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RrSG Membership Meeting Session 2
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Graeme Bunton: Ladies and gentlemen, welcome back to our RSG Constituency Day. This is going to be from about now until about 4:45.

And we admittedly covered the heavy bit of our agenda earlier this afternoon with the EPDP bit. I appreciate everybody's patience as we went through that because I understand it is dense. But it is pretty important, so we felt it really worthwhile making sure everybody is as up to speed as we can possibly get them in there.

So we're going to do a bit with Jeff Neuman on Sub Pro. We've already talked about the charter incorporations, went through that. We'll get a Compliance update from Greg DiBiase. We'll talk a little bit about the SG in general, what we want. And then we'll have some room for AOB and we have a couple topics in there. And we'll see how far that takes us through the afternoon.

So I think with that, I'll pass it over to Jeff, if you can give us an update on where Sub Pro is at. And if you don't mind, because we do have quite a few newcomers in the room, give us a bit of macro level what Sub Pro is all about. And then we can go into that issue. Thanks.

Jeff Neuman: Sure. My name is Jeff Neuman. I am one of the overall Co-chairs - well, in addition to being a member of the Registrar Stakeholder Group with cum laude. I am Co-chair of the - it's called the Subsequent Procedures Policy

Development Process on the introduction of new - of additional new GTLDs.
We call it Sub Pro for short.

And really what that is is a policy process on reviewing the 2012 new GTLD round and reviewing the original policy principles behind that round and then seeing what changes, if any, need to be made in order to further the GNSO's policy of having additional introductions of new GTLDs.

So we were launched in 2016, early 2016, and have been working diligently through I think they said - it's somewhere over 40 different issues. And we produced an initial report on all of those issues in July and that comment period ended in - at the end of September.

The registrars submitted a comment, a pretty comprehensive comment, along with almost every other constituency and stakeholder group, including the GAC submitted a comment. The ICANN board submitted a comment and GDD staff submitted a comment, which is - it's over 20 pages, pretty detailed.

So we're analyzing those comments at this point. We are dividing up into three subgroups to analyze those comments and ultimately to produce a final report.

We are also releasing next week, so (Zoe) and everybody else, get ready for another comment period. It's a supplemental initial report. There were several issues that we found were not contained within the initial report that needed some additional work.

One of those involves what's called the mechanism of last resort, which was the ICANN auction essentially. So if there was a contention set, more than one applicant for the same string, they all passed evaluation, they all got through the objection process, at the end of the day if they were unable to negotiate some sort of private arrangement then those went to an auction.

ICANN has made several hundred million dollars in auctions with the largest one being for .web, which was a hundred -- and somebody can correct me -- over \$130 billion.

So that fund is now being considered by another group. We're not making any recommendations on that money but we are reviewing the ICANN auction and providing potential alternatives to having an auction, including whether we should have some sort of - well, some people call it a beauty contest or some sort of criteria to evaluate applications if they're in a contention set.

There's also a potential proposal for a random draw. So if you have two or three applicants left and they all pass evaluation, just pick one out in random. And there's a couple of other options that are in there as well - or different types of options.

The second topic is on - so I said before, if you - if multiple applications got through the entire process but were unable to privately negotiate some sort of arrangement, that's when it would go to an ICANN auction. Well, the second part deals with the private arrangement or trying to reach a private arrangement, which a number of applicants did an auction, a private auction where the losers of the auction split the winning proceeds.

And so there's a discussion as to whether - since there were a number of NVs that made a significant amount of money this time around, or in 2012, there are concerns expressed within the community that to allow that to go forward again may lead some to apply for new top level domains without really any intent on winning it but just to hope to get to an auction and making some money off of doing that.

And that has concerned a number of members of the community, including the ICANN board, who have expressed concerns about wanting applicants to gain - to have a financial gain from losing a contention set. There's a whole

bunch of issues around that. I don't mean to get into the substance of that but that's what is addressed in the supplemental report.

There are three other topics that are not as exciting but they are important. And so that will be coming next week. The comment period will go until somewhere around mid-December. So that's probably something that we need to get a group or the same group up, talking about those issues so we can comment on that.

Ultimately, the goal then is to produce a final report and deliver that to the council by the end of Q2 next year so 2019. If that all goes to plan, and then they forward that report - they - sorry, the GNSO Council approves that report, we'll then forward that report to the board.

And then the board would have to have a comment period. And if it approves that policy, would then start - if we're to use the policy... Or, sorry, if we were to use what happened the last time, at that point the board would start implementation.

One of the requests that the other Co-chair Cheryl Langdon-Orr and made to the GNSO Council was to try to do things a little bit more efficiently, which is to try and start some of the implementation process at the point in which the GNSO Council approves the report and sends it to the board. The board could take a period of anywhere between four to six months or longer just approving that report.

And rather than having nothing done during that time period, that could be valuable time to start thinking about implementation of some of these recommendations.

Even if all this were to come to fruition and even if everything were to move according to plan, it would still likely take at least a year to do a full

implementation plan, which would then move a launch of new - the next round of new GTLDs towards the end of 2020 or early 2021.

That may sound far away but a lot needs to happen in order to actually reach those dates. And there are - not everybody in this community, and there may be some in this room, not everybody's in favor of having new TLDs.

And so there's a lot of things that if you do want new TLDs, you should certainly participate in this process. Now we're getting toward the end, you should certainly make sure that your voice is heard because we hear the same voices over and over again on these calls that we have every week or two weeks. And not all of them are so excited about new TLDs.

And there were a number of comments that were made at the public forum yesterday that were pretty much scolding the board for not launching the next round and moving too slowly and how could they be, you know, not doing this. And the board basically said, look, go back to the GNSO and once we get their report, then the board can implement it.

So I'm here to basically say, you know, we're trying to move forward. We're on the same path that we've been for about a year and a half in terms of the milestones and the dates, so we're making our timelines. But as we get closer to the end, you can bet on a number of people that want to just go over the same issue over and over again. And so as a Chair, it's going to be my job to try and get us towards that endpoint.

And there you go. I'm here for questions so please.

Graeme Bunton: I've got (Vlad).

(Vlad): Thanks for that Jeff, very much appreciate it. Can you give us any info about the Work Track 5 work that's currently happening because I know that they're

still doing their thing. They had a meeting Saturday morning or something like that. And then their PP still met after that.

Jeff Neuman: Yes, thank you. I skipped that and that's pretty important. So Work Track 5 is a group that's working on the use of geographic names at the top level. So that includes everything from country names - or I should say, everything from two characters to country names to three characters, all the way up to cities and even potentially mountains, rivers, lakes, you name it, anything that could be considered geographic.

This group is run a little bit differently than the others in that the co-leads of this particular track who all report into the overall group. There's four co-leads, one from the GAC, one from the GNSO, one from the CCNSO and one from the ALAC. And they - as you can imagine, there's a very wide range of views in that group. And things seem like they're a little bit stalled.

But we will have a preliminary report that comes out towards the middle to end of November. The comment period will probably end sometime in early mid-January. And after that point, the hope is that they'll be on the same path as the rest of us.

Now, one thing I should say is that for areas -- this includes whether it's Work Track 5 or any of the other topics -- if we cannot get a consensus on a change from the way it was implemented in 2012 then the default is likely going to be what happened in 2012, whether we like it or not.

So it's a little bit difficult because some people like that default and so there's - it's hard to get them to have incentive to want to compromise if they think that they're going to gain something by just holding - you know, holding their position because they're happy in the end if they end up with the default.

So this has been one of the challenges of the group, is to try and get people to meet others halfway or at least partial way because they kind of know in

the back of their mind and they may be satisfied in the back of their mind with the status quo.

Graeme Bunton: Thanks, Jeff. (Volker)?

(Volker): Yes, I'm just historically looking at the - back at this when we started this back in the day. This Sub Pro team was a - I think it was the first information working group. The intention was to ensure that the next round would not take another ten years. And this plan seems to have spectacularly backfired. Can you give us just some indication of how a plan that was intended to speed up a process now ultimately functions to delay it?

Jeff Neuman: Yes. So (Volker), thank you. This is Jeff. I could start with you. You were on the council and it took until 2014 to launch a discussion group. So we could start it with that. I'm just kidding. I love you, (Volker).

So the discussion group that the council started rather than just starting the PDP was in 2014. It kind of was - I took over leadership of that group and brought it to a close in three months, so it took a year. I joined it, we closed it in about three months from that. And then the GNSO Council didn't really get its act together to launch a PDP until 2016. So we lost kind of four years on that. So there is that.

Since then, it's been - you're right, it's been a lengthy process but the timelines since mid-2016 have been - we've adhered to all those timelines. We knew it would take a long time to do that evaluation. And we're still on our track.

There is another PDP on the Rights Protection Mechanisms that we're - well, part one of that - or phase one of that deals with the new TLD rights protection mechanisms. They currently are planning to release their - sorry, their initial report in the end of Q1 next year in 2019. They have presented to

the council that they would do their final report and finish that by the end of Q2, which leaves 90 days for them. I think that's overly ambitious.

There's a strong likelihood that the Rights Protection Mechanisms PDP may take a little bit longer, so we also have to convince council that they should start the implementation process of the rest of it before the RMPs, rights protection mechanisms, because it's fine to have those later on anyway. They won't really impact the rest of the implementation. I hope that answers your question, (Volker).

Graeme Bunton: Anybody else on this? You know, I... Oh, (Michele). Yes, go ahead, (Michele).

(Michele): Thanks. (Michele) for records and what have you. I suppose the concern I have with moving forward towards implementation of anything if there are any changes is what are the - is around the budgetary implications of that and I mean, and on a practical side as well. After the last round of new TLDs - well during the last round of new TLDs, ICANN hired a very large number of staff to carry out various functions. Some of those were on contract, some of it was outsourced and some people were actually working full-time.

And will - you know, is that going to have an impact? If they start working on implementing something now, are they going to have to go off and hire more people while we've also seen at the same time a lot of conversations around how can ICANN reduce their overall spend and stop expanding their head count? Has that been something that's been factored into any of this, Jeff?

Jeff Neuman: So I'll answer that in a couple different ways. ICANN staff - the issue - the budgetary issue was brought to their attention probably about a year ago or maybe two ICANN meetings ago, when they didn't include it in the first draft of the - this year's budget - or this - yes, this year's budget. And they then decided that - they added some sort of provisos in there. To make a long

story short, they do have some people that are already looking into it so that's not any kind of additional head count there.

At some point, you're right, they're going to have to start spending capital money or money to purchase a new application system because they designed a horrible, custom made system that they had to throw away after they used it. And they're going to have to start that kind of spend.

When I'm talking about starting implementation though, it's - we - as part of a business or operations, running operations, we consider implementation a little bit different. When I talk about ICANN implementation, it's more let's get all of the details that the policies have left out on paper as more planning so that ultimately they can start spending. So it's putting meat around the policy recommendations so it's something implementable. And then ICANN would start spending money.

So by the time that they actually do have to start spending money, you know, I'm sure that the board will have already approved it or will know what's changed. And if there are elements that are still in flux, then obviously those are the areas that won't be implemented.

But those that we do think are going to go forward, like having to have an application system, that is - you know, is able to be customized to a certain number of questions and certain style answers and having an outsourced evaluation of provider on hand. Those things are going to be known and they're not really going to be dependent on much of the process even if maybe some of the questions that applicants are asked are changed.

So I do think there's going to be enough to go on that is pretty certain, especially because the board has been following the PDP, has been commenting on areas where they see difficulty as well as the staff. So this PDP has been a really good amalgamation of getting inputs from staff, the board, the community unlike a lot of other PDPs at this stage. So that has

derisked - or has taken away the risk, mitigated the risk, of unnecessary spending.

Graeme Bunton: Thanks, Jeff. It occurs to me that there's a piece here that has some room for audience participation and helps the Ex Comm get a sense of what membership wants, which is I don't have a lot of input on whether people are interested in another round of GTLDs.

So I'd kind of just love to get a show of hands if that is something you are - let's go with something more than bland about it, like you're strongly interested in another round of new GTLDs. Can I get a show of hands?

Okay. So that's a - that feels like a majority to me but it wasn't like a supermajority which is kind of interesting. There are some people who feel less than strong about it. That's good to know. Thank you.

Is there anything else for Jeff on that piece, Sub Pro? Okay. Thank you, Jeff. Appreciate you taking the time to do that.

Next up in Greg DiBiase with an update from Compliance.

Greg DiBiase: Okay. This is Greg DiBiase. I'm Co-chair of the Compliance subgroup with (Christian). A little background, if you haven't heard of this group before. We formed it about a year ago to basically consolidate concerns with compliance from the group and kind of speak with one voice.

In the past, we've had trouble getting answers out of Compliance or we've all been running up these issues with Compliance individually. So we thought it made sense to try to consolidate our efforts, put together agendas for Compliance with specific questions that Compliance answers at every meeting and ideally in between meetings as issues arise.

This was pretty successful for about six months. We brought agendas to Compliance and they answered some of our questions specifically. But we ran into the same issue of after GDPR came into effect, under what legal basis is Compliance asking for personal data. And they didn't provide a good answer. We kept asking. And finally, they said, you need to put this in a letter and send it to ICANN.

So that's what we did. We put a letter together and said, you know, under what basis is Compliance requesting personal data, under what basis are they transferring personal data and then some related questions like Compliance has a whole lot of complaints with customers' personal data that were received before May 25 that I think most of this room agrees they should not be retaining or they need a purpose for retaining that they have not expressed. So we sent that letter at the end of September, maybe the end of August, a couple months ago, a month ago, yes.

Tom Keller: We sent it in late September. And they have a reply of 30 days so that's one of the reasons we don't have an answer yet.

Greg DiBiase: Right. And so they basically said, we are going to answer soon but you're not going to like our answers, to paraphrase. And so I assume that we're going to need to continue to fight and demand that they give a better justification for requesting personal information. So that's where the letter stands.

We asked in the Compliance meeting this week, all right, so you think you have a basis for asking data, are you actually for personal data. And they said, well, we're still doing it but it's very specific and it's very narrow.

It's not a great answer but - and then they said they're doing it through "inquiries" instead of notices, which are presumably less serious. And then they gave the impression that they're - if a registrar pushes back and says, no, you cannot have this data, that they're not escalating to a breach because

this is still an ambiguous area. So I think that's the biggest thing that's unresolved right now.

Related to that, we asked about these whois ARS complaints, which is the whois ARS system analyzed a bunch of whois data many months ago and fed them into Compliance's reporting system. And they come out as whois inaccuracy complaints if they're validated by ICANN staff.

Those have been put on hold and they're not being sent to us but they're being retained. And most of these have personal information of our customers because they were taken from whois data before May 25, and they're just kind of sitting in Compliance.

So we asked, you know, can you close these. Even outside of GDPR, at what point are these complaints stale? And they said, we're not closing them, we're not sending them, we'll let you know when that changes, basically. So that was one fun response.

The other I think hot topic issue is under the Temp Spec, the gaining registrar FOA. It's no longer to be - required to be sent if the current whois data is not available.

And that's kind of ambiguous. Different registrars have had different interpretations of what that means. I think a lot of registrars have taken the stance that it's never available either for legal reasons or because, even if e-mail exists, it might go to a Web form and it wouldn't - the transfer would fail regardless.

So Compliance has said they're sending a question that says, confirm it wasn't available. And if a registrar says, yes, I confirm it's not available, that's it. That's the end of the story.

So I've said a lot. I'll stop there and see if there's questions.

Graeme Bunton: Thanks, Greg, appreciate it. I'll put myself in the queue briefly. This is Graeme for the transcript. You know, there's a lot in there that's pretty dissatisfying and it seems very clear that Compliance was not prepared or preparing well ahead of GDPR to answer these things.

And I find that very frustrating because it's not like these questions are a surprise. These are questions they should have been trying to answer. And a lot of them don't require the EPDP to finish. They require ICANN to do a legal analysis of GDPR and their processes around compliance.

So it is irksome that it - they didn't have at least, you know, questions ahead of time answered or at least provisional answers. It's frustrating that we had to write that letter. It's frustrating that that's the way we need to interact with them.

My concern, and I'm rambling for the benefit of everybody on this particular point, is that it's my hunch is this letter is going to come back from them and it's going to assert some things that I suspect many of our European colleagues and probably many of the rest of us are going to feel are incorrect and untrue and legally problematic.

And there - and I've put this to them and I put it to you that we need to find an interesting way to resolve the conflicts between what they assert in their response to us going forward because the mechanisms to resolve to that might end up being litigation which is an unpleasant place to be most of the time. Some of the time. And that just seems really dissatisfying that we're going to have to have this protracted fight around, you know, this legal input.

And so I think it behooves us to do some creative thinking about ways that we can together with Compliance, who seem to only work through formal matters - or formal methods with these letters to find a way that we can come

together and close the gaps between the way they think they can handle data and the way that we think they can handle data.

So that's my bit. Elliot and then (Michele) and then - or Tom and then Elliot and then (Michele).

Tom Keller: Tom Keller for the record. I just want to bring something on the record basically that went out to us today. So this morning we received some e-mail this morning during ICANN meeting, received an e-mail from Compliance which is an inquiry of a whole lot of points all around our data entering techniques and policies.

And one of them is the one thing you just talked about. And they ask us, at what point of time - or that they've heard that we are not sufficiently fulfilling demand to give data to the Compliance department. They didn't state any special instance. They didn't give us any case numbers. It just says, please give us a reply until the 29th, which is by the way Monday.

I don't really get it. But since we never got an answer to that letter, I'm definitely going to refuse to give any answers to this but saying, well, you know, we think we do the right thing. But if any one of you guys receives such a nice inquiry, I would like to know that. I already talked to ICANN staff. Kind of - some staff members were kind of taken aback.

But we need to find a way how we deal with that because this is lunacy. I wouldn't even know what to say. They basically want to have a proof that we do everything right without really telling us what we need to do, right, and don't even give us examples. So that's crazy.

Graeme Bunton: Thanks, Tom. So my - you know, from talking with Compliance staff for some time now, I would just like call (Maggie) or e-mail (Maggie). I wouldn't goof around with interacting on the ticket. And then I would share that response as much as you can. And then if you don't get a satisfying one, we'll go to

(Jamie) and then you won't probably, in both of those cases, and then we'll find ourselves writing another letter to the board.

Tom Keller: Oh, yes, it's already on its way through the chain, yes. So that - I think that's the appropriate way to move it forward. So now, let's see what they say. I'm happy to share that outcome.

Graeme Bunton: Thank you. Yes, definitely feed that into the Compliance subteam. I think - I'm sure they'd appreciate it. I think we've got a weird one too but (Reg) isn't in the room and I don't know the details.

Man 1: She was.

Graeme Bunton: She ghosted. Elliot, you're up next.

Elliot Noss: Yes, Elliot Noss. Greg, I'm wondering how much of your interaction is with (Maggie) versus (Jamie). You know, you said numerous times, rightly, through your presentation, you know, Compliance, Compliance, Compliance. And, you know, those experiences - at least in my experience, those experiences tend to be different though, you know, for flavor.

Greg DiBiase: So it's pretty much 100% with (Maggie). I feel like, and people can say otherwise, that unless you escalate dramatically or you have a conversation at one of these meetings, it's (Maggie).

Elliot Noss: So does that mean you're trying to raise these issues with (Jamie) and he's pushing them to (Maggie)?

Greg DiBiase: No. I think (Maggie's) just the one responding.

Elliot Noss: You know, can I suggest just cc'ing (Jamie) on everything. I mean...

Greg DiBiase: Yes.

Elliot Noss: We're getting - you know, this is - I mean, you know, it's like we - you know, we in this case being you...

Greg DiBiase: Right.

Elliot Noss: ...spend your well-intended time and efforts and you're just on the hamster wheel, you know, where we've been for ten years. Our little hamster thighs may be getting, you know, nice and thick but if nothing else. And I'm - you know, particularly where you're talking about this, you know, we're not closing issues. Let's just escalate. I mean, you know, as somebody -- and I'm sure everybody in this room, you know who is kind of sitting in senior seats in these companies -- has, you know, end users who e-mails their customer issues to them directly. You know, those do tend to get sorted better. And, you know, that's no knock. This is me...

Greg DiBiase: Right.

Elliot Noss: ...you know, trying to sort of, you know, constructively make your - you know, your pitiable role here easier, you know. It's - so, you know, I suggest that for you.

Greg DiBiase: Yes. I think that's a great point. And honestly, I don't know - I haven't always been including (Jamie). And yes, I think that's a great point.

Graeme Bunton: Thank you both. I think I had (Michele) next and then (Reg) remote.

(Michele): Thanks. (Michele) for the record. And I'm amused that (Reg) has gone remote even though she was in the room a couple of minutes ago.

On this collection of data and the retention of it, I don't know - has anybody on the ICANN side explained how much data they've collected, I mean, and

in what form and how they're handling it? I mean, is it a case of they did some funky stuff with some software, found some potential issues with some names and collected the data solely associated with those domain names about a year ago, sat on them for a year, didn't do anything with them and now have sent out the complaints? Or did they suck up a crazy amount of whois data just kind of randomly and are storing that data somewhere? I mean, do we have any idea of like how much data they've got?

Greg DiBiase: So I think, and this is translating (Maggie), is they're saying that they're not using old data in processing complaints. If they get a complaint in which they need data, they are making specific requests to the registrar in the form of an "inquiry."

(Michele): Sorry. I'm talking about the - was it the automated ones that - because ones...

Greg DiBiase: Yes.

(Michele): ...that some of us have getting are using data from October of last year. These are not new - these are not brand new complaints or of current situations.

Greg DiBiase: Right.

(Michele): Is this that the -- I can't remember the name of the damn system they have...

Greg DiBiase: ARS.

(Michele): ARS, right, sorry.

Greg DiBiase: Right. So I think that's data that was recorded at the time that ARS provided this data to ICANN and they've just been sitting on it. So it's from October

2017 or however far along ago. That is when the data was received and they've just been holding it.

(Michele): So you think it's just on a specific subset of domains.

Greg DiBiase: That's my understanding.

(Michele): But you don't know for sure.

Greg DiBiase: I do not know for sure.

(Michele): Okay.

(Volker): If I can just comment quickly. On the Compliance Web site, they have some stats about the ARS and it looks like they have a couple of thousands tickets open with data from ARS.

Graeme Bunton: Yes, fun. (Reg), are you - I think they're futzing a little bit with the Adobe Connect Room. I don't know if you can hear me or not. Are you still there, (Reg)? Oh, no, Sarah Wyld is there.

Sarah Wyld: I will be (Reg's) voice in this situation. We received an inquiry similar to the one just discussed and are planning to handle it in a similar manner.

Graeme Bunton: All right. Thank you, (Reg)/Sarah. Okay, does anybody else have thoughts or issues they'd like to raise about Compliance? (Volker).

(Volker): Maybe this is just a good point that we should raise with Compliance next time, is how they are handling this data that the ARS has collected illegally in light of the GDPR and whether the complete deletion of this illegally held and collected data might not be in the best interest of ICANN.

(Michele): Thanks, (Volker). It's (Michele) for the record. So we had a meeting with ICANN senior staff sometime in the last few days. I can't remember which day because I'm in ICANN mode and I don't - I've lost track of time.

And they - it was a very, very strange situation where they didn't show us the response to the Compliance letter that we'd sent, which kind of covers a lot of that, but kind of spoke around it. I don't know if somebody else can kind of articulate how they did that but it was very odd.

So - but they - but the general upshot is they believe that they are entitled to collect, retain and use this data because the contract, if you remember (James) put out a lovely meme that was going around.

Man 2: Can someone put that up, please?

Graeme Bunton: No, I - the - anyway, we'll see if we can find that. It was a picture meme from Orange County Choppers or something silly. Anyway, that's a little off topic. I also think that we could probably sit here and grieve about Compliance for forever. But does anybody else have something substantive that we want to dig into here or should we keep going? Questions? Comments?

Greg DiBiase: So just one parting thought is if you want to join the group, e-mail (Zoe). B, if we're getting these inquiries that don't make sense, I think we have a stronger story when we know about them and say, you know, (Reg) got one, (Tom) got one so we're not fighting these battles independently.

So the more we can group these together and say in one voice, this is not making sense, I think it's more productive. And I think that reduces the risk that Compliance is going to escalate an issue against a particular registrar when we're talking with one voice.

Graeme Bunton: Thanks, Greg.

(Michele): One other thing, sorry, just very briefly. If anybody's interested, I did get - I did submit a query to our DPA and I did get back some kind of response. I'm not putting it on the members list but if anybody wants it, just ping me.

Graeme Bunton: Okay. Last chance. Going once, going twice. It's a long day, I know. All right, I think next up is me. That's fun.

So it's the annual general meeting of ICANN and I think it behooves us to do our own little bit of navel gazing at least once a year to make sure that the Ex Comm and the SG in general is providing what it needs to members, the way we function to make sure that we keep getting better and that we keep meeting the needs of our community. And, you know, we've talked a couple times today about making sure that we get input and that we can represent our members effectively.

And so I think what we'll do is talk a little bit about the structures that we've got and then I'd love to hear some input from people if there's things they would like to see or things they would like us to try and do. And, you know, we can build some experiments and see what works and what doesn't to keep making the SG better and more effective.

So, you know, put that in the context first though of, you know, this base is clearly getting, as in ICANN, more intense. The EPDP is an example of that. Things happen extremely quickly. The requirements for participation feel like they've become increased and harder and harder to do.

So what we've been trying to do, in a couple of different ways, over the past sort of year and a half, two years now, is build more structure and processes so that, you know, we can make participating easier for everybody and for - and so that everybody can have a - more insight into what's happening.

All of that is - or almost all of that - let's go with all of that is enabled by having a secretariat function. And I'm sure we've all seen the benefits of that -- thank

you very much, (Zoe) -- where we're coordinating, you know, the daily updates that everybody gets in their inbox every day at an ICANN meeting about what happened the day before and the sessions that you should be attending, you know, on the current day.

I think things like that are, you know, just - you know, relatively small but, you know, a huge incremental benefit to everybody.

And then there's things like we're trying to break off the work into chunks. Like we have the RRA Review group, which has taken a first look at all of the RRA amendments that we've been getting to see if there are any red flags to filter them up. We have the Compliance subteam which has been doing good work until Compliance went off the rails. And we have a few more as well and I think that's all doing good work.

And I - Sara Bockey sent an e-mail to the list that if you all haven't read yet, in the midst of this meeting, you should go and do so about building a policy subteam. And I would love to see some people get involved there, especially when we have lots of newcomers in the room. It's a great place to begin learning what's going on and being able to participate.

So all of that is structure and process that we're building to try and make our lives easier frankly because I don't know how this existed... I think the space has changed a bit but, you know, trying to steer this ship when there's so much going on -- that was with a "p" by the way -- you know, is impossible now I think as just like a - you know, as a chair.

So we need all these people. We need our vice chair of policy and we need our vice chair of Tech Opps, to begin coordinating those things further down before the workload is - it's crazy.

And so, you know, this is sort of a moment where you can go, here are the things that - I guess what I would like to hear is what are the things that are

keeping you from participating, if you're not? If you are, what are those things that are making that easier? What are the outputs that you wish you got from the SG on a more regular basis or at all? You know, or any sort of general macro level advice of how we can keep making this better.

And I'll divorce my ego from this so you can feel free to criticize us all if you think we're doing things badly. I want to make sure that everybody has the opportunity here to provide some input.

I will take silence as a ringing endorsement. I'm not recognizing Elliot. We're doing things perfectly.

Elliot Noss: I was just going to say.

Graeme Bunton: I've got (Matt) and then someone else and then (Fred) and then maybe we'll get to Elliot if there.

(Matt): Yes, I was going to say, can I defer my time to Elliot? It's (Matt) for the record.

I don't have any complaints. I actually just want to give Graeme and (Zoe) and the rest of the Ex Comm a ton of credit for I think moving the stakeholder group in a fantastic direction. I mean, we've added a ton of new members. I think people are starting to participate more. So for my view, I would just encourage us to keep doing what we've been doing because I think it's been working well. Thanks. Oh, and I yield two minutes to Elliot.

Elliot Noss: Yes, thank you. I want to note for the people in this room that, you know, Graeme is term limited, I believe, right? You're...

Graeme Bunton: Technically, I could be chair until June 2020 under the new charter but I have previously said that I would step down next June so that we can begin staggering the Ex Comm elections.

Elliot Noss: Okay. So - and so now publicly, you know I could have asked you back in Toronto, are - you know, do you want to - are you - do you want to do another year?

Graeme Bunton: I mean, I will certainly finish up here until June as I have stated I will.

Elliot Noss: Okay. Well, I mean, where I was going to go, I thought you were term limited and, you know, where I was going to go was I'd really, you know, sort of encourage, you know, anybody here who is interested in thinking about this role, you know, Graeme really enjoys the super secret parties he gets invited to and all of the insider access that he gets. And, you know, every time he comes home from the ICANN meeting he comes home about an inch taller. And as you know, you know, for him that's pretty dear.

And so, you know, I really - I just - I don't want to see us, you know, losing the great momentum that we've really started to - you know, to get here. I've been, you know, doing this since the dawn of time. And, you know, I think we're more functional now than we've ever been. And, you know, that can only continue if, you know, someone or people in this room, you know, step up and ascend to Olympus where, you know, from whence Graeme will descend.

Graeme Bunton: Thank you, Elliot. I will say that there is a secret executive bathroom only for community leaders at an ICANN meeting and it's exquisite. They always have Foddy program but it's still carried on.

You raise a good point about elections. I think (Ben) and (Christian) and Sara Bockey can do at least another two year term or at least another year and a bit. I have said...

Man 2: Sara can do four.

Graeme Bunton: Sara can do four years because they're two two-year terms. I think, to be speaking for him but he's not here, and I, in order to enable that staggering of Ex Comm elections so that we're not terming out everybody at the exact same time, have sort of said that we would step down in June to enable that election.

So there will be an election in June. Chair and Vice Chair Tech Opps will be up. And if you're interested, start thinking about it now. I'll stick around as Chair Emeritus to provide you with all my collected wisdom and guidance, bequeath it upon you.

Elliot Noss: It's a bit of a pamphlet.

Graeme Bunton: Yes, it's a short pamphlet. It's really just a text. I will - there's a - I have a cautious caveat which is the EPDP fails and it ends up being that that next step is something heinous like contractual negotiations, we might have to figure out what that looks like because that's probably overlapping with June. So heads up.

I think I had (Fred) in the queue after that long goofy segue, meandering.

(Fred): Yes, (Fred) for the record. I just wanted to say also a nice thing. When I first arrived at the registrar constituency, it was complicated for me to follow all these acronyms and things and so on. And - but then I just realized since last year and it's a shame (Tobias) is not here but Tech Opps is one of the best things that happened to the registrar constituency because now you can really give some practical knowledge to the teams rather than high level policy. Yes, well thank you, (Tobias).

Graeme Bunton: I think that's a very good point. I think Tech Opps is a wild success. It's producing great output that makes positive substantial not policy-wonkery changes to our business that are useful and practical. And it's great input. So I agree that that is one of the best things we've got going. I'm - so great, we

will keep getting Tech Opps going and make sure it's got the resources and especially around the GDD Summit.

I've got (Ben) and then (Christian) in the queue. (Christian)?

(Christian): I just wanted to say that as we also talked about earlier today that it is possible to join the Tech Opps group and you just have to write an e-mail to show. Especially if you are new here, it's a fantastic group to be in.

Graeme Bunton: Thanks, (Christian). And it really is a fantastic group to be in. A lot of this policy stuff is high level and it's complicated and it's daunting. But Tech Opps is like nuts and bolts about how our business works. And so that can be an excellent place to spend some or some resource time in there and make some changes and get engaged.

Anybody else have other thoughts on? So this is a strange forum to share them, especially have some scathing criticisms. So you can feel free to e-mail myself or (Zoe) or the rest of the Ex Comm. But we do want to make sure that we keep getting better and putting the resources that we should be in the places that people need them to be. So anybody else now? Okay.

That was easy. Okay. Next up is AOB. And it is 4 o'clock so we're running about a half an hour ahead of schedule, which is great - 20 minutes. I think (Darcy) has a - oh, ATRT 3, Accountability and Transparency Review Team 3 is the thing that was supposed to be kicked off -- and someone correct me if I'm wrong -- like last year.

And then it got stuck. And now they're trying to kick it off again. And there were two volunteers from the Contracted Party House, Stephane Van Gelder, who's no longer with all of us, and (Brian Kute), who is no longer in the industry.

And so we need to find new volunteers. Right, I think Pat Kane from the Registry Stakeholder Group has put up his hand to work on ATRT 3. And we need volunteers to work on that. I don't have a lot of insight on what's going to happen in that Accountability and Transparency Review. I wish I did. Does anybody else - can speak to it in more? (Fred)? (Fred), yes, of course, please.

(Fred): Hi, yes, I've got a bit of input because I'm part of the selection team. We are - just have one other person from the Registry Constituency who is going to be a candidate. So that would make two people from the Registry Constituencies. And I don't have the other one. And we don't have any candidate from the Registrar Constituency. And NCUC, BC, we have two people and other one from the NCUC.

Graeme Bunton: Great. So my hunch is that this is probably a role for someone who's been around for at least a little bit. I don't think it's for someone new to the community because I think you need to try and assess some of the procedures and policies that ICANN has been following for some time. But if you're not doing anything else, it would be really great to put someone up from the SG.

If you're not sure about it, please come to us and we can talk about it and get some more information for you about what that's going to look like, what that ask is like and help make that easier.

What else do we have in AOB? I felt like (Darcy) had something but maybe I'm putting on this...

Woman 1: You already did earlier.

Graeme Bunton: We did it earlier. Well, what, what, what?

Man 3: (Unintelligible).

Woman 1: The APWG report, maybe a couple of words.

Graeme Bunton: You have a couple of words?

Woman 1: Well, no. (Unintelligible) words on it I...

Graeme Bunton: Were you expecting me to have a couple words because I don't have a couple words?

Woman 1: Did - we circulated that report to the list, right? I'm trying to remember. We did, yes. And I think a few of us are conscious as to how that report could be used and where. We've read through it. There are some very sweeping broad strokes conclusion drawn from that report. You could sort of query the survey sample that was used. Some of the implications of the report and how registrars maybe are frustrating or obscuring the process to deliver data.

So I think - I don't know if anybody's had a chance to read the report, it would just be super useful to hear your views, any thoughts, any comments on the report. I think (Michele) is probably on the same mind, looking for - just looking for input really if you have any, either now or by e-mail.

Graeme Bunton: So this is the Anti-Phishing Working Group put out a report that we - I think (Michele) forwarded to the RRSg mailing list this week.

(Michele): Yes, I did. So just to explain the background on it. This is (Michele) for the record. The - it's a report which is based on a survey that was conducted by MAWG. MAWG is the Messaging and Anti-Abuse Working Group. And then the other organization involved was APWG, the Anti-Phishing Working Group.

So they circulated the survey to their member lists, both organizations, and I think they may have socialized it a bit further outside of those to some of the

InfoSec, OPSEC lists and communities. So those of you who are dealing with the bowels of the Internet probably know about some of these lists and may have seen those.

So they put the - the thing is that these guys are using data or were using data and the questions were aimed at since the introduction of the Temporary Specification, basically has your job become significantly harder, marginally harder, slightly harder. Are you able to get data, etcetera, etcetera? So they - the questions they asked were fair enough. It wasn't that kind of confirmation biased type scenario so - and they are two organizations that are taken very seriously.

And some - quite a few of our colleagues in industry, including people in this room, would be members of either or both of those groups. I will fully admit I'm a member of APWG. (Caroline's) company Cloudflare is a member probably of APWG as well. And I know there's others. So I mean there's quite a few of us who are involved in those organizations.

So the other interesting angle is that the (Dave Cuscatello) who was on the ICANN Security team for many years is now one of the more senior people within APWG. And he's kind of driving all of that.

Graeme Bunton: Thanks, (Michele). So we might, you know, have a read this on the list and then we might think if we want to respond to that in some fashion, I guess, as an SG if there's impetus to do that.

I saw a hand from Elliot.

Elliot Noss: Yes, the one thing, you know, I have to just publicly - I think all of us, you know, in the room know many people in the tech community, you know, meet and, you know some of us are in the tech community and - you know, the InfoSec community and all of us, you know, talk with, interaction with.

You know, I really think we need to point them towards solving their own problems, which means pseudonymizing, pseudonymizing, whichever you like, the data. I don't believe that any of us are going to come up with that solution. They need to do that. And I think if they do that, they get what they need, which is reverse. And, you know, almost without exception, that's the practice and that's the useful approach to the data.

And so, you know, I think we just need to, as a community, you know, on the registrar side, continually be saying, yes, we agree with you, here's what you need to do, we look forward to you doing that and then we can help you solve your problems.

Graeme Bunton: Thanks, Elliot. (Volker)?

(Volker): Are we on - are we still on this topic or can we do another AOB?

Graeme Bunton: Anybody else have anything on the APWG report?

(Michele): Yes, just on the APWG thing, I think just please do take time to have a read of this. And it's - you know, we've got the members list and, you know, if there's stuff in there that you agree with or you disagree with or you have any opinion on it, you know, that's what we've got a members mailing list for, I mean, just it would be nice to hear that something coming back.

He's banned from the microphone, I thought. I mean, I thought we weren't allowing (Jothan) to speak anymore. No? Oh, we are? Okay.

(Jothan): I can use sign language. I can do a really good one. I don't know if this is on. I don't know if you need it. So along the lines of that report, I got tapped to be the new Exec Director of The Domain Name Association. They had an initiative called The Healthy Domains Initiative. Many of you may or may not be familiar with.

Many of the people who were involved with that have transitioned to other places. GDPR and all of the EPDP process clearly have things and people who would normally be proactive about solutions and things that we can be doing are distracted obviously by those things. And we're waiting for those to settle.

But there is a meeting Thursday from 9 to 10:15, where we're going to be discussing... It's a closed meeting so that we don't have a chilling effect from too wide a participation. But I would invite you. Those of you who would like to talk about what the next phase of The Healthy Domains Initiative could be, I would welcome you to participate in that discussion. Thank you.

Graeme Bunton: Thank you. All right. You had some more AOB, (Volker)?

(Volker): Yes. I mean, one absence was noted this ICANN meeting. Someone was cruelly ripped from our midst. We don't have, currently have, an ICANN Registrar Liaison member anymore. And we might want to do something to say good-bye to our previous liaison.

And on the other hand, maybe voice to ICANN what we would like to see in any replacement. That would probably be ignored by (Cyrus) but still I think we should point out the qualities of what we would like to see in such a staff member. And if Jenn Gore are going to be replaced then how that would look, how we would like to see that role to be operating.

Graeme Bunton: Thank you, (Volker). That's a very good point. So if people didn't know, the - Jenn Gore was our registrar liaison within ICANN and is no longer with ICANN as of last week. And you raise a good point, that we should - we - and so I believe that they are for sure going to I think rehire that role.

But I think there is some rumblings that they may restructure the entire GDD and so we don't... You know, at some - it doesn't really matter what the GDD

looks like. At some point we are going to have a liaison any which way. I don't know if they've reposted or not but I will talk with (Cyrus).

But it's a very good point that we should have a bit of discussion or at least think about those qualities and the pieces that we're looking for in that person.

I think I had (Matt) and then Tom.

(Matt): Yes, thanks, Graeme. It's (Matt). Actually I - (Volker) jogged my mind. I was going to ask if - usually we would interact with ICANN staff. And I know obviously Jenn's not there. But did (Cyrus) offer to make himself available? Or did we? Or we... Offline - you can answer that offline, (Volker).

Graeme Bunton: No. I think - I'll be explicit. I think we actually rebuffed ICANN GDD staff because they usually come in and give us a terrible presentation that is not particularly interesting or helpful and no one pays attention to. And so it was - I'm going to - I'll take the responsibility for that. I think it's a better use of our time not to.

Woman 1: We're getting an e-mail update.

Graeme Bunton: Ah, we are getting an e-mail update from them. So it was not entirely like go away for forever. It was, you know, a better use of our time as to have substantive discussion rather than an update. But you're right, that would be a good question or a discussion to have if (Cyrus) were in the room, the good - the right place for that.

(Tom)?

(Tom): Just two quick updates. I'm Co-Chair of the Non Com review. So we are currently in what we call the feasibility stage. You may have seen the draft report of the independent evaluator back in June. So we're probably hopefully

going to submit something to the Organizational Effectiveness Committee of the board by the end of the year, which I think they'll approve. And then we go into what's called the implementation phase.

So please visit the Wiki if you want to see what those 27 recommendations look like. There are impacts in terms of, for example, creating a standing committee as part of the empowered community to help make the Non Comm more accountable.

One other quick point. I happened to have drinks the other night with three gents from the FBI who are... And we - so we were talking about what do we do about requests from law enforcement in light of GDPR. And one suggestion I had, which for some reason appealed to them, was, you know, we have a Web site, the Registrar Constituency has a Web site.

It would be kind of cool to go there and say, how do I - if I - how do I legitimize whether or not a request is actually coming from the FBI or from law enforcement. You know, is there someone I can reach out to at the FBI or in some other country and say, hey, I just got this request, is this guy legit.

And I suggested, you know, it used to be on our Web site so people can contact you and ask about the bona fides of a request. So just an idea. Maybe we start a directory on our Web site so we all can know who to contact in terms of law enforcement.

Graeme Bunton: Thanks, (Tom). I had a similar conversation with probably the same FBI agent, who was like, we can help you vetting international law enforcement maybe. And so that was a resource that we did talk about in some follow-up discussion we had there. (Caroline)?

(Caroline): Thanks. Just related to the Nominating Committee, we've been getting organized this week, setting up, But I understand that the Non Comm leadership will be writing to each of the community groups, including the

GNSO, both houses, to seek views on what type of candidates they could be looking for for the next term, what would be useful for the work, what wouldn't be useful. So I encourage everybody to look at that and provide some feedback.

Graeme Bunton: Thanks. (Christian)?

(Christian): This is (Christian). Sorry. I was just to follow up on our talk at TDD staff. Usually, at the last couple meetings, Jennifer would be in the audience to our meetings and come to the mic sometimes and give input on stuff we were talking to. That's was pretty helpful. I don't know if there was any TDD staff here today. There was one over there.

Graeme Bunton: They're hiding in the back still, yes.

(Christian): So now that they can hear that, we'd appreciate it when you come within foot of our meeting and that you join. And thanks for joining today as well.

Graeme Bunton: Thanks, (Christian). (Michele)?

(Michele): He always sighs every time he calls my name. I don't know why. (Michele) again for the record. No just on the law enforcement access -- and of course (Tom) has left the room, but I can't do anything about that -- some of us have published guidelines or policies on our Web sites outlining what we expect from law enforcement, what we can give law enforcement, what law enforcement can get depending on the different scenarios.

We have. I'm sure - I think Cloudflare definitely have. I'm pretty sure some of the Endurance Companies have. GoDaddy probably has but they seem to have written policies around everything.

You know, for those of you who don't have those, you know, you can plagiarize ours. I - I mean, you know, work away, plagiarize us. Just make

sure when you do, you do a find and replace, that you actually remove my brand name or you'll be talking to my lawyers. Thanks.

Graeme Bunton: Thanks, (Michele). I think we're almost there. Anybody else have any other AOB?

Woman 1: (Unintelligible).

Graeme Bunton: What's that?

Woman 1: (Unintelligible).

Graeme Bunton: Yes. I haven't forgotten, telling. I think it's along the lines of what (Michele) was just talking about. But we started working on a draft minimum data - for someone requesting registrant data from us, what are the minimum requirements for stuff they have to send. I sent out a list to the mailing list the other day.

If you have more thoughts on that, I would appreciate it because it's something that I would like to circulate a little bit broader so that... And I think it's a good starting place. So if you have more thoughts on that, please participate there. That should be - that's like a - I promise, it's like a three-minute read. And probably you already have your own templates.

And so if you have something interesting or useful in your own templates that someone is requesting data and you respond, what do you respond with, what do you need to provide data, it would be good to have that in there. So take a look at that.

(Matt)?

(Matt): Thanks, Graeme. It's (Matt). Along the lines of that, I'm curious. You know, there's been a lot of talk this week about registrars responding, not responding, the vagueness of the Temp Spec, etcetera, etcetera.

I'm wondering, and I think my friend sitting to the left of me will second me on this, would there be any kind of appetite for a stakeholder group statement, position, whatever to the community encouraging its members to respond to requests within a certain amount of time that we all internally could agree to?

Now again, nothing - this isn't binding. It isn't - but just I think a public stance of we again - we can come up with wording but some sort of encouragement might be something that folks would respond to well.

Graeme Bunton: (Volker)?

(Volker): In general, I'm absolutely opposed to the idea. However, that would mean that we acknowledge that there are members or registrars out there that do not respond. I have no positive knowledge of that.

And also, agreeing to a timeline might not always work for all members because there are times when we get 100 tickets a day and there are times when we get five tickets a day. And the response times are going to be wildly different in those times.

So I have always been on the record to tell people that we'll get to your ticket when we get to it. And that's the best timeline I'm willing to give even though we are giving usually responses within 24 or 48 hours on working day because I'm just not willing to guarantee that.

Graeme Bunton: So I don't - I hear (Matt), which is he wasn't asking anyone to guarantee anything but say this is our best practice, I think, that we're aiming for or a...

(Matt): (Unintelligible) best practice as a whole of the group.

Graeme Bunton: Right, right. This is the goal we're aiming for, which is like a five day, five business days. But if it's longer, I don't think it matters just as long as we're setting expectations. I must say that in all of my professional dealings, it's just setting expectation management that makes me the happiest when I understand when I'm going to get a response.

So it's not outrageous and - but maybe we can take that to the list and say, hey, do we think we can get behind - we are supporting and trying to endorse a - X business days SLA on responding only to a data access request. And that might go some way to making some people in the community feel a little happier.

(Michele)?

(Michele): Thanks. I mean, I - sorry, I agree with (Matt) and I also agree with (Volker). That's not contradictory. That's not contradictory at all. What I've heard from some people I've been speaking to here is that they're not getting any response at all. So I think saying that we will respond - you know, that those of us will commit to responding without - maybe without even specifying a time frame, might be somewhat helpful.

But I totally get what (Volker) is saying about workloads and everything else, totally get it. But we also have obligations in our contracts to respond abuse complaints. I mean, it's in there. It's already there.

So I don't know if - it's a question I suppose I have for the people saying that they're not getting responses is where are they sending the complaints and if it's the case that they're sending the complaints to an appropriate contact and the registrar is simply not responding. I'm not saying that's not happening, I'm just trying to understand, you know, what's behind it because I'm hearing lots of fuzzy anecdotal non-concrete things, and it would just be helpful to understand that. Thanks.

Graeme Bunton: Yes. Thank you. Yes, (Matt)?

(Matt): I - it's (Matt) again. I was going to say, I'm happy to take the pen and just write some language that we could circulate to the list again and get feedback but yes, very lightweight, nothing...

Graeme Bunton: Yes, great. Thanks. You need another name because there can be only one.

Man 2: It's the best name in the world though. I was just going to say with respect to the list, it might be useful to find out through a straw poll where registrars want those requests to go to. Do they want them to go to the abuse e-mail? Do they want somewhere different? Because that might help facilitate getting responses within times, if it's going into black holes for example.

Graeme Bunton: Sure. Yes, I think generally it's probably abuse but that's going to be different across all registrars, where there choose to input that. And maybe there's some best practices there too that make your life easier.

Man 2: Yes, and we can wrap that in with, say, you know, the template that we've been talking about? I think it would be a good thing for everyone on the list and all the members to think about that as a format.

Graeme Bunton: Yes. I think all three of those are related initiatives.

Man 2: Yes.

Graeme Bunton: The room is thinning out, guys. It's getting a little sparse in here. In five minutes it's just going to be telling hilarious jokes to myself and (Zoe) looking annoyed.

I've got - (Caroline), you're going to have the last word. And then I'll wrap this up.

(Caroline): All right, super quick question. The request you send out, is that in respect of all types of requests, not just LES but also IP folks and security and? Yes, so all types, okay, thanks.

Graeme Bunton: Thank you. Okay, ladies and gentlemen, thank you for joining us today. There is a registry sponsored cocktail starting at 6, which is...

Woman 1: Banquet Room.

Graeme Bunton: ...which is an hour and a half for now. What am I going to do with myself?

Man 2: (Unintelligible).

Graeme Bunton: Good grief. So you are all invited as registrars to that cocktail. Feel free to go. I'll look forward to seeing you there.

Woman 1: It's in the Banquet Hall.

Graeme Bunton: It's in the Banquet Hall which is two floors up, I think?

Woman 1: I have no idea.

Graeme Bunton: It's here in this building. Thank you, everyone, for coming and participating. I know it's a long day. I know it gets tense - or heavy anyway, dense and heavy. But I appreciate you all sticking with it. If you've got other feedback, let us know. And if not, have - enjoy the rest of your meeting. Thank you, everybody.

END