overriding them. A short lifespan of the reconstituted IAC should work.

Paul McGrady:@Marika - reviews are conducted by the community, not the Council.

Erika Mann:Boarding now! All the best!

Heather Forrest:Bye Erika, thank you!

Paul McGrady:@Erika - safe travels!

Erika Mann:Thank you Paul!

Erika Mann:Thanks Heather±!

Marika Konings:@Paul - the input for the review was provided by the community through the public comment forum.

Marika Konings:It is up to the Council to decide what to do with that input (as it was also the Council who asked for it :-)

Marika Konings:the last time around, the review was conducted in the same way, at which time the Council decided to create an IAG.

Paul McGrady:Thanks Marika. No issue if the Council decides to do what it did last time and create/reconstitute the IAG.

Marika Konings:@Paul - note that Akram's letter outlined a number of options that the Council could consider, including the formation of an IAG (or some type of other group)

Donna Austin, RySG:Good information Susan and I think new eyes might be helpful too.

Paul McGrady:New group is fine so long as it is representative of all views.

Heather Forrest:Council needs to frame the guidelines for this new group (representation, outputs/outcomes, timeline)

Paul McGrady:Timeline is the most important. Need to be short and have a very narrow scope.

Heather Forrest:Can we get a team to work on this to submit to next Council meeting?

Marika Konings:the IRT guidelines may be helpful in this context as this group would be focused on the implementation side of things.

Rafik:agree with Heather

Heather Forrest:Once we agree on the guidelines we can move to form the group and get this work underway

Marika Konings:Do note that in an IRT context, staff (GDD) leads the effort.

Heather Forrest:I suggest we need to withdraw and put a new motion in Dec which deals with the guidelines of the new IAG

Tony Harris:I support deferring

Heather Forrest:Correct Michele

Paul McGrady:Seems like withdrawing makes more sense since the text will change significantly.

Heather Forrest:I think our motion in Dec should be about the formation of anew group

Darcy Southwell:In that case, support withdrawing the motion.

Paul McGrady:+1 Heather

Paul McGrady:+1 Michele

Michele Neylon:Grand so - the deferral confused me

Syed Ismail Shah 2:Agree

Nathalie Peregrine:11 December:Motions and Documents Due for GNSO Council Meeting 21 December

Heather Forrest:Indeed we need to refine the agenda and Council leadership will have a logistical call with staff next week, and will meet again with Jonathan to discuss substance soon thereafter

Michele Neylon:I like the idea of the output

Steve DelBianco:Just an FYI -- the Non-Contract Party House is having its inter-sessional meeting immediately after your meeting, in Los Angeles

Heather Forrest:To confirm: we will not extend Day 3 beyond 4pm so you can safely make travel arrangements now

Arsene Tungali:the NCPH as well will be meeting for the intercessional right after the Council strategic meeting

Michele Neylon:We need to coordinate on bars etc - we wouldn't want to bump into y'all :)

Michele Neylon:/me ducks

Arsene Tungali:2Michele lol

Cheryl Langdon-Orr (CLO):now Michele why would we ever be in bars???

Mary Wong:@Michele, one presumes the RrSG ExCo will not be at the Doubletree like the rest of us.

Michele Neylon:Mary - we will be

Michele Neylon:sorry

Michele Neylon:Heather - I assume that draft agenda will be circulated to the list?

Michele Neylon:grand :)

Heather Forrest:On my to-do list Michele

Michele Neylon:Heather - just making sure Madam Chair

Heather Forrest:Keeping me honest, I like it

Michele Neylon:Well I just wanted to be sure the email hadn't been swallowed by our email filters

Steve DelBianco:ICANN management has noted that ICANN funding (revenue) is projected to be flat for next several years. The BC believes that argues to have more reserve funds on-hand. We recommended 17 months in our comments

Berry Cobb>Note, that what is being shown here does not include side comments about option #1 vs. option #2..... a choice of sorts. #1 supporting the 12 to 17 months, vs. option #2 for 24 months.

Heather Forrest:@Steve - indeed a number of SGs and Cs have raised concerns about the level

Michele Neylon:Steve - we're concerned about whee they're going to get the funds from

Heather Forrest:Similar comments made by IPC, Michele

Ayden Férdeline:The NCSG has advocated for a reserve fund of at least 24 months of operating expenses in our comment. I would rather be silent on this issue then submit a comment suggesting that something substantially less, though 17 months, as Steve suggests, seems agreeable.

Heather Forrest:I have a suggestion for a way forward

Donna Austin, RySG:Agree Heather, this is not to discount the work of the Committee in preparing the comments.

Berry Cobb:As part of this agenda, is also for the Council to discuss the formal establishment of the Standing Committee on Budget. The SC is scheduled to meet on 4 Dec to review the proposed draft charter in hopes of submitting a motion for the December Council meeting.

Heather Forrest:Noted, Berry - thanks for the reminder

Ayden Férdeline:revenue is not only flat, I have heard that ICANN has lost 15% of its fee-paying registrars this quarter alone...

Michele Neylon:Ayden - mostly drop catchers by the way

Berry Cobb:Should the Council agree to submit a comment, I've asked Xavier if the Council could have an additional day to make the submission.

Syed Ismail Shah 2:Agree with Heather

Pam Little, RrSG:+1 Heather

Ayden Férdeline:I think Heather's proposal is acceptable

Steve DelBianco:Remember that nearly ALL of ICANN revenue comes from GNSO. So we should be particularly attentive to the revenue aspect of determining reserve adequacy.

Berry Cobb:Yes. Will do so. Thanks Heather.

Michele Neylon:Steve - 90% or more if I recall correctly

Keith Drazek (RySG):Let's be sure to discuss the SSR2-RT situation.

Michele Neylon:+1 Keith

Donna Austin, RySG:Good idea Heather

Berry Cobb:None at all.

Susan Kawaguchi:+1 Keith

Berry Cobb:Just to consider, though, the ICANN budget forum will open later in Jan.

Cheryl Langdon-Orr (CLO):I am sure there is plenty of care heather

Paul McGrady:Good for us! Having lots of timezones is a classy problem resulting from geographic diversity!

Michele Neylon:+1 Heather

Paul McGrady:Yes

Cheryl Langdon-Orr (CLO):Sure

Michele Neylon:go for it

Keith Drazek (RySG):Yes please!

Susan Kawaguchi:yes

Donna Austin, RySG:yes

Arsene Tungali:5min yes

Michele Neylon:We _want_ to discuss it

Ben Fuller:Yes

Heather Forrest:I feel it's important that we work on documented concerns, and it seems that all SO/AC leaders are amenable to a survey using the Tally tool that we use for elections, albeit configured to allow free-form answers (rather than tick box, as for elections)

Heather Forrest:I strongly believe that we should not take action unless/until we have documented concerns to work with

Heather Forrest:To Steve D's comment at the start of the meeting, one of the questions we'll ask in the survey is what skills gaps exist that we could fill with new members

Heather Forrest:To Keith's input, we have a skills matrix and scope document received from the RT members that we should review

Heather Forrest:+1 Keith - not helpful to have SSR2 in limbo

Donna Austin, RySG:Agree that its important to get this effort back on track and to Heather's point that the SO/ACs can only deal with problems that are publicly documented.

Heather Forrest:Indeed Steve - the documents received suggest SSR2 believes it does not have skills gaps

Heather Forrest:We are working hard to draft clear questions of members in the survey

Steve DelBianco:the confusion was that we wanted them to work on the work plan, but also said they should not do any work

Carlos Gutierrez:I volunteer with Susan for the ad hoc review

Donna Austin, RySG:perhaps an out of session meeting with our SSR2 team members is warranted.

Heather Forrest:I agree that closing the communications loop with our SSR2 members would be useful

Rafik:agree with Donna, we need to hear them

Heather Forrest:need to figure out logistics

Keith Drazek (RySG):+1 Donna and Susan

Paul McGrady:I'd like to gush for a moment. I'm incredibly impressed by our Leadership who are trying to clean up the mess as politely as possible even though we didn't cause it!

Susan Kawaguchi:+1 Donna

Paul McGrady:+1 Donna. Well done Heather!

Keith Drazek (RySG):Indeed!

Rafik:+1!

Philippe Fouquart:+1

Syed Ismail Shah 2:Great Work

Susan Kawaguchi:definitely!

Darcy Southwell:Well done!

Tatiana Tropina:+1

Cheryl Langdon-Orr (CLO):Bye for now everyone...

Ayden Férdeline:thank you all

Ben Fuller:good work

Syed Ismail Shah 2:Thank you

Michele Neylon:night night

Tatiana Tropina:Thanks all - bye!

Julf Helsingius:Thanks!

Philippe Foucart:Thx bye

matthew shears:thanks

Heather Forrest:Thank you everyone, thanks to staff for your fabulous support as always