ICANN Transcription
GNSO Council meeting
Thursday, 24 May 2018 at 04:00 UTC

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Adobe Connect recording: https://participate.icann.org/p7010yxpn65/

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:
Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (absent)

Contracted Parties House
Registrar Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell
gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl (absent)
Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

Non-Contracted Parties House
Commercial Stakeholder Group (CSG): Marie Pattullo, Susan Kawaguchi (joined late, proxy to Marie Pattullo), Philippe Fouquart, Tony Harris, Paul McGrady (apology sent- proxy to Heather Forrest), Heather Forrest
Nominating Committee Appointee (NCA): Syed Ismail Shah

GNSO Council Liaisons/Observers:
Cheryl Langdon-Orr – ALAC Liaison
Julf (Johan) Helsingius – GNSO liaison to the GAC

We note that the position of ccNSO liaison to the GNSO Council, previously held by Ben Fuller, has not yet been filled.

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 (apology sent)
Julie Hedlund – Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy Consultant
Emily Barabas – Policy Support Senior Specialist (apology sent)
Coordinator: The recording has started. You may now proceed.

Nathalie Peregrine: Thank you very much. Good morning, good afternoon and good evening, everybody. Welcome to the GNSO Council meeting on the 24th of May, 2018. Would you please acknowledge your name when I call it? Thank you ever so much. Pam Little?

Pam Little: Here.

Nathalie Peregrine: Donna Austin.

Donna Austin: Here.

Nathalie Peregrine: Rubens Kuhl. I don't see Rubens on the bridge or the Adobe Connect room. Keith Drazek.

Keith Drazek: Here.

Nathalie Peregrine: Darcy Southwell.

Darcy Southwell: Here.

Nathalie Peregrine: Michele Neylon.

Michele Neylon: Here.

Nathalie Peregrine: Carlos Gutiérrez.
Carlos Raúl Gutiérrez: Here. Thank you.

Nathalie Peregrine: Thank you, Carlos. Marie Pattullo.

Marie Pattullo: Here.

Nathalie Peregrine: Susan Kawaguchi. I don't see Susan Kawaguchi on, she may be late. If she doesn't make it to the call in time for the vote she’s given her proxy to Marie Pattullo. Paul McGrady is an apology for today's call. He's given his proxy to Heather Forrest. Philippe Fouquart.

Philippe Fouquart: I'm here, thank you.


Philippe Fouquart: Thank you, Nathalie.

Rafik Dammak: Here.

Nathalie Peregrine: Stephanie Perrin. Do I see Stephanie on right now? Arsene Tungali has sent his apologies and has given his proxy to Martin Silva Valent. Heather Forrest.

Heather Forrest: Here, Nathalie. Thank you.

Nathalie Peregrine: Thank you. Tony Harris.

Tony Harris: Here.

Nathalie Peregrine: Tatiana Tropina.

Tatiana Tropina: Thank you. I’m here.
Nathalie Peregrine: Thank you. Martin Silva Valent.

Martin Silva Valent: Here.

Nathalie Peregrine: Ayden Férdeline.

Ayden Férdeline: Here. Thank you.

Nathalie Peregrine: Thank you. Syed Ismail Shah.

Syed Ismail Shah: Here.

Nathalie Peregrine: Thank you. Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Here, Nathalie. Thank you.

Nathalie Peregrine: Thank you. Erika Mann. I don't see Erika on the line, we'll circle back after the roll call. Julf Helsingius.

Julf Helsingius: Here, Nathalie. Thank you.

Nathalie Peregrine: Thank you. So we note the position of the ccNSO liaison to the GNSO Council has not been filled. We hope to have more information about this by the end of the week. From staff we have Marika Konings, Julie Hedlund, Steve Chan, Caitlin Tubergen, Berry Cobb, Ariel Liang, Terri Agnew, and myself, Nathalie Peregrine.

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

Heather Forrest: Thank you very much, Nathalie. This is Heather Forrest. This is our GNSO Council meeting of the month of May. And I thank everyone for coming at
what is an unusual and not optimal time for a number of time zones other than Asia Pacific. This is our effort to try and rotate the pain, if you like. And from a very personal experience, understand the pain of meeting at a funny hour so I’m grateful to you for your willingness to do this.

First of all, let’s acknowledge and thank staff for the return of Adobe Connect. They’ve been working very, very hard to make this happen. And it’s lovely to be back on our usual platform and using it in a comfortable way so fantastic effort from staff. Nathalie, is there anything – sorry to put you on the spot – is there anything we need to know in terms of housekeeping with the return of Adobe Connect?

Nathalie Peregrine: That’s a very good question, Heather. No, we’ve done all the tests and all the usual Adobe features and options remain exactly the same.

Heather Forrest: Brilliant. Thanks very much, Nathalie. And do you have a sense – are we on Adobe to stay from here on, I hope? Hooray?

Nathalie Peregrine: We’ll know that when the tests will be finalized. The minute we know the community will be updated of course.

Heather Forrest: Brilliant. Thanks very much, Nathalie. And very much appreciate your efforts and the efforts of your team to get that back for the GNSO Council as a matter of priority. Wonderful.

So with that let’s turn then to our agenda. Item 1, administrative matters, Nathalie’s completed the roll call for us. Thank you, Nathalie. 1.2 is updates to statements of interest. Would anyone like to notify the Council of an update to their statements of interest? Okay, I pause to look for hands, I see no hands and I don’t think we have anyone on audio only so I will take that to mean we don’t have any updates to statement of interest.
We have our agenda which was finalized and circulated prior to the call with the relevant – the links put in, no substantive changes in that final circulation but the relevant links put in. Would anyone like to make amendments to the agenda, add anything to any other business or otherwise? No? And I notice the participants list just refreshed for me but hopefully that doesn’t mean bad things.

Excellent, all right so we’ll carry on with the agenda as we have shown in the AC room main pod. The status of the minutes of previous Council meetings all on track in this regard. The minutes of the Council meeting of March were posted on the 5th of April and the minutes of the Council meeting of the 26th of April were duly posted on the 14th of May so we are fully up to speed in that.

With that, any questions in relation to the administrative matters? If not we’ll progress to Item 2. No, I see plenty of comments in the chat about everyone we’re happy on Adobe again and things seem to be working no problem so that’s brilliant.

Item 2, review of our projects and action items list, let’s begin that please. And happy to start with the – whichever one comes up first, if you have a preference let’s see. There we go, projects list, perfect. So on the projects list, as is the usual practice, this was circulated with proposed changes in redline and in clean form. That happens prior to every Council meeting. I think I say this every month but I personally find that redline very, very useful in terms of highlighting any changes in what we are doing. This is our way of managing our workload which is very much a relevant topic of discussion in light of what we’ll be talking about later in today’s meeting.

Just to point out a few things in particular here, now everyone can scroll through the document on their own. Just from my perspective highlights the IRTP item. Marika did follow up with various councilors after our April meeting
who had made comments in relation to that. Staff are working on that report and we’ll expect to hear back from them in due course.

The reconvened IGO Red Cross PDP, I’ll provide a very quick statement here, good news for Council. You’ll note that the target completion date was updated to say July or August. We’ve been aiming since our January strategic planning session to have that completed midyear. Stéphane Hankins, who’s the primary contact from the International Red Cross, is on mission currently and there have been a few challenges in scheduling a final consensus call but work is progressing.

That’s the only reason for that addition of “or August” in the proposed completion date there. And I think it’s opportune to express sincere thanks to Thomas Rickert who has re – let’s say re taken up his role as the chair of that PDP and Berry Cobb who has been very ably supporting that reconvened PDP from a staff perspective so thanks to both of them.

CCWG Auction Proceeds and Work Stream 2 both on our agenda for today. RPM PDP, on our consensus agenda for today. SubPro, we have no major updates shown here in the projects list. RDS PDP, very sorry to announce this, it’s made the various lists, but opportunity to acknowledge it in here in the GNSO Council, so Chuck Gomes has notified the RDS PDP and the Council of his decision to resign as chair of that PDP. Which the work of which is currently suspended and we’ll come back to the substance of that in our discussions today.

I would like to suggest that we make a vote of thanks here in Council with Council’s approval, I think it would be appropriate that we send a note of thanks to Chuck for his long-standing service in that PDP. Michele, your hand is up. Please.

Michele Neylon: Michele for the record. Thanks, Heather. I think it also might be worth noting that essentially this is – that was Chuck’s swan song with regard to ICANN as
he retired from VeriSign about 12 months ago, I don’t think we will be seeing him again. Thanks.

Heather Forrest: Thanks very much, Michele. I think we understand that Chuck intends to spend much more quality time with his RV than with us and his wife and that’s fair enough. And all the more reason for us to make special note of thanks to him for his incredible efforts in that regard. So I hear no objections to this, we’ll put together a note of thanks – a formal note of thanks to Chuck for his service to the RDS PDP and to the GNSO in particular and we will action that. If we were all together in a group I would suggest we give a round of applause but it might be a bit odd to come across that on the phone conference so we will give Chuck a virtual round of applause and follow up in the appropriate way in writing. So thanks very much.

Donna’s making – and, Donna, I still don’t know how to make that symbol. Everybody is doing it. Well done. Good. Virtual applause being shown in the Adobe room. Fantastic.

Next time on the list is the Curative Rights – IGO INGO Curative Rights PDP on our agenda in the form of an update, but here I would also like to make a special note and with regret that Phil Corwin notified the PDP Working Group and the Council of his decision to resign as cochair – in which role he serves with Petter Rindforth. So Phil has regretfully decided to resign his role as cochair leaving Petter with the reins, which Petter is very ably done.

Again, Phil has devoted a significant amount of time, energy, and effort to that PDP, which has quite a long running and I think it’s appropriate as well that Council acknowledge that effort and formally thank Phil for his role in that PDP. So unless I hear objections to that, we can give Phil a virtual round of applause as well and follow up and thank him.

And I see or hear no objections and Donna is making the virtual applause so fantastic. And Keith, your idea in the chat is an excellent one. I won’t
announce it in due to the fact that it could be a pleasant surprise so let’s follow up with that, Keith.

Curative Rights, we’ve just spoken about. GNSO rights and obligations, in relation to that item, the – you would have noted earlier in the month that the ICANN Board adopted our proposed changes to the voting thresholds, that was a key outcome of our work in January in the strategic planning session, and the – with those changes there are two things that are outstanding. I might – in fact push that over to the action items list when we review that because we can say something more specific about that there.

In terms of implementation we have various status updates, none of them enormous, if you like, although one I would like to point out before the we leave the projects list is to make particular note of Ayden’s posted on the Council list on the ICANN Org responses to community input on the budget. Leadership has been working with Ayden to try and come up with creative solutions for how not to have that drop off of Council’s radar as we work very hard on other things. So please, if you haven’t done so already, do a find in your inbox and look for Ayden’s posts on the budget and if you have something to weigh in there, please do so. I understand it’s difficult to keep track of all these things on the agenda.

One thing I’ll say just before I leave the projects list, is to apologize for not being clear, the CCWG Auction Proceeds and the Work Stream 2, when I referred to those as being on the schedule, what I meant to say is they’re on the schedule for ICANN 62, not on today’s schedule but on the schedule for ICANN 62.

Any questions on the projects list before we move forward? All right, excellent. If we can drop the projects list from the AC room then and shift over to the action items list.
Fantastic. So, action items here in the AC screen, so much easier to see when they're in the AC screen, and let's note a few things here. First of all, timing of ICANN bylaw mandated reviews is on today's substantive agenda so we can push our discussion on that to there. PDP 3.0 is making great progress. Staff posted to the list the current form of that report that incorporates all the feedback that we received in the context of the meetings held at ICANN 61 in San Juan. And we will provide feedback on that as a group.

I think as well this is a good in vivo experiment if you like in the sense that we have a number of PDPs already underway that are already making efforts thanks to their chairs and leadership teams to incorporate some of those inputs that were given in the process of soliciting input. And as well I think PDP 3.0 and all of the things that we spent the last six months talking about are going to prove a truly useful foundation for the discussions that we're having now on next steps following the Board's adoption of a temporary specification. So this is very much as work in progress in every sense of that phrase. Any question in relation to PDP 3.0? No? All right, seeing none.

Subsequent Procedures RPM consolidated timeline, the liaisons continue to work with the leadership from those two PDPs and we expect that we'll hear back from them. It's an ongoing cooperation and we can thank our multiple liaisons in those for keeping us up to date so unless we have further questions on that we'll move on from that item. No? All right.

Board request regarding emojis, likewise in progress. We have had the small team of councilors working on this. SSAC outreach is in train and we will await an update from that group as to where they are there. So nothing further from my perspective to add but I'll open the floor for questions. No? All right, fantastic.

ICANN 62 meeting planning on our other business items at the end of today's agenda so we will come back to that. CSC and IFR review, Donna and
Philippe are working on these things and will update us when it's appropriate to do so. I understand there isn't anything that needs to be updated at this time but if Donna or Philippe feel differently then this is a good opportunity. Donna is typing. And Philippe is typing. No update. Excellent. Thanks very much.

CSC charter review, much thanks to Rafik’s leadership, this is on today's agenda. And thank you, Philippe for your comments as well in the chat. So we’ll come back to CSC charter review. The next item in progress on the list is Internet governance, so for everyone's reference, Olivier Crépin-LeBlond reached out to me earlier this month, earlier in May, and wanted to make sure that this hadn’t dropped off of Council’s attention, Council’s agenda.

And I made my best efforts to say to Olivier that it certainly hasn’t dropped off our minds, in fact it comes up in every Council agenda and it’s just the case that we’re all struggling right now with the fact that we have an insane amount to do in the GNSO Council, we had quite a few items in April that had to be pushed out of the April agenda and into May, and likewise our focus for the next month is likely to be more of the same in terms of what we’re discussing today.

So what I have said is that Council certainly has not forgotten this item. We’re keeping tabs on this through Rafik and Tatiana who very able represent us in that effort so that is still on our watch list with great care. Comments, questions, concerns on that one? Seeing none.

Whois conflicts, this one I suggest that we – and in fact I’ve confirmed the agenda but on reflection, let’s put this – if we don’t have time to get to it in any other business in the agenda, what I suggest that we do is that we raise this on the list. We want to revisit this. The first of June target for calling for volunteers in relation to this effort is rapidly approaching and this effort may well be something that we find is caught up in the discussions that we’ve having in the second half of the call today.
So let's put a marker on this and see if perhaps we need to rethink this action item as we move forward. So I'll leave it – rather than get bogged down in that here, I'll put that to your attention now and we'll come back to it. Any – with that, let’s say I don't want to foreclose discussion, any questions or concerns on that approach? No, I don't hear any, see any, excellent. Typing, agreed, wonderful. Good stuff.

So let's continue with action items, ATRT 3, ATRT 3 is – whether we might say directly or indirectly, on our agenda today in the form of discussing the proposals in relating to specific reviews. So I would suggest that we discuss this in the context of that discussion, which is on our substantive agenda.

Work Stream 2, curative rights, GDPR, next steps, all topics that we’ve addressed in the context of reviewing the projects list. I don't think there’s anything further needs to be added in the context here of action items. And lastly, CTIS – C-T-I-S, I’m not at all discounting the importance of this work, but in anticipation of the time that GDPR and next steps would take, we have pushed this to July on our agenda, so you’ll note that’s how the action item is drafted. And Marika, I see your hand up, please.

Marika Konings: Yes, this is Marika. I just wanted to note on this second part of this specific action item just to encourage councilors to respond to the survey that’s open. I think so far we had one person providing input so it would be really helpful, it’s a relatively shortly survey, so if you can just take a few minutes and provide your feedback on the post implementation consensus policy review framework.

Heather Forrest: Thanks, Marika. That’s helpful to note, so we will make due note of that. And again, this is remain on our action items list for the time being and we will come back to it when the oxygen allows.
One thing I would like to highlight from our separate strategic planning, SPS agenda items or action items list, rather, is in coming back to that changes to the GNSO Operating Procedures specifically the voting thresholds, as I said in the context of the projects list, the Board has approved, earlier this month, the changes to the voting thresholds. One thing that needs to be done there on this action items list, reviewing it was a good reminder for me, is that those changes need to be communicated to the SO and AC chairs.

There was a webinar with the GAC yesterday evening, it’s hard to say what yesterday is in what time zone, it was approximately eight hours ago in which I was asked a question about that. So that was effectively verbally communicated to the GAC, albeit not very well because it was 1:30 in the morning my time and I’m afraid my answer might not have been as clear as it might otherwise have been. But on leadership’s list to communicate those – that approval to the other SOs and ACs.

The other thing that I want to note there, before we leave it, is that we have it on our action items list for staff to prepare templates and follow up actions, let’s say, in response to that review of the bylaws and the GNSO Operating Procedures. We – I know staff would like to have Council input on some of the initiatives and they’re very keen to have that input.

In general I think what we probably need to do, again, I’m not discounting the importance of those efforts and Marika notes you have an email from Julie Hedlund, not discounting the importance of those efforts, but I have suggested to staff that we want it to be a little bit realistic in not putting councilors on – under the pressure to try and deal with that, let’s say, this month or in the next few weeks because we have – we have a need to take stock of what resources we have and how to allocate and prioritize them.

So I think let’s not again, let’s not lose this from the agenda, we have a number of very worthy items that need our attention and just need to figure out how creatively to do that. So again, have a look in your email inboxes for
an email from Julie, and have a think about that when time permits. And I know that staff, Julie in particular, would be very grateful. So Marika’s given you a direct link to the email to make it very, very easy.

That takes us through action items. Any questions, concerns, further additions before we move off of action items? No? I see none. Excellent. Then let's go back to the Council agenda please.

All right, Item 3 in our Council agenda, again, everyone has scrolling rights so feel free to move the document as best suits you. Item 3 is our consent agenda. We have one item on the consent agenda today, that is the approval of the appointment of Brian Beckham as an additional cochair of the Review of All Rights Protection Mechanisms in all gTLDs policy development process Working Group, otherwise known as RPM PDP.

Brian has been nominated for the position following the resignation of J. Scott Evans some time ago, right around the time of ICANN 61, I believe. And we thanked J. Scott for his work at the time, and we now have Brian willing and able to take that roll up. May I suggest, given that it’s on our consent agenda, unless we have – and we had no suggestions for pulling out of the consent agenda, when we reviewed the agenda, Nathalie may I ask you please to take us through a voice vote?

Nathalie Peregrine: Thank you, Heather. Would anyone like to abstain from this motion? Please say, “Aye.” 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: Philippe Fouquart, proxy for Tony Harris, please say, “Aye.”

Philippe Fouquart: Aye.
Nathalie Peregrine: And Heather Forrest, proxy for Paul McGrady, please say, “Aye.”


Nathalie Peregrine: No abstention, no objection, the motion passes. Thank you, Heather.

Heather Forrest: Perfect. Thanks, Nathalie. And I apologize, it was noted in the chat but just for the purposes of the audio record, Susan Kawaguchi joined the call and was part of that vote so we did not, therefore have to action her proxy. Excellent. Let’s then – the item has passed. We will communicate that vote to the RPM PDP and through then to Brian. And thank Brian for his willingness to volunteer. And wish the PDP all the best in its new – in its new leadership team. Excellent.

ICANN – item Number 4 is also a vote, this is not an item of the consent agenda, this is a standard voting item. The adoption of the revised charter for the GNSO Standing Selection Committee, brilliant to have Susan on the call with us as we kick this one off as Susan has very ably served in the role of chair of the Standing Selection Committee. Before turning the motion over to Rafik, who’s the maker of the motion, I will say thank you very much to Rafik and to the Standing Selection Committee for their patience. This is one of the items that got moved off the April agenda due to the fact of it being very, very packed, so here we are dealing with it in May, and with that, over to you Rafik.

Rafik Dammak: Okay, thanks Heather. So sorry, yes, so we have this motion for the adoption of the revised charter. So I think as a background is that the Council formed the standing committee over one year ago and as requested it has to do a review of the charter to see if there is any need to make changes or amendments. And the Standing Selection Committee did that and we are proposing here some amendments to the charter, most of the changes are related to kind of clarification of the text. And I don't think we have so much
substantive changes, so we went through extensive – how to say discussion within the committee and so – music.

So I will be happy to relate the motion, but to kind of to be fair here, the effort of the review was led by Susan and Maxim, so maybe if you want to add more about the changes or to highlight – to make any highlight there, so, Susan if you are able to speak?

Susan Kawaguchi: Yes, thanks, Rafik. Actually I don't have much to add. The original charter was pretty concise and clear for dictating our duties and – or guiding our duties, that's a little better term. And we did make a few changes here and there as we saw need for, you know, if a process didn't work exactly as we thought it would in the original, we refined a few things. Unfortunately I'm in an airport and on have my computer up and running to be able to tell you exactly what those changes were.

But just mostly just to clarify how we do – how we go through the process and how we do our work and to make sure that as we – the charter will guide future members of the Standing Selection Committee. That's about all I have.

Rafik Dammak: Yes, thanks Susan. And I see that Julf is in the queue and, yes. Julf, please go ahead.

Julf Helsingius: Sure, thanks. There's one thing that I was expecting to see but it doesn't seem to have been changed, which was something I remarked very early on that I think solved just historical accident or unsymmetry in that in – for all the other stakeholder groups it's appointed – the members are appointed by them but for the Nominating Committee appointees it's a member from one of the Nominating Committee appointees. So everybody else can appoint also non-Council members except the Nominating Committee appointees, they can only (unintelligible). So it's just an unsymmetry that's a bit weird that I was expecting to be rectified but it hasn't been addressed. Can you comment on that?
Susan Kawaguchi: This is Susan. I do remember discussing that and maybe Marika could help me out on remembering, but I think we decided since there was, you know, only a couple Nominating Committee roles that we would rely on one of those people. But – and I apologize, you know, we worked on this several months ago and then it was sort of parked, so – but we could take a look at that again too.

Rafik Dammak: Okay. Thanks, Susan. Okay, I see that Marika is in the queue and likely she will clarify more about the changes and to respond to Julf here. Yes, Marika, please go ahead.

Marika Konings: Yes, thanks Rafik. This is Marika. And just to add to what Susan said, indeed the group did consider that issue but I believe the difference here is that, you know, the assumption is with appointments from stakeholder groups and constituencies that those are done from within their membership so there’s a defined group from which a member would be selected to serve on the standing committee while in the case of Nominating Committee appointees, there are three.

So if I recall well, from the discussions, it didn’t seem to make much sense to have that group of three then appoint someone kind of randomly that didn’t belong to that specific group as there is a representation expected here on the standing committee. So I believe that was the rationale for leaving the as is compared to how appointments are referred to from stakeholder groups and constituencies.

Rafik Dammak: Okay. Thanks, Marika. And, yes, Donna, please go ahead.

Donna Austin: Thanks, Rafik. Donna Austin. So excuse me, I understand the rationale but perhaps we could think about this more broadly in light of the fact – I’m not suggesting that we change anything in the motion now, but just for future reference. As we stand up – potentially stand up more standing committees, I
don't necessarily think that we should exclude a Nominating Committee appointee for expressing an interest in being on those committees.

It might be, you know, reasonable that in this instance because the role of the SSC is appointing members from different SGs and Cs, so it potentially makes sense that that not be the case in this instance, but I don't know that we should necessarily exclude our Nominating Committee appointees from being members of other standing committees we happen to stand up. So I guess I just wanted to make the point that, you know, let's not necessarily make this an exclusive club; we have our Nominating Committee appointees and I think it's great if they want to get involved in, you know, a committee that's Council-related. Thanks.

Rafik Dammak: Okay thanks, Donna. I think as you may see in the chat there is some clarification. The NomCom appointee, I mean, they still have representative in the SSC, and I think what was asked by Julf is that compared to other groups they can appoint someone even outside from the group. So why for the NomCom appointee they have to select someone among them to be representative in the SSC, so that's the kind of – the difference here. So but Donna, is it an old or new hand? Okay thanks.

Okay. So any other question or comment on this? I see there is something going on in the Adobe Connect chat but if anyone want to intervene? Okay, so if there is no question I guess we – I guess I can read the motion. Okay.

Okay, okay so let me read it. So “Whereas in the 15 March 2017, the GNSO Council the Charter for the GNSO Standing Selection Committee which is tasked to, where applicable, prepare and issue calls for application related to selection or nomination of candidates for the ICANN structure such as ICANN review teams as well structure related to the empowered community, review and evaluate all relevant applicant candidates (run) candidates and make selection and appointment recommendation for review and approval by Council and communicate selection to all interested parties.”
The resolution adopting the charter on an interim basis states following the completion of two selection processes, the GNSO Council requests the SSC to report back to the GNSO Council with its assessment of whatever – whatever the charter provide sufficient guidance and flexibility to carry out its work and/or whether any modification should be considered, acknowledging that this is a work in progress, the GNSO Council will review this assessment as well as whether any modification should be considered as well as any inconsistencies that may need to be addressed as result of the finalization of the work of the Bylaws Drafting Team.”

Sorry. “Whereas the SSC has successfully completed the selection for the following GNSO representative on the empowered community and administration, replacement candidate for the second Security and Stability Review Teams, SSR2-RT in 2017; candidate for the third review of ICANN Accountability and Transparency, ATRT3, GNSO liaison to the GAC and replacement candidate for the second Security and Stability Review Teams, SSR2-RT in 2018. The SSC has completed a review of its charter, see working document here, and proposed revisions to the charter.”

“The GNSO Council has reviewed this proposed changes and agreed that this revision are appropriate noting that revised charter states that the GNSO Council may initiate future charter review at the request of the SSC or at the Council own discretion.”

Resolved, “1 The GNSO Council adopts the revised Charter of the SSC. Second, the GNSO Council reconfirms Susan Kawaguchi as Chair and Maxim Alzoba as Vice-Chair of the SSC. Third, The GNSO Council notes that the term of an SSC member, as defined in the revised Charter, is one year beginning and ending at the Annual General Meeting, with the possibility to renew for a second term.”
“The GNSO Council considers the period between the adoption of the interim Charter on 15 March 2017 to the 2017 Annual General meeting. The GNSO Council requests that the SO/AC Support Team sends the updated Charter to the Stakeholder Groups/Constituencies and Nominating Committee appointees on the GNSO Council and reminds SG/Cs/NomCom appointees that they should reconfirm their SSC representatives within three weeks following the 2018 Annual General Meeting.

“The GNSO Council leadership team will confirm at its earliest convenience whether the GNSO Chair or one of the GNSO Council Vice-Chairs will serve as an ex-officio member of the SSC. The GNSO Council thanks the SSC for its review of the Charter and looks forward to continuing to work with the SSC on future selection processes.”

Okay, yes, that’s it so, Heather I think if we have no further question or comment so let’s maybe now it’s time for vote and asking (unintelligible).

Heather Forrest: Thanks, Rafik. It’s Heather. Whatever is easiest, if you’d like I’m happy to take it to a vote with Nathalie; if it’s easier for you to do that, you’re more than welcome to. Rafik, I’m afraid we might have lost you on audio there. Just make sure see if we’ve got anything from you in the chat.

Rafik Dammak: Sorry, I was muted, so, yes.

Heather Forrest: Sorry, Rafik, so just to clarify, you’d like to take to the vote or would you prefer me to do that?

Rafik Dammak: Yes, please go ahead.

Heather Forrest: Okay. Excellent. Thanks very much, Rafik, for introducing the motion, leading the discussion, so Rafik’s read the motion into the record, make a final call, no further inputs on this. We’ve had some inputs from Susan, thank you, I see no hands. So, Nathalie, may I ask you please – well let’s first ask, is
there any objection to taking this through to a voice vote? No, I see no objections. Excellent. Nathalie, may I ask you please to take us through a voice vote?

Oh, yes…

Nathalie Peregrine: Thank you very much…

Heather Forrest: …Nathalie, apologies, and let’s make sure we correct the proxy on this one. Thanks.

Nathalie Peregrine: Of course, thank you Heather. Would anyone like to abstain from this motion? Please say, “Aye.” Hearing no one, would anyone like to vote against the motion? Hearing none, would all those in favor of the motion please say, “Aye.”

(Group): Aye.

Tony Harris: Aye.


Heather Forrest: Aye.

Nathalie Peregrine: Ayden Férdeline, proxy for Arsene Tengali, please say, “Aye.”

Ayden Férdeline: I believe – this is Ayden…

((Crosstalk))

Nathalie Peregrine: You’re right, my apologies. Martin Silva Valent, proxy for Arsene Tengali, please say, “Aye.”
Martin Silva Valen: Aye.

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

Heather Forrest: Thanks, Nathalie, very much. And thanks very much to Rafik for making that motion and carrying it forward. Susan, very easy to notify you of the passing of that motion as you're on the call with us today and again, thank you very much for your efforts in chairing that committee and to Maxim as well, for serving as vice chair. Let's then formally communicate that as an action item to the Standing Committee for the record.

And with that before we move to Item 5, can I suggest that we just had a minor mistake in the consent agenda vote with a mix-up on the proxies. Nathalie, could you just confirm us on the necessary proxy and that way we can sign off the record on that as being complete? Thank you.

Nathalie Peregrine: Thank you very much, Heather. And my apologies for this of course. So regarding the consent agenda vote, instead of Philippe Fouquart, proxy for Tony Harris as both Tony Harris and Philippe Fouquart are present on the call, I would like to ask Martin Silva Valen, proxy for Arsene Tengali to please say, “Aye.”

Martin Silva Valen: Aye.

Nathalie Peregrine: Thank you very much. Heather, and this confirms there’s no objection, nor abstention on this motion, and it passes. Thank you very much.

Heather Forrest: Perfect. Thanks very much, Nathalie, for doing that. So the record is complete then. That takes us then to Item 5 which is an update on the IGO INGO Access to Curative Rights Protection Mechanisms PDP. This is a follow up update from the liaison to that PDP, Susan Kawaguchi, from the April meeting, so Susan, with that, over to you.
Susan Kawaguchi: Thank you very much. We are making progress with the – with this PDP. As you know there’ve been some issues, a 3.7 was filed. And both cochairs, Phil and Petter, allowed me as liaison to step in at your request, Heather, and talk to everyone and then we had a – everyone that wanted to talk – and then we had a call last week or week before, can’t remember, and talked through some of the issues there. Staff had provided the draft report for the PDP. There was some concern by the working group members that they wanted an opportunity to provide edits.

So we scheduled another call for Friday and we will talk about a very narrow amount of that report and start the consensus process on the recommendations. So you know, once we hit Friday and that meeting has completed, then we’ll be in the consensus process for two weeks and at that point we will see if we have any consensus, which, you know, is – since there has been so much contention that may be problematic. And I hope to deliver a report in time for the June meeting in Panama.

Any questions? And I’m still not on Adobe but I’m trying.

Heather Forrest: Susan, it’s Heather. Just to note, since you’re not on Adobe, I gave a very quick explanation in the chat as to what a 3.7 is and how you and I ended up involved just to provide a little bit of background on that.

Susan Kawaguchi: Great idea. Thank you.

Heather Forrest: So, Susan, you’ve got Donna with her hand up. Would you like me to manage the queue for you?

Susan Kawaguchi: Please, just until I get into Adobe here.

Heather Forrest: No worries, Susan. So Donna, over to you.
Donna Austin: Thanks, Heather. Donna Austin. And thanks to Susan for stepping in and taking on a very difficult task. I’m sorry. Excuse me. Understanding that this was a situation that didn't have a process around it and one has been developed along the way in large part for this effort, I think it might be really helpful to make sure that the process that we – that was used on this occasion was captured in some way or is captured in some way and perhaps it would make sense, Susan, to the extent that you have time at another, you know, at a future point in time, to reflect on the process and perhaps some improvements that could be made or some suggestions.

This may not be the last time we have this come up so I think the benefit of your experience is something that we should capture while it’s reasonably fresh and have it available in case that it, you know, we do have to face it or a future Council has to face this situation again. And thanks again for all the work that you've done on this, Susan, I know it wasn’t an easy task to step into.

Susan Kawaguchi: Thank you very much, Donna. Susan Kawaguchi for the record. And I appreciate the kind words. So it was, you know, Heather provided a tremendous amount of guidance as long also Mary Wong and Steve, with staff, and so I've had a lot of hand-holding which I appreciate because it was a little different situation. And but I will take that on, not this week, but maybe next to draft some notes. And then it would be good to give Heather and Mary’s input on that document too because, you know, it was all three of us really sitting down going what are we doing here, and what should we do.

So – and, you know, I think you’re right, we could have some more 3.7 and I do think when the Council has more time we should think about what this process really means because, you know, it is a obstructive to a PDP and we don't want it used in that way; we want it used – and I’m not saying that it was used in a negative way here, but basically once somebody files that that it’s a, you know, it’s turned out to be almost six months of the PDP not being able to do their work so.
And I don't...

Heather Forrest:  Susan...

((Crosstalk))

Susan Kawaguchi:  Oh, go ahead.

((Crosstalk))

Susan Kawaguchi:  I'm finally on Adobe.

Heather Forrest:  Well done, good. Good, excellent. You're fine then, I was just going to say you don't have any other hands up in the chat but you can of course see that. Susan, while I'm at it, can I add let's say I'm very happy as well, I think your suggestion, Donna's suggestion and your follow up is an excellent one. That 3.7 is really an interesting beast in a sense of what it asks of the GNSO Chair who for all intents and purposes everywhere else in our documents doesn’t have any sort of a decision making role and nor does 3.7 give the chair the authority to make any decisions, if you like, it’s really just a reference for the discussion; if the discussion is unsuccessful with the cochairs or the chairs of the PDP then the matter gets discussed with the chair.

And as Susan has said, I’m particularly thankful to Mary Wong, Steve Chan and Susan and Phil and Petter for having, you know, the, let’s say a team to have these discussions with and be involved. And there’s a very significant amount of time and energy that’s been put into this to make sure that we reflect on the procedures and what the responsibilities are. So I think some reflection here is a very good idea. And, Keith, I’m noting in the chat is saying, yes to after action report. So great. Susan, anything further from you? What should we expect maybe as next steps just a recap?
Susan Kawaguchi: We'll give the opportunity for the working group to weigh in on (unintelligible) scope of the work and start the consensus process with the hope to deliver the final report by the document deadline for the agenda for June meeting.

Heather Forrest: Perfect. Thanks very much, Susan. So we'll not that in anticipation for the June agenda, which is rapidly gaining items as we speak. Wonderful.

((Crosstalk))

Heather Forrest: Any final – any final comments, questions, on IGO INGO Curative Rights? No, all right. Excellent. Let's move then to Item 6, which is a review of the Customer Standing Committee charter, the CSC charter, that item is on the agenda for Rafik as the chair of the small group to give us a – or the leader of the small group to give us an update, so, Rafik, over to you.

Rafik Dammak: Okay, thanks, Heather. So yes for this agenda item, so there was – sorry – there is a public comment regarding revised charter for the Customer Standing Committee and so as you may recall there was call for candidates – not candidates, sorry, for volunteers in the mailing list asking any councilor who want to join the effort. And so we got a small team with Philippe, Donna and myself, and we went through the findings of the report and the amended charter.

And our conclusion – and is it possible to share – maybe it was with share – the draft comment and we are sorry that we didn't send it before the call. So our – I mean, our conclusion that we do believe that the GNSO Council should support the amendments in the charter. And we are making some small suggestion in the text to clarify and to avoid any confusion.

So for example, with regard to make it clear that the (unintelligible) representative should be appointed by the Registry Stakeholder Group and also the other two representatives by – to be appointed by the ccNSO. And
so some also another changes to clarify that it will be the ccNSO and GNSO Council to consider the overall composition of the proposed CSC as you may see the text in the page.

But in the overall, the amendments in the charter were really about clarifying, how to say, making amendments in the text in the way that to clarify the role of the ccNSO and GNSO Council with regard to the CSC. I don't think we have that much to say in term of the substance. And I think that we can really support what review team did as the work there in term to learn from the experience of the CSC and what they did in the last year and to try to reflect that on the charter.

I would like maybe to take opportunity since we have two of review team members who are on the call. I think if I'm not mistaken it was Keith and Donna from the – representing the gTLD registry operator. So maybe if they want to add anything here, and also asking if you want to make any comments with regard to our (unintelligible) comment that it will come from the GNSO Council.

Yes, Donna, please go ahead.

Donna Austin: Thanks, Rafik. Donna Austin. So just to state that I'm comfortable with the comments that have been drafted. And I think they will be helpful to the review team in finalizing the amended charter. And thanks to yourself and Philippe for taking the time to review the charter and making sure that if nothing else from a sanity check that it was in reasonable shape. Thank you.

Rafik Dammak: Thank you, Donna. Okay, okay, maybe if – I don't want to put anyone in the spot but, Philippe, do you want to add anything with regard to the draft comment? Okay, hearing nothing. And, Donna, I'm not sure is it an old or a new hand?

Donna Austin: It's a new hand, Rafik.
Rafik Dammak: Okay, yes please go ahead.

Donna Austin: I just want to respond to Ayden’s suggestion in the chat about whether the diversity should be expanded to include gender, age, among others so whether that definition should be broadened. One thing to keep in mind with the CSC and the selection process that it goes through is that there is a selection criteria and for the members the – which come from the Registry Stakeholder Group and the ccNSO, that selection criteria is applied by the two respective – the ccNSO and the Registry Stakeholder Group according to their own processes. And a similar process is followed for the liaisons.

The diversity comes back to the role for the CSC and the GNSO Council in reviewing the full composition of the CSC. That’s when probably the diversity that Ayden is suggesting comes into account, but I would – you know, I think it’s a little bit difficult to get into age and I really don’t know how we would get into that issue, I think that’s a tricky one. But I think in the first instance for the CSC in particular I think it’s helpful for the composition to be guided by the skill set and to some extent the diversity is – I hate to say secondary but it’s not the primary consideration, it’s really important that whoever is part of the CSC has the requisite skills and knowledge of the IANA function to be able to do the job.

And that’s why the CSC has been one of the reasons the CSC has been so successful to date because the selection criteria has resulted in the right people in the role. So I’d be hesitant to put too much emphasis on the diversity part and broadening it, the real issue is that you have the right skill set within the CSC itself. Thanks.

Rafik Dammak: Okay thanks, Donna, for the response. If I can add about the diversity, so yes, the subgroup – the Diversity Subgroup identified several elements and but it made those recommendation to the SO/AC, stakeholder group and constituency, all the groups within ICANN but it doesn’t – didn’t really focus
on this kind of case because at the end the SSC is related to the PTI and we didn't, I mean, we didn't really cover things like this outside ICANN or kind of structure even like NomCom and so on because there's difficulty in how you can ensure diversity. But I think the point is taken on that regard.

Okay, so I mean, if there is no – any other further comments or question, maybe something we can clarify here and – with regard to the process, we will send after the call the draft comment for the Council review. And just to remind everyone, that the deadline for this public comment is the 1st of June so we have roughly one week to get this I think approved and endorsed by the Council. And I believe we will follow the approach that there is non-objection within the Council list for this draft comment, so I think we will – that's how we will proceed. Just, I mean, here putting this as to confirm that we have the same understanding in the – with regard to the process.

Any comments, question? Okay, seeing none so I guess I – so back to you, Heather here, so I think we can move to the next item.

Heather Forrest: Thanks, Rafik and thanks, Donna, very much for your input there and Philippe, your input in the chat. We'll – I'll try and keep us a little bit on time here. We've got one more substantive item and I'm not sure if it's my line, (unintelligible) typing. So I apologize if it's a bad audio connection. Let me just check mute.

We've got one more substantive agenda item before we turn over to our 50 minutes of discussion. Let's see, I'm hoping we can get as much of 50 minutes as possible for our discussion on next steps in relation to temporary spec. Item 7 then is our discussion on short and long term options to adjust the timeline for ICANN-specific reviews.

Before I continue, Nathalie, I'm just going to check with you very quickly, the audio on my end is quite poor. I want to make sure that others aren't having the same trouble?
Nathalie Peregrine: This is Nathalie, Heather. I am on the AC audio and hearing you a little bit crackly.

Heather Forrest: Okay. All right in fact the crackling has just stopped on my end. It sounded like it was – it wasn’t necessarily on my end, I was hearing it too in other words, but it sounds like it’s stopped so that’s good. Ayden says, yes, okay, hopefully let’s see, I’m not sure – I don’t think it was my line but we’ll see how we go. Very worst case I’ll turn it over to Rafik and Donna.

Thanks very much, everyone, so let’s as I say, let’s turn our attention to Item 7, which is on timeline for reviews. To introduce this topic let’s say this, we have a public comment period that is open – opened on the 14th of May, closes on the 20th of July. On the 14th of May, the Org published some options papers that set out, let’s say, some proposed options for how we might deal in the short term and the long term with specific reviews, specific ICANN reviews. In relation to short term, the two specifically singled out were ATRT3 and RDS Whois 2, and there have been some comments on the list in relation to that.

The three proposed, if you like, options are, no change, limiting the scope of review to prior recommendations, or effectively a delay. Likewise essentially the same – the same three options in relation to RDS Whois 2 no change, limit to our recommendations and pause or delay or suspend. On the Council list we’ve had some discussion here and I notice Susan’s typing, Susan, noted in particularly that the options paper took the RDS Review Team by surprise, had some inaccuracies in it.

Susan, may I ask you noted that there was some follow up on those inaccuracies to happen, and you say here in the chat the RDS RT has been communication with Theresa and MSSi and the RDS RT may be removed from the comments. Susan, just to clarify what you mean by that, does that
mean that RDS RT might come out of the short term options or come out of all of the options or what does that mean?

Susan Kawaguchi: Yes, so this is Susan Kawaguchi for the record. We were very surprised at this; we didn't, you know, there was no consultation at all. Supposedly this all came out of discussions in Puerto Rico with the community. Some of the – some of the inaccuracies were surrounding the scope of work and also the budget. They sort of jumped to some grand conclusions that, you know, they'd save almost a half a million dollars if they shut down the RDS Review Team right now. You know, we've been at work for a year; we are working hard on our draft report right now. We have done a majority of our work. I'm – not saying it's 100% but we really think we will have a draft report out in July – by the end of July for public comment.

And so it just seemed – to put it mildly – I was a little dismayed that this would (unintelligible) down the community without any input from us, from the review team, to possibly either revamp our scope, which, you know, if anybody remembers the history on this, the GNSO was very vocal about that, with the scope should be; and/or they would just suspend us. So, you know, I particularly took this too heart, was not happy. And but the leadership team expressed that to Larissa of the MSSI team and then talked to the whole review team and everybody was of the mind that we should just finish our work because we're so far down the line.

Theresa came back recently and said, please put this all in writing. We asked to meet with her, she was traveling, she couldn't. So we are going to put our request in writing and deliver that to her to remove the RDS Review Team from this public comment and let us just finish our work.

((Crosstalk))

Susan Kawaguchi: And I agree with your comment, Heather.
Heather Forrest: Sorry, Susan. Thanks very much. Keith, your hand is up, let’s go to you, Keith, and then I want to make some suggestion and let’s try and claw back a few minutes of time and make some suggestions for next steps. So, Keith, over to you.

Keith Drazek: Yes, thank you, Heather. And I’ll try to be brief. Thank you, Susan. I agree with you completely. I think the inclusion of the RDS Review Team at this stage is a bit of a head scratcher, and I’m glad to hear that there’s been at least some conversation or recognition with staff – of MSSI – that this is, you know, something that probably should be pulled out of consideration.

But I just want to make a – just a general point is that a review team is supposed to be independent. It is one of the accountability mechanisms, you know, for ICANN under the new bylaws. And, you know, coming out of the IANA transition and the accountability reforms. We’ve had the experience with the SSR2 Review Team having been so-called paused, right, which has caused, you know, ongoing frustration and concern. Any suggestion that an ongoing review team be paused or suspended I think is something that we as the Council and as the GNSO community should be very, very concerned about and resistant to.

You know, I have no problem with us as a community looking at, you know, sort of future review teams and trying to find, you know, in Göran’s words, the right cadence or the right, you know, sort of balance, but to have an existing active review team suspended I think is something we don’t want to see happen frequently or maybe ever again. Thank you.

Heather Forrest: Thanks, Keith, very much. I think it’s apt to bring us back to SSR2 and I’ll try and make a post on the list, it’s on my agenda to update – to ask for an update and then to update in relation to where that is. Can I suggest this, so when we spoke about this at ICANN 61, specifically with the CEO, we were asked were we happy for the Org to put together some options on this. And I wonder if it’s a communications error on our part. We said, yes, we were
happy to wait for Org to put together a paper and I suppose missed opportunity, we didn't see it then to suggest, you know, maybe for obvious reasons we didn't suggest, you know, yes, put together an options paper but please consult relevant parties as you do so.

So let's consider that going forward. What I'd like to do is just focus us on some very specific things here. MSSI has offered a Q&A session if we want one, that would be an opportune time, at a minimum to give the feedback that we've just given. We could also use it to answer some questions. I see Rafik’s hand up, so Rafik, please.

Rafik Dammak: Okay, sorry, Heather, I won’t take so much. So I think we talked about the case of RDS and how things were done here. But also wanted to highlight that we – also covering the ATRT and it’s concerning that there will be the postponement of the ATRT the GNSO through the SSC already appointed members and it’s kind of surprising amount of question how we can ask people just to keep waiting to be available in the long time or date when they carry – they start working. So I think we have to be careful here and this is something maybe we need to factor in our response or comment from the Council.

Heather Forrest: Thanks, Rafik, very much. And I see there are other comments there in the chat in relation to a letter. So what I suggest we do is let’s follow up on the letter, let’s follow up on the Q&A session on the Council list. We also have the comment period that’s open, we need to make a decision about whether Council will file a comment. And again, that could be the vehicle for raising these concerns as opposed to a separate letter. Rather than spend our time on that, because we do have a little bit of time, the public comment period is open until the 20th of July, I would suggest our time would be better put to the immediate discussion that we have in our next agenda item, if everyone’s okay with that?
Just check, make sure we don't have any objections. I'm just trying to allocate us – prioritize our time. No, okay all right so still some substantive comments on that in the chat but I think we'll keep pushing on and thanks very much to Rafik and Keith and others who've made comments here.

So with that, let's turn to Item 8, which is our discussion that is a continuation of the webinar that was held on Tuesday on next steps in response to the Board’s approval of a – or adoption of a temporary specification in relation to changes to European data protection regulation. We had some excellent discussion there and I think the webinar – the format was particularly useful. I'm not sure let's say in terms of the format, there have been some very helpful feedback that's come in to me directly, to the leadership team, and more broadly in relation to the forma of it.

I think there was some misunderstanding as to whether or not it was a Council meeting, a formal Council meeting, and why it was only SG and C chairs, so I think plenty there to reflect on in terms of the format and how we do that better, let's say, try and channel input through from the SGs and Cs, but do so in an efficient manner. So definitely things to learn from there.

Can I suggest, Nathalie, would you help us – please or Terri – would you help us please by putting up that questions slide that we had used in the webinar on Tuesday? And that will help us to focus our discussions just to remind us of where we were. From my perspective I think the webinar was extremely useful in the sense that the 90 minutes that we had to discuss those things, A, provide the background, that took the first 30 minutes of our discussion, followed by an hour of discussion. We simply obviously wouldn’t have had time for that in the context of today's Council call, so in essence we’re ahead of where we might otherwise be had we not had that discussion.

These questions here were the ones that largely framed our discussions the other day. Do we initiate an EPDP at all? And there have been some follow up comments on the list in relation to that. What do we need to be looking for
in relation to EPDP leadership? How do we spend our efforts in the team composition and various models put forward as a proposal in the briefing document that was circulated prior to that webinar for how that might happen.

We discussed some of the inputs that have come in in relation to our PDP improvements initiative PDP 3.0. And working methods, a bit of discussion around face to face time and so forth. I think if I had to summarize probably the bulk of our time was spent talking about team composition the other day.

We set a marker down on Tuesday to come back for these things after having a chance to have some further input from SGs and Cs. We’re not here – you notice this isn’t on the agenda as a decision; this is on the agenda as a discussion item but you’ll recall that the deadlines that we were – the targets, if you like, that we were aiming for, that were raised or proposed in that webinar, were June – 14th of June being the first one and 27th of June being the sort of backup. And what that would be is if we were going down the path of an EPDP we would have to complete an initiation request. And that those two dates then would be potential dates, either a special Council meeting on the 14th or the Council’s regular meeting which falls in the face to face meeting in Panama City.

So that’s the timeline, that’s broadly speaking, next steps. Plenty to do. What we put markers down on in terms of clear things to come back to in today's discussion when we spoke about this in the webinar was let’s get better sense of whether we want to go down the path of the EPDP and then if that is the case then let’s think about what we do to bring the EPDP initiation request to life. We need a drafting team, and we need to figure out who should be on that drafting team, we also need a team to communicate with the Board to do a follow up call with the Board to get some better sense from them about scope and other things.

Their expectations, so that’s another small team, maybe the same small team, maybe a subset of a team. I think those are the things that we had
clearly marked as points to come back to for today. So with that, as an
introduction and these questions on the screen, may I first turn to Donna and
Rafik and just make sure – we’re all three down for this item, I don’t want to
discount anything that they might have to say here, so Donna, Rafik, anything
to add before we open it up to open discussion?

Donna Austin: Not from me, Heather, I think you’ve done a great intro and we should just,
given the time, push on I guess.

Heather Forrest: Great. All right thanks, Donna. Just check with Rafik?

Rafik Dammak: And nothing from me. I think you covered it all so.

Heather Forrest: Super. All right, let’s turn open the floor then. I see we’ve already got some
volunteers here. Let’s think now, and that’s great, we never want to have the
position where we don’t have volunteers. Let’s think about this, two
immediate next steps, one is speaking to the Board. That would be a follow
up call from the call that we had I believe it was the 11th of April, so that’s the
last time that we’ve spoken with the Board on this. And when I say “the
Board” too let’s be very, very clear, it was GNSO connected members of the
Board, the CEO and the Chair and the Vice Chair of the Board; it was not the
full Board.

So we have that call to happen. The information that’s gained on that call, the
discussion that happens on that call would get reported back to Council in the
same way that we reported on the first call. And then will feed into the
initiation request document. So does it make sense for everyone, thinking
very procedurally here, does it make sense for everyone that whoever is on
that small call, should also be on – or large call as it were – whatever it is –
would also then be on the drafting team? Let’s deal with that very precise
point. Are we dealing with the same team here?
So Ayden said in the chat, I think they should be the same participants. Donna, your hand is up, please.

Donna Austin: Yes, thanks, Heather. I think my answer to the question is yes, but I have a concern that we’re jumping into some assumptions here when we haven’t really had a conversation about how we want to go about this. So I understand there has to be a conversation – that we should have a conversation with the Board, but we probably do need to do some preparatory work to understand what we want to talk to the Board about.

Yes, there will probably be a drafting team but that be a charter or what’s the other mechanism? So I think it’s great that we’ve got volunteers, but I just think we might be jumping a little bit ahead of ourselves before we understand exactly how we’re going to manage this and move through the various steps.

Heather Forrest: Thanks, Donna, I appreciate that. And just for the record as I put in the chat, you’re absolutely right. At the end of the day the first question on the slide is the one that needs to be tackled first and foremost and I don’t mean to make light of that. I do think we’ll have a call with the Board regardless but that doesn’t – I didn’t mean to suggest a predetermined outcome. I think it’s entirely right to clarify that, Donna.

So let’s – and I think maybe Donna’s comment was exactly what I was worried about initially like, great to have volunteers but what are we volunteering for, which is maybe why I started on that talk in not quite the right way. So on the question of the EPDP, let’s back up. We had our 90 minutes the other day, there were some comments generally in support of the EPDP. There were some, if I, not to put an adjective on it, but kind of resigned comments of EPDP seems to be the only way to go. Would anyone like to follow up on those comments? And I note Keith saying the Registry
Stakeholder Group had a call earlier today. Keith, anything key that we want maybe to highlight from that Registry call that would be useful for us here in the purposes of this discussion?

Keith Drazek: Yes, thank you, Heather. This is Keith Drazek for the transcript. So as I typed into chat, but for those maybe not in Adobe, the Registry Stakeholder Group had our biweekly call earlier today and of course we’re all, you know, still in the process of reviewing and assessing the temporary specification that was issued by ICANN last Friday. And so this is a bit of a moving target and is has a lot of moving parts. So I think it’s just fair to say that, you know, we’re all still, as contracted parties, I’m guessing it’s the same for the Registrars as well, still grappling with this temporary specification that the ICANN Board has approved.

And so I think as we look ahead to the initiation of a policy development process, whether it’s an EPDP, an expedited PDP or regular PDP, or maybe even multiple PDPs, we’re still going through the process of assessing, you know, sort of the –I guess the implications of the temporary specification. And frankly, as I typed into chat, there are things that we have seen in this temporary specification that are, you know, in the context of the picket fence in our contracts, not eligible for a PDP.

So I think what – one of our first steps as registries and registrars is to go through the process of analyzing very carefully the temporary specification and essentially slicing and dicing it to the point where we can identify what is eligible for a PDP and what falls outside of that in terms of scope. And I think that’s going to be very, very important for any charter drafting team you know, as we take on, you know, trying to narrowly focus an EPDP or whatever it is, on something that can produce results.

So I just want to put that out there and let folks know that the Registry Stakeholder Group, and I’m guessing the Registrars as well, are working on this with the goal of trying to identify you know, what the parameters might be
for a PDP, in other words, you know, and again I think there are some discussions and questions that we’ve had about, you know, is the PDP only focused on, you know, sort of essentially a binary choice of certifying that the temporary specification is okay to become consensus policy or not? Right?

And I think there's a sense among at least some, and I can't speak for everybody, but there’s a sense among some in the Registries that we shouldn’t be focused only on that binary choice, that there, you know, there should be an opportunity for the PDP to improve or replace or to fix anything that might be wrong or any gaps that might exist as it relates to the temporary specification.

So I think you know, I guess what I’m trying to say is that we’re trying to take a cautious approach here and to make sure that we are you know, not trying to boil the ocean and that we are appropriately focused on what should be within a PDP and to make sure that we’re not missing an opportunity to make improvements to the temporary specification rather than just at the end of 12 months saying, no, it’s not acceptable and then that puts us back at square one. Thank you.

Heather Forrest: Thanks, Keith, that's very, very helpful. And I note Pam’s comment in the chat, Michele has agreed with Keith and Pam and that’s useful in that it offers us some perspective from the Registrars. Pam says the Registrar Stakeholder Group hasn’t had a chance to discuss the temporary spec until our next meeting which is one week away from today so we need some more time. I think that’s certainly the case for all of us. The one thing that we have to bear in mind is that the 365-day clock is running and that means we can take time.

You know, I advocated a number of times in the context of the IANA transition, let’s not move too quickly just for the sake of a deadline, but I think we need to be mindful of the deadline. With that, Michele.
Michele Neylon: Thanks, Heather. Michele for the record. I mean, I think another thing that people need to bear in mind is that contracted parties and, well, businesses in general, are very much focused at the moment on finalizing changes to their policies and processes and documentation in order to ensure that their GDPR compliance is as well prepared as it can be. The temporary specification that ICANN released about one week ago, came too late for many of us. We had already started making changes for our policies and processes.

So the emphasis for many of us has been on implementing what we had already planned to implement and then I some of us are probably looking at the differences between what ICANN is expecting us to do and what we have put in place. Having further more detailed conversations such as the ones that Keith and others have mentioned, is definitely something that we want to – want to happen but I’d agree with you, Heather, we have to do this properly. Yes, there is a deadline, but we don’t want to end up in a situation where because the deadline forced us to rush, that we end up in a situation of failure.

Heather Forrest: Thanks, Michele. I couldn’t agree with you more wholeheartedly there on not rushing just to rush. And Donna says, the Registry Stakeholder Group also discussed the need to be mindful of the timeframe but not rush unnecessarily because of the timeframe. It sounds to me like we’re, you know, generally speaking those that have considered this are on the same page which is an excellent starting point. To the extent that we can get ourselves on the same page I think that’s very helpful.

One of the things that I made a note of from our discussion earlier this week in the webinar in the Q&A was the challenge that we face to the point that we’re raising now, about changes. So we know that the temporary specification as it has been published is not complete. And that raises certain questions for us in relation to what happens when changes are made to that document. It’s a separate but very much related point that Keith makes in the
chat which is there are few things in there that are crucial and others that really aren’t. So on the one hand there are things in there that have to be dressed and perhaps others that don't, on the other hand there are things that are not in there at all, crucial or otherwise.

That makes the task for us fairly difficult in terms of how we address that, that changing beast, and how we specifically reflect that in whatever, if we are tackling this through an EPDP, how we deal with that flexibility, if you like, how that impacts our work, how much can we build into the charter right from the start and how much let’s say, can we, you know, respond to the change up front, how much of that is possible.

So a number of us posting in the chat, the temporary specification has some serious issues. Stephanie is raising the question about the picket fence. So – and linking that to contracted parties. So a question for the contracted parties, just for all of our reference, are you folks looking at evaluating the temporary spec from the point of view of what’s in the picket fence and what’s outside of the picket fence? Is that something that we need Org to do? How should we be approaching picket fence questions? This is something that we, you know, took on board in our strategic planning in January about what picket fence means and how that’s dealt with, so I think here’s an appropriate time to lean on that knowledge.

Donna, thank you.

**Donna Austin:** Yes, thanks Heather. Donna Austin. I think Keith alluded to this but I think the Registry Stakeholder Group has agreed that they will get a small group together just to go through the temporary specification specifically to look at what’s within and what’s outside of the picket fence. What happens after that I don’t think we agreed but it could be that it’s a letter to the Board, but because that would seem the appropriate way to deal with it given the specification came from the Board.
But I think that’s still a little bit open ended. But it certainly is an immediate action item for the Registry Stakeholder Group at least to go through that and it might be something that we do in consultation with the Registrar Stakeholder Group.

Heather Forrest: Thanks, Donna. And as you say, Keith alluded to that as well. I think that’s super helpful and thanks to both of you for your comments there. You know, having taken that picket fence concept seriously as we need to, I think that’s something that we need to not lose sight of, so good to hear that that work is underway and can inform what we do here.

Folks, it’s clear to me – so just as a time check, it’s 20 minutes left in our meeting, it’s very, very clear to me, and of course it wasn’t the intention anyway, we’re not here to make decisions today. I think it’s a difficult time and time zone for a number of our members in the Americas and Europe so that may also be taking some of the discussion out of the – the wind out of sails perhaps. I’m mindful of that.

Usefully I think here’s what we can do. Do we want to think about, given this possible timeline, the next time that the GNSO Council meets is on the 27th of June in Panama City. We have, let’s say, a bit, you know, more than, well what is it, 4.5 weeks between now and then, we will all get on planes in advance of that meeting so that eats into some of that time. I wonder if there is interest in or logic in putting down an extraordinary Council meeting I think the 14th was suggested to try and avoid tie ups with travel hassles and so on, the 14th is three weeks from today. Do we want to schedule an extraordinary meeting with the understanding that it could be canceled? If we want to do that we probably want to do is sooner rather than later. Michele, please.

Michele Neylon: Thanks, Heather. I think we need to – we need to move forward on addressing a number of these items. We need to have that conversation, engagement, what will with the ICANN Board in order to get some idea
around the scope. I’m sure Keith will be able to speak a bit more to the concerns from the Contracted Party House around the picket fence.

In terms of an extraordinary meeting, I note that Ayden and possibly others would not be able to attend the call specifically on the 14th, so if we were to look at it more in terms of around the 14th, in other words, identify a day and time that would be suitable but I think it makes sense that we treat this and prioritize this; we can’t just leave it until the 27th of June because that means it’s already 32 days into that timeline, which is a problem. Thanks.

Heather Forrest: Yes thanks, Michele. Good point. And spot on with your math there, thank you. Keith, to you please.

Keith Drazek: Okay. Thanks, Heather. And, yes, so I typed in the chat but I think we need to have both our conversation with the Board and a special meeting prior to Panama. I don’t know at this stage whether it makes sense to have another special meeting and then a conversation with the Board or Board members, you know, if it were a subset that would be okay I guess, you know, or vice versa. I guess we have some homework to do as it relates to, you know, these questions as I described the work that the Registry Stakeholder Group is doing around questions of picket fence or not, you know, really doing a sort of detailed an diligent assessment of the temporary specification.

So I think we should definitely have a conversation with the Board and a special meeting in whatever order we all decide prior to Panama. I think this just needs to be a priority and I think we need to make sure we’re in, you know, regular communication as we head into the charter drafting effort. Thanks.


Susan Kawaguchi: So I just want to turn the conversation a little bit, I just want to make almost a plea to you know, the perception of the document we discussed on
Monday was that, you know, this was only a GNSO issue and that all other communities would be left out. We’ve tried so hard to get the GAC involved in our PDPs and when we haven’t – when they have not participated it is – it has caused problems. So I just want to sort of make a plea and urge everyone to make sure that when we do develop whatever this is, to look at all of the temporary spec is that we’re inclusive of all the other communities outside of the GNSO.

Heather Forrest: Thanks, Susan, that’s a very helpful reminder. Rafik.

Rafik Dammak: Okay thanks, Heather. Just I want to comment here that I support the idea of a special meeting. We have some procedure here that there is a notice before – 14 days so we need to get kind of consensus now. And then we can at least even like it will be a placeholder if we don’t need it maybe we can cancel it but we have to ensure that we have that opportunity to meet in June is going to be a busy weeks until Panama. So we have also we will need to have as soon as possible the meeting with the Board so we can clarify and get input from them. So that’s it.

Heather Forrest: Thanks, Rafik. Good points following up on Susan there. Michele.

Michele Neylon: Thanks. Michele again for the record. Yes, I think the fixation with the, quote unquote, GAC, is misplaced. I mean, if we’re going to be talking about the temporary specification, which is specifically related to GDPR, it’s not the GAC that we want; it’s DPAs. I mean, let’s call a spade a spade. Engaging with the GAC I don’t – is not going to work particularly well. They don’t engage well on these things because they don’t have the time or the bandwidth.

They will have opportunities to engage with whatever policy development process is initiated but, I mean, traditionally we’ve seen issues where the people speaking on behalf of governments are not representing the full view of governments and that you’re getting particular slant, which I don’t think is
particularly helpful and is often completely out of sync with what the DPAs, who are the ones who are enforcing GDPR would view. Thanks.

Heather Forrest: Thanks, Michele. Keith.

Keith Drazek: Thanks, Heather. Just a point that was also discussed during the Registry Stakeholder Group call earlier today is that a recognition among registries that, you know, whether other parts of the community, you know, whether we talk about the GAC or other ACs are involved or included, I don't think there's any opposition to that but there was a strong feeling that we don't move this to a CCWG discussion or structure because ultimately it needs to follow GNSO PDP Operating Procedures because ultimately what comes out of this process could have impacts on our contracts.

So I think just to put a marker down that, you know, however others are engaged, this has to remain a GNSO PDP and if we invite others similar to the Work Track 5, and I understand that there are challenges there, but similar to Work Track 5 and the Subsequent Procedures PDP, that at least that's still a GNSO process and procedure in a PDP and that's important to contracted parties. Thanks.

Heather Forrest: Thanks, Keith. Just to note quickly before I turn to Rafik, so last night a webinar was held for the GAC. Remember, we have a number of new GAC members serving now. And a webinar was held that was essentially an introduction to the PDP – to the GNSO and the GNSO PDP. Who we are as Council, how Council is not, let's say, the same as the GNSO as a whole, how we get the Council, we were asked a number of questions around geographic diversity, around gender diversity, around how the GAC could look up that information.

And then we turned to a specific example, case study, if you like, of the Subsequent Procedures PDP and Jeff Neuman very capably led an introduction to that PDP and how it's worked and how it's taking on board
Rafik Dammak: Thanks, Heather, no problem. So I want to recall what was discussed in the chat. I mean, it’s a PDP and we are taking here ownership of this issue and so we are going to follow our process. So I think we are not excluding other groups and I recall the option we suggested there will be some representation from the AC including the GAC, so I’m – I wanted really to emphasize that it’s a process that we are supposed to manage to steer and direct and that’s why we are discussing here today about all these issues. So it’s not – I don’t really believe it’s just some sort of PDP; it is a PDP and so we have to follow our process.

And so we are discussing here how we can get the right thing, size and composition because we discussed in PDP 3.0 about all the issues that come maybe with big group and how it’s difficult. And we have here a time constraint and we need to deliver and there are so many unclear part that we have to clear out. So we need to be careful and that’s why we are trying to figure out the right size, the right composition and also ensure that we are not excluding other groups and that’s not the message that we are, I think, sending so.
Heather Forrest: Thanks, Rafik. Let’s cut the queue there. We’re just thinking a little bit with the AC room, because we have so many comments in chat we’re just making the chat room a little bit bigger so apologies if your screen is shifting around. So what I would like to suggest is this, we have nine minutes left on our call, I’d like to leave five minutes or so for any other business. I think we had scheduled 10 minutes but I’ll try and eat into that a tiny bit.

Let’s do this, so I know there were comments earlier that Registry and Registrar haven’t specifically discussed the temporary specification and Pam helpfully note that the Registrars are meeting next week, I think she said exactly a week from today. I think the question in my mind is, do we meet with the Board before or after we’ve met as SGs and Cs? Donna has raised the question in the chat, and I think it’s a very valid one, when we meet with the Board we want to know what we’re meeting with them about. And I’m not sure that we’re at that point from this discussion that we’ve had today.

I wonder if it would be helpful maybe next Friday all of us come together and do a bit of a round the houses – by together I don’t mean Council meeting, but I think should we have some sort of vehicle where we report back in by next Friday, here’s where our SGs and Cs are and get a better sense of what we might be talking to the Board about, and then at the same time so that we’re not losing time, we could schedule that call with the Board, we could go ahead and do the scheduling for it, to get that onto the calendar, let’s say, for soon after next Friday.

Does that – so Keith has said that that’s a good plan. Darcy said that’s a good plan. I’ve seen a few things about let’s meet with SGs and Cs first. Does that sound sensible? Great. Lots of comments there on agreeing on that process. Let’s go ahead, then, and please report, let’s use a method that we have, please report in on the Council list. Doesn’t have to be, you know, you can have a nominated person from your SG or C if, you know, we all have multiple appointees to the Council from a single SG or C, so someone
report back. Let's try and keep track, staff, I might ask for your help with that, would just run a bit of a table maybe.

In fact, maybe I’ll suggest, apologies, I’m thinking on the fly, maybe I’ll suggest that we put – create a Google Doc, we’ll have a simple Google Doc where folks can report in from their SG and C and say here’s what we think we ought to be talking to the Board about, let’s come up with some thinking about what that Google Doc looks like. But that will – we’ll try and input into that by next Friday. So tasks for all of us, let’s, yes, and I agree with Donna, let’s focus on principles as opposed to specific substance, yes, and specific details.

At the moment, I think we’re not yet at specific details. So let’s try and put our heads together with our SGs and Cs, what is it that we want to be talking to the Board about? And we’ll record that next Friday, we’ll do a bit of around the houses, see where we are and in the meantime, if everyone agrees, I’ll ask for staff’s help in scheduling a call with the Board. We will have to say at this point we don't know how many people will be on that call but that's also for us to deal with next week is let's figure out, you know, firm up the volunteers and who would like to be on that call.

It might be, in the interest of the number of people who have expressed interest on this call, it might be sensible that we go ahead and say it’s Council with the Board and if those who aren't keen to attend or unable to attend, that's fine. But that might handle the fact that we've had lots of volunteers. So that's what I propose as a way forward. Does that sound comfortable for all? Multiple attendees are typing. Yes. Hooray. All right all kinds of yeses. Fantastic, folks. Thanks very much. This is difficult work and we're under a deadline. Rafik, I got a plus 1000, I don't remember that.

Difficult stuff and difficult times ahead but I really feel fabulous that we all seem to be sort of conceptually and if you like, from an ethos perspective on the same page and that's going to make the work ahead of us so much
easier. In the meantime if you have any questions, any concerns, any comments, by all means, you know, on the Council list if you want to reach out to Council leadership, if you have any questions on anything that I've suggested today, misunderstood, you know, you need only ask. With that, to be continued on that item.

Let’s turn back to the agenda and to any other business and sweep up our last two items. So if I could ask if we take the AC pod, the main window back to our agenda, there we go. Good stuff.

So Item 9.1 is an update on scheduling for ICANN 62. And it might actually be helpful to look at where we are currently on the draft GNSO schedule. So staff very helpfully following the last production call and discussions on firming up the cross community topics, made some refinements to the draft schedule, which you see here. It looks very little and so you might need to blow it up in your screen but I’ll ask Nathalie and team could we circulate this please after the call so that we can – we can all look at this with more time and more care and better eyeballs. So tiny.

So here we are. What you see is a broadly complete document that we’re proposing to the GNSO. As I say, staff has worked very, very hard on this, showed it to leadership, to if you like, look for obvious conflicts, yes, Michele my glasses aren’t that good either, never mind my eyes. Look for obvious conflicts. We each of us, Donna, Rafik and I looked over this very, very carefully, did the best we could. It’s impossible to avoid all conflicts. I’ll ask that you all do that as well and Nathalie has posted to the link of where to find it.

This is where we are, we’ll communicate this to the SG and C chairs as well. We’re in a very good position given that we’re only a few weeks out from Panama. So if I can suggest we all take this away, bring it back to your SGs and Cs, give it a very careful look over and let us know if you see anything glaring. Any immediate questions on this one, other than the comments about
how tiny this is, and I just feel good that I’m not the only one who’s blind. No, silence, all you folks in other time zones are so ready to go to bed and I understand that.

Last item on the agenda, 9.2, update on FY’19 operating plan and budget. So alluded to this in the projects or in the action items list rather, and thank Ayden very much for his able chairing of this group. And the staff support provided by Berry. Ayden, anything specifically – so I alerted everyone, I told everyone to go look, do a control F in their inbox and go back and look for emails from you. Anything specifically we want to point out here while we have this on the agenda?

Ayden Férdeline: Thanks, Heather. Hi, everyone. This is Ayden. I’ll just keep it very brief, so as you might remember back in March, the Council submitted some structured feedback on the proposed budget. And late last month we received a response from ICANN Org to the feedback that we submitted. The responses are in your inbox and I’d encourage you to take a read and to – and just perhaps reflect on whether you think the responses are good match with the intended (unintelligible) behind our initial comments.

But that aside, earlier this week on Monday the final proposed FY’19 operating plan and budget were published and submitted to the community. And it will go before the ICANN Board next week on May 30. In terms of the changes that have been made to the final budget that could have an impact on the Council, we did receive notification within the second document that was published that funding has been made available for the Council to have a strategic planning session again in FY’19. However this would be a two-day event rather than a three-day event as we had this year.

There has also been not all of our – some of the other comments – changes that were made to the budget may not impact the Council so much but may have impact the different stakeholder groups and constituencies within the GNSO, for instance, CROP has been partially restored but only by $50,000
and not to the entire extent that it was. The fellowship program has grown in size by 15 seats. Budget has been allocated for GDPR compliance activities, which was not the case previously. And there’s been some other minor shuffling of resources.

So I would encourage everyone to take a look through the final proposed budget and to – and to see what the impacts may be for your individual stakeholder group or constituency. But in terms of the implications for the Council, I don’t think there is any action really required to the Council to take at this stage. And as Pam has noted in the chat, later today at 1400 UTC we do have a webinar by the Finance department, that will brief us on the changes that have been made.

Might leave my comments there, but if there are any questions then I’m happy to take them. Thanks.

Heather Forrest: Thanks, Ayden. In view of the time, we’re two minutes over, what I’ll suggest is if you – if you reflect on Ayden’s update here and go back and again and reread those emails from him in your inbox, let’s raise any questions on the list and try – I know it’s very, very hard in the present context, to give that due consideration given the timing there. And Berry’s typing a comment in the chat on this point as well I suspect.

With that, I’d like to wind us up if I may, and say, you know, clear things coming out of our discussion that we had just prior to turning to AOB, just for absolute clarity so we’re all on board, what I suggest that we do is we’re all going away to our SGs and Cs to talk about some of these next steps, discussions, specifically with a view of what we should be talking to the Board about. We’ll work out a way to capture that in writing whether it’s the Council list or a Google Doc or something. I’d also suggest we run a Doodle poll on the potential scheduling of an extraordinary Council meeting to the extent that we need one. So those are two things to action immediately, let’s say,
leadership always goes and reviews the action items soon after a meeting but I think we can get going right away.

With that, any final questions, comments, concerns? No? I thank you for the extra four minutes of your time. I thank you again for your time zone willingness. That concludes our meeting of May of the GNSO Council. Thank you very much to everyone and we’ll soon be seeing each other face to face in Panama City so this will be the best opportunity to thank you verbally for your travels, safe travels to everyone, and we’ll see you there. Thanks very much.

Susan Kawaguchi: Thanks, all.

Ayden Férdeline: Thanks, Heather.


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