

**ICANN Transcription
GNSO Next-Gen RDS PDP Working Group
Tuesday, 16 February 2016 at 16:00 UTC**

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Mp3: <http://audio.icann.org/gnso/gnso-nextgen-rds-16feb16-en.mp3>

The audio is available on page: <http://gns0.icann.org/en/group-activities/calendar#feb>

Terri Agnew: Good morning, good afternoon and good evening. Welcome to the GNSO Next Generation Registration Directory Services RDS Policy Development Process Working Group Call on the 16th of February 2016.

In the interest of time today there will be no roll call as we have quite a few participants. Attendance will be taken by the Adobe Connect room. So if you are only on the audio bridge, if you could please let yourself be known now.

Terri Agnew: After hearing - and (Lawrence), I see that you are only on the audio-only per your dial out request. We'll go ahead and note here...

Lawrence Olawale-Roberts: Yes. Good day - yes. Good day everybody. This is (Lawrence) for the record. I'm only on the (Asian region coming) on the audio bridge at the moment. But I hope to come into the AC room shortly. Thank you.

Terri Agnew: Thank you (Lawrence). Hearing no more names, I would like to remind all of you to please state your name before speaking for transcription purposes and

to please keep your phone and microphones on mute when not speaking to avoid any background noise. With this, I'd like to hand it back over to Chuck. Please begin.

Chuck Gomes: Thanks Terri. And thanks to everyone for joining. Looks like we have a good turnout here. As we get started and before I actually jump into the agenda, let me thank Marika and Lisa for leading these calls and for (Susan) especially as the liaison from the GNSO Council in our first few meetings. So we appreciate that very much.

The agenda is shown in Adobe Connect there and it was distributed via email. The first thing we need to do is to do a roll call. And so I will - we - that's done in Adobe Connect as Terry already said. So please remember that and we'll do that as a standard practice going forward and use the Adobe Connect. And then those that are not on - in Adobe Connect will be asked to let us know. So thanks for that.

We will always ask for updates to statements of interest. And so we - if there are any updates to statements of interest, please let us know that now and always remember to update your statement of interest on the Web site. Do we have any statements of interest that have been updated today? Please raise your hand in Adobe or if you're not in Adobe, please speak up. Okay.

So going on then to our first action item, which is the, excuse me, the -identify the - those who have not completed statement of interest, messages were sent out to any people who requested to be members of the working group. And if those statement of interest are not updated by the end of this week, we will move those people to observer status.

If you need help on that, let us know. The staff's ready and willing to help on that if help is needed. Otherwise you will be observer status. It's very easy to change from observer status to the member status just by completing a SOI and posting it. So hopefully everybody understands that. We won't spend any

more time on that going forward because a lot of warning messages have been sent out on that.

Okay. And one of the things I want to ask my - the other members of the Leadership Team - I try to keep a good eye on the chat. But with this large a group, the chat sometimes gets really busy and I - and may not be able to keep up with that. So I ask the other members of the Leadership Team to please watch that and assist as you see things there. So I appreciate that.

The first thing we need to (unintelligible) Agenda Item Number 2 is an update for the Leadership Team. And what I'm going to share here is the - and I see your hand Jim. I'll get right to you. I probably should have said that Chuck - this is Chuck speaking so that everybody knows. I'll probably have to say that a lot as the rest of you are asked to do when you do speak in the meeting.

But the Leadership Team update very briefly is the Leadership Team recommends that I serve as Chair and that (Susan), (David) and Michele serve as Vice Chairs. And I'll open it up for discussion for that in just a second. But let me first of all give the mic to Jim Galvin.

Jim Galvin: Thank you Chuck. Just a question. You were - when you were commenting about keeping up with the chat room, it motivated me to ask about something if it's possible at all. Is it possible to make that chat box, you know, to be larger so that you get more of a history?

I know that the format is set by staff. I'm wondering if maybe the agenda and notes section could be smaller and the chat box instead made that bigger area. You know, I don't know if others feel that way or not. But if that works, that'd be something to consider.

And I should have said upfront this is Jim Galvin for the transcript. Thank you.

Chuck Gomes: Thanks Jim. It's Chuck again. And appreciate the suggestion. I'll let staff tell us on that. One of the things I think we need to keep in mind is, for example, the list of participants - plenty of space for that as needed so that we can see the hands raised and so forth. So that's a factor.

And I think the notes also are very helpful to watch and refer to. So I don't know if we can - we may not be able to solve that during the call live here. But if staff does have any comments on that, please raise your hand and I'll give you opportunity to talk to that.

Not seeing any hands raised. Let's make that an action item to see whether there's some things we can do with the display in the Adobe in the future that would address Jim's concern as well as the concerns - the other things that we certainly need to be able to see in the Adobe room.

Jim, is that an old hand? If not, you're welcome to speak again. Okay. There we go. So it is an old hand. Thank you.

So is there any discussion on the proposed Leadership Team - me serving as Chair and the other three as Vice Chairs? Any questions or comments or any objections to that? Not seeing any or hearing anyone, I'll move on from there.

The other thing that we need to talk about is the schedule of meetings. The Leadership Team recommends we at least for now continue with the 90-minute meetings and 1600 UTC except for the last meeting of each month.

We talked about a rotation every fourth meeting. And one of the problems we discussed with regard to that is that it's very helpful for everyone we believe for their to be consistent meetings that can be put on calendars.

And by rotating a meeting the last meeting of every month that can be fixed for calendar purposes for all of us. And the suggestion is to rotate the meeting on the last meeting of each month to 0500 UTC.

Now that would be - still be on Tuesday for some of us but for some of us it would be Wednesday morning. So I'm going to stop here and turn it over to Marika.

You'll notice that the - in Adobe and you can scroll down. There's another - at least one more screen shown in Adobe there that you can see a pretty good analysis was made of the time zone distribution for all the working group members.

And just to keep it fairly simple, I did a little review of that myself in a little more detail. And there were 42 people in the UTC minus six in UTC minus five time zones. There were about 41 in the UTC plus zero and the UTC plus one. So certainly over 80 people in those two time zones.

The - in the UTC plus eight to UTC plus ten looks like there are about nine members in that area. And those are the ones unfortunately that I think are fairly disadvantaged at poor times like from 11:00 pm to 1:00 am on our regular meeting time.

And so for their benefit we want to - we did think it was a good idea to provide the last meeting of each month at a different time zone so it's not so bad for them.

We think, and we'll talk about the - give opportunity for discussion of this that this maximizes the time zones for the most number of people without always disadvantage one small group. So let me stop there and see if Marika wants to comment further on that or if any of the others on the Leadership Team want to comment as well.

Marika Konings: Chuck, this is Marika. Nothing really to add. Just to note that we can share this document together with the notes so people can have a look at it at their leisure. But as you noted as well, there's no ideal time that works for

everyone in this group. But taking into account the spread of time zones, we're indeed hoping that this will, you know, share the burden to a certain extent while not only inconveniencing the same people.

Chuck Gomes: Thanks Marika. This is Chuck. Michele, go ahead.

Michele Neylon: Thanks. (Just briefly). And I think, you know, we've discussed this at quite a bit of length. I mean maybe somebody can see something else. But this seems to be the sanest distribution that was possible considering the spread. So with the rotation to what is essentially 5:00 am my time zone once a month.

And for the record, as I already said to the others, there's absolutely no way on this earth that I will do anything intelligent at 5 o'clock in the morning because I won't have had my prerequisite five coffees.

But I think, you know, sharing the document might help people to get a better understanding of how this conclusion was reached. I'll hand over. I think Alan was next.

Chuck Gomes: Thanks Michele. This is Chuck again. Before I get to Alan, let me say that Michele really wants to Chair a meeting when it's 5 o'clock in the morning. And...

((Crosstalk))

Chuck Gomes: ...for those again, still I'm being facetious - I am. Okay. He does not want to Chair a meeting at 5:00 in the meeting. So Alan, it's your turn.

Alan Greenberg: Thank you very much. I'm happy with having occasional meetings at a weird time, preferably not too weird. I just ask that you look at the same spread in what is - in Northern summer hours as opposed to winter hours. There's a

two-hour relative shift as each of us go to our respective daylight savings or not.

So the optimal time may well move a couple of hours as - when we all switch time zones. And the time zones are all switched within a few weeks of each other.

So other than an occasional straddling meeting, you can really decide there are only two overall time zones in the world. So not two time zones but two categories. So do look at it in the other hours as opposed to these and make sure that whatever you pick makes sense in both of them or we pick slightly varying hours in the other half of the year. Thank you.

Chuck Gomes: Thanks Alan. Chuck speaking again. And the Leadership Team did talk about that a little bit and pretty much decided let's - we can revisit this as we switch over to daylight savings time. And once of the complications there of course is different parts of the world switch over to daylight saving s time at different times. But your point's well taken and we can revisit this as we need to. Greg, your turn.

Greg Shatan: Thanks. Greg Shatan for the record. We had a similar set of discussions in our constituency about trying to find times that didn't consistently punish the same group of people for our own monthly meeting.

And we went in the opposite direction essentially, which was to have a meeting that was at I think 2100 hours, which at least brought it to kind of the beginning of the waking day for Australia without putting the bulk of people in the red zone, you know, post-midnight, pre 7:00 am, which this plan does.

So it's just something to consider. I haven't looked at the deck mapping it. Obviously distribution here is a little bit different. But - and it did have an effect of kind of relatively disadvantaging some of us but still, you know, creating a different mix of people. Thanks.

Chuck Gomes: Thanks Greg. Chuck again. I appreciate the feedback. Is there any other discussion on this? And while we're just waiting a minute for that, please raise your hand or speak up if you're not in Adobe.

Apologize for the bad times for some people. The - all of us will get at least one time when we'll have less desirable times. And like Greg suggested, there may be other ways to do this. And if we discover them and think it's meaningful and helpful for the working group, we can consider those as we move forward in our work. Marika, your turn.

Marika Konings: Yes. This is Marika. Maybe just a note because I know that some have suggested, you know, other time zones and I post in the chat as well that 2100 UTC may work for Australia but it's - for Hong Kong for example, it's the middle of the night. So it will inconvenience some other members.

So it's probably good conversation and, you know, good for the working group to have a look at the time zone spread as well as what it means in concrete terms and different options that that exists. But it's probably (important) for the Leadership Team to of course review over time how the rotation affects participation as I've already noted that some have indicated that, you know, they're not able to accommodate a rotating time.

So I think it's also important to know that it needs to factor in and then eventual review by the Leadership Team on how a rotation is working and, you know, whether that affects participation and attendance of the working group meetings in a negative way in which case a review of the timing may need to be reconsidered.

Chuck Gomes: Thanks Marika. Chuck speaking again. And I know for myself so that I don't inadvertently schedule things that are out a few weeks, I find it very helpful to have the time for our meetings blocked off well in advance.

And so - and I confess that I haven't talked to staff about this but I'll throw - so I'll throw this idea out live. I think it would be helpful if staff would send out meeting makers at least a couple months in advance for the meetings now that we have firm, you know, firmed up the schedule for now so that all of us don't have to block those times out individually. Is there any problem with that Terri or anyone else from staff?

I know we'll send updated agenda versions and reminders. Staff is really good at doing that. But I think it's a good idea to send out a meeting maker earlier rather than just a week or two before. Marika.

Marika Konings: Yes. This is Marika. Just to know that that's not an issue at all. We can definitely do so. But I might want to take advantage then of the question of the Marrakech meeting.

I think the standard has been for GNSO PDP working groups to take off the week right after the ICANN meeting just to confirm if that's the case, we'll just already factor that in to the scheduling and we can send then out the list of meetings up - the next meeting in June if that is helpful.

Chuck Gomes: This is Chuck. Thanks Marika. That would - that sounds good to me. And everyone should understand that there will be times when we may need a special meeting or we may need to make adjustments because of circumstances we didn't anticipate well in advance.

So I think everybody understands that we can make those kind of adjustments as long as they're communicated with enough lead time and so forth. Did you have something else Marika?

Marika Konings: No. Sorry. Old hand.

Chuck Gomes: That's okay. We all do it. So thanks. All right. Moving on then. Thanks for the discussion on that. And we will now go to - make sure; I'm just checking my notes here. A couple other things from the Leadership Team.

We have reached out to the Board Working Group on the RDS. I sent an email to Chris Disspain -- haven't heard back from him yet -- suggesting that we would like to work with him and decide how best to include their involvement in the working group.

Obviously, as everyone knows I think, the Board initiated this PDP. And the GNSO then established it in response to their request. But it's very important that we agree on the best ways for them to be involved.

And so we will be working with them and communicating with the full working group with regard to what we decide and the Board decides as how best to keep them involved at whatever level they would like to be involved and in particular the Board Working Group for the RDS.

The second item of update from the Leadership Team that hasn't already been covered is assuming there are no objections to our work plan and schedule, and there haven't been in this meeting here or on the list with regard to the Leadership Team, we will ask the GNSO Council to confirm the Leadership Team, which is their responsibility on their next call, which is the 18th of - in other words it's this week.

And I'm assuming that's possible because I think it can be done in the consent agenda and doesn't come under the lead time that's needed for a formal motion. If any of the Councilors on the call find that I'm wrong on that, please speak up and let us know. But hopefully that'll happen this coming Thursday in the Council meeting there. Any comments or questions on what we've covered so far?

Then let's go to Agenda Item Number 3 regarding the working group membership and expertise update. One of the - one of the tasks we - administrative tasks that has to be done is for us to review the makeup of the membership to see if - for a couple purposes.

One purpose being to make sure we have the expertise that we need. And secondly, to make sure there's good representation from all stakeholder groups that are impacted by Whois or registration data services.

So the - we - fortunately in our last call we had three people who had volunteered for leadership that did not become a member of the Leadership Team that volunteered to participate in this effort.

And I believe an email went out on this to the whole group -- if that hasn't happened, we will send one out -- to invite anyone else that wants to work with those three people in reviewing the membership list and then coming up with some recommended ways to reach out in cases where we may need to reach out.

So we appreciate those volunteers. And we'll let the - that small team decide if they want to appoint someone as their spokesperson, coordinator, whatever you want to call it. And we will do that.

So if any of you would like to join with the other three, (Karnika), Liz Williams and also (Holly) have volunteered to work on that. And if you want to join them, please let us know today either on list or in this call or in the chat so that they know who we're working with and that work can proceed because we really should do that in the next couple weeks to get that identified.

That doesn't mean we can't make changes later on in terms of our membership. Of course somebody can join our working group at any time during its process as long as they take the responsibility upon themselves to come up to speed so that we don't have to back track. (Karnika), your turn.

(Karnika): Yes. Thank you for (doing the SSR). But I think - I have a small (unintelligible) at this point that I can - I did go through the (family chart), which the staff has prepared and I think (unintelligible), you know, snapshot of how (unintelligible) in terms of membership and how the different stakeholders (unintelligible).

I can that a lot of individuals - lot of GNSO team members but I do find that ccNSO, GAC, people from RIR or (ISOCs), not enough stakeholders and may not have the adequate representation, which I think the working group must have.

I still feel that it may be quite, you know, someone may have a different view and (unintelligible) to increase the number of people on this as regards to stakeholders who are not adequately represented here. I'd like to know what is your initial take on that?

Chuck Gomes: What I - this is Chuck. Thanks (Karnika). What I'd like to request is that when the three of you and anybody else that joins your small team have reached your own consensus in terms of the gaps that you've identified and if you would provide that in writing before the - before our meeting next week so that then on our agenda next week we can discuss it as a full working group and have it documented.

And if also you have any recommendations as to how we might reach out to those groups other than the standard things -- obviously we can send an email to the ccNSO, et cetera -- that would be appreciated as well. Marika.

(Karnika): (Unintelligible). I can (unintelligible).

Chuck Gomes: Thank you (Karnika). Marika, go ahead.

Marika Konings: Yes. This is Marika. I just wanted to point out as well that in the email that Lisa sent, she also pointed to some other materials that may be relevant for the little group to look at, you know, what are the different areas of expertise that are needed because probably the focus is less on representation and such but more on expertise and viewpoints that are expected to be represented especially by those that are directly affected or indeed, you know, areas where relevant expertise may exist.

And I think (Karnika) was already referring to ccTLDs and RIRs although they are likely not directly impacted by a new RDS and (lot on) gTLD contacts. Of course they may have relevant expertise that may be relevant for the working group to review and discuss.

And as such, indeed there may be a need to either reach out to them as part of, you know, working group participation but alternative it could also be a set of specific questions that are put forward to groups like that.

So it may also be work for the little team to also look at it from that perspective. It may not necessarily need to be reflected in working group members. But it may also result in identification of certain groups or areas of expertise that the working group may want to tap into because some of those groups may not be necessarily interested in attending weekly calls and receive a lot of emails on this topic but they may have useful information to share.

Chuck Gomes: Thanks Marika. Chuck speaking again. And the - so note that with regard to expertise there's a couple ways that we can incorporate expertise or at least a couple ways.

One of them of course is - and a lot of you fit this bill already. You are experts in particular areas. And of course we appreciate and need your expertise. And we can invite experts to be members of the group.

But also we can invite experts to participate not necessarily as a working group member but as we identify needs we can request expertise on a special need basis. Michele, your turn.

Michele Neylon: Thanks Chuck. Very briefly because I think it's been a bit of confusion about what we're talking about here. Also I suspect that there - some people may be assuming that certain members of this working group are not - are, sorry, are here in the - are here - how do I rephrase this? I'll start again.

A lot of people who are members of this working group come from the ASO community, from the ccTLD community and from various other communities even though they are not in this group with - wearing that hat officially.

So I think it might be a little bit presumptive to assume that just because people haven't put in their SOIs, you know, that they are here representing formally Group X. But Group X is not represented if that makes sense.

So I think there are some people who are within this group who have the expertise that we probably are looking for but it's more a case of this exercise being one to identify where those gaps are.

And as Marika mentioned, a lot of people want to be able to provide their input at the right time on a specific topic, on a specific question. But they are not going to make the commitment to follow this working group's deliberations over the next 18 plus months.

So for example, in the case of data protection authorities, it's important that they are made aware that this is ongoing but asking them all to join every single call would be pointless.

It'd be important to get their input on say interim reports, et cetera, et cetera, et cetera. But they're - but I know from - that, you know, a lot of these - those offices wouldn't have the resources to be able to assign somebody to, you

know, however many number of hours it takes per week to be on these calls and to get all the emails, et cetera, et cetera.

So I think that it's - I think the thing is recognizing first of all where those gaps potentially are and then to look at how the engagement should be handled. I don't think there's a one size fits all answer to this. Thanks.

Chuck Gomes: Thanks Michele. I appreciate that. This is Chuck again. And a comment to the three people on our small team doing - leading this effort as well as anybody else who joins them.

Feel free to reach - to use our working group list to ask whether there is particular expertise that you may not be able to identify from the SOIs. In fact that may be a quicker way to find out whether we have expertise.

In one of our earlier calls of the working group some of you will recall that we did find out that we had some data protection expertise in the group. And so I encourage the group in the next few days if you have some questions about the makeup of the membership with regard to expertise, feel free to use our working group list to identify those people who fit the bill there. (Karnika), your turn.

(Karnika): I just had - needed two clarifications on this. One was (unintelligible) that the SOIs that we have as (all updates) for the members, would you recommend that we could go through maybe write the - maybe the number of SOIs amongst the members of the small team and individually look at those, you know, just to see how many people representing each stakeholder like some of the (unintelligible) that does give us some idea of what - in terms of the subject heads like data protection, as you mentioned.

We could have a small (unintelligible), you know, understand the various specializations of each SOI. And that could be I think a useful technique. I just want to have feedback on that.

Second is the point that there was in the guidelines of the PDP, which was submitted for prior reading to attend this meeting, I saw that there was (ahead) that says that in case there is not adequate representation but the expertise as Marika rightly pointed out is that we can still carry on with the PDP and the discussions.

And later on at a stage where we want certain input from other stakeholders, which we feel would add value to the PDP exercise, we could add that (unintelligible) look for their input rather than we think at this point is better than getting more people in the group.

Just want to understand how you, you know, (would) answer these two questions.

Chuck Gomes: This is Chuck (Karnika). Could you repeat for me the main questions you're asking?

(Karnika): The first question is the small team that will be working on reviewing the expertise, do you think it will be (a fair) way to go if we look at the SOIs. We divide the number of SOIs to review and examine each SOI and the specialization of each person that we have on the membership team.

My second question is that there was in the PDP guidelines how or what the PDP has conducted in those guidelines. There was a particular way - a solution that even if we don't have adequate representation for a stakeholder group, we can - but we do have the expertise required at this point though the numbers may not be large, we can still go on with the PDP instead of delaying the process and at a later date if required for input from that stakeholder group.

Chuck Gomes: So this is Chuck. And others feel free to jump in and help here. The - first of all, you're welcome to look at the SOIs. All of us have the option of looking at

everyone's SOIs. In some cases that will help in identifying expertise and whether particular stakeholder groups are represented and that's especially important if we think it's an impact - fairly impacted group.

But that I think is going to be a pretty time consuming task to do it that way. There's nothing to - you're welcome to do that. But also, like I said, if you come up with some easier ways to identify that like I suggested just asking people to identify areas of expertise.

If your small team identifies five areas of expertise that are particularly critical for this working group in your opinion, then you can just ask people to identify themselves and that may save you some time.

Let me encourage you to be creative in terms of how you do this. And to the extent that you can come up with ways to be - to save time, that's great. The reason I want you to come back with your - with the information you find and any recommendations you have, the reason it's helpful to put that in writing before our next meeting and it doesn't mean it all has to happen before the next meeting, then - is so that we can in our next meeting give the whole group a chance to respond to the information you provide us.

And that should facilitate that task. And we need to realize that this isn't just necessarily a one-time task. We may identify gaps or needs later on and that's okay. But it's important that we do a first assessment as we get our work going.

And I don't think that what we're doing there is going to stop us from getting moving on our work ahead. So let me stop there. There's quite a few hands up. Let me go to Lisa first and then we'll go to Amr.

Lisa Phifer: Thank you Chuck. This is Lisa Phifer for the record. I just wanted to point out that one of the resources that we provided the small team was actually a list

of different kinds of users that might either provide or use Whois data currently.

That list actually came from the RDS risk survey that the EWG ran at the tail end of their efforts. We provided that as a starting point - potential starting point because part of this task of looking at the - reviewing the membership and determining whether all the useful perspectives have been covered is to look beyond just the stakeholder groups and the constituencies to look at everyone who might possibly be affected by the work of this PDP.

And that list that we provided is certainly not comprehensive and it doesn't touch on all the areas of expertise. But it might be a starting point to -even just list off all of the perspectives that should in some way be touched by this working group whether that be as a working group member or someone that gets called in at the appropriate time. Thank you.

Chuck Gomes: Thanks Lisa. Chuck again. Amr, your turn.

Amr Elsadr: Thanks Chuck. This is Amr. I also wanted to just briefly make a point regarding (Karnika)'s second question. While I don't think it's a good idea for us to delay the work on this PDP while we try to reach out to actors who may fill gaps of expertise, I would also like to caution on not getting this done properly especially when it comes to data protection and privacy.

(Unintelligible) those of you who do not know on the thick Whois PDP this was extremely problematic and the lack of expertise in this area was reflected in the PDP Working Group's final recommendations.

I would be - I would personally like to try to avoid that as much as possible now. But, like I said, I wouldn't suggest that we postpone the work of the - the work that we are doing while we get this done. Thank you.

Chuck Gomes: Thanks Amr. It's Chuck again. Excellent points. And appreciate that. Any other discussion on this? While I'm just waiting a moment, let me make a general point with regard to everyone's participation.

Unless you specifically communicate that the views you are expressing are those of some group that you're a part of whether it be a stakeholder group, a constituency or some association or whatever it may be, the assumption will generally be that you're speaking individually. Okay.

Certainly if you have views from a group you're associated with and have the authorization from that group to communicate positions, thoughts, questions or whatever from that group, make sure you identify that. That's the only thing that we ask.

I'm not seeing any hands or hearing anyone else. So let's move on to the next agenda item.

Agenda Item Number 4 which is a mind map brainstorm. And I am going to start that off with talking a little bit about the message I sent out yesterday to the full working group because that really is closely related to the mind map.

Now I am not going to read it because all of you can read it. But I would like to highlight a few things. And there has been a little bit of discussion on the list, the email list yesterday and today in that regard and that was appreciated.

It is really important that all of us understand our charter. And we of course have the privilege in this group of working with what may be considered one of the most contentious issues if not the most contentious issues in the GNSO and ICANN in general.

Because there are competing views that are all valid. And so for 15 years the GNSO and the ICANN community in the larger perspective have grappled with the things we are going to be grappling with.

So that means we have some big challenges in front of us but as long as we will commit to work together constructively. First of all, to make our views known even when there are disagreements.

And to do it in a constructive way and to listen to one and other even when we may have a totally different point of view and to do that respectfully. And I am not worried about that. I think all of us are capable of doing that.

And so as we do that though we are going to have to and especially with the size of our group and the complication of the issues we are dealing with. Just continually commit to being constructive and helpful to listen and respect one and other.

And then as we develop a work plan which is what the mind map really is helpful at guiding our work. We need to do that in a clearer way and a systematic way in my opinion so that we can be effective whilst still allowing full input in a timely manner.

So I talked about three different things in my message. First of all, the three phases of the work as outlined in the charter. It is important we are aware of those.

And our first phase is primarily to develop requirements and to decide whether we think that a new RDS is needed or whether we think the existing WHOIS system is - can be used maybe with some modifications.

The actual policy development of this working group is targeted for Phase 2. Now that does - and a good point was made on this on the list today on this.

That doesn't mean we can't consider policy implications as we are developing requirements.

We will probably have to in some cases. But I think we need to avoid getting into the policy development phase ahead of schedule because that is going to work much better after we have identified all the requirements. And after we have decided whether a new RDS is needed or a modification of the existing system is needed.

Now I understand that some of us may already have our own opinion with regard to that and that is fine. But I believe that we will see that we don't all have the same opinions even on those very overarching questions.

So the three phases are there. The phase we are tasked with is Phase 1. And I think I have already covered the primary tests there.

The second point that I made was that the charter divides our work into - and not just our work but the work in Phases 2 and Phases 3 as well into 11 questions. And those 11 questions will pretty much apply to all three phases and they can be used to guide our work.

Now there are lots of interdependencies of the 11 questions. And so we may go through them sequentially depending on how we develop our work plan. But that may mean we have to go back to one we have already covered and so forth. That is okay.

Because of the interdependencies we will probably need to do that. And so keep that in mind as we are going through and maybe we finish some requirements on Question 1, Area 1.

And we don't have to feel like okay this is final. We may discover something when we are working on Area 5 or Area 8 that takes us back there. So we will

be very dynamic and flexible while at the same time trying to be as efficient as possible as we are going through these.

So the mind map and we will have our further - continuing brainstorm on that in just a minute. Really breaks the 11 areas down into Areas 1 through 5 and then Areas 6 through 11 and we will talk about that more later.

One through five are really critical for answering the fundamental questions that Phase 1 involves okay.

When we have covered all of those we need to make a decision as to whether a new RDS is needed or whether the existing system might be able to be used with some modifications. So that is the main part of the second point I made in my message.

And then the third point, one of our first tasks is to develop a work plan. And the mind map I think is very helpful on that and we are going to be working on that work plan over the next couple of weeks.

To get that refined so we can really start digging in and getting the bulk of our work done or started anyway. Not done that quickly. That would be nice if it was possible but it will take us some time.

Now the leadership team assuming there is no objections from the full working group has committed or maybe I have committed them to this. I don't know which is the fairest way to say it?

To take a first cut at drafting a work plan that hopefully in a draft form can be submitted before our call next week. And then the idea there is to get the process moving.

And the full working group will be asked to comment on that draft. It is not that the work the leadership team is trying to run the show in a top down manner but to facilitate us getting moving quickly.

We will put something out there that will be open for complete discussion by the working group and modification with the goal of all of us as a working group agreeing to our work plan.

Now a work plan by its very nature is dynamic. There is no way we are going to get it perfect the first time. We will learn things as we go. And so please don't think that whatever work plan the working group agrees to at the beginning will not be changed going forward. I can guarantee it will. And certainly the dates will as we see how quickly we can make progress.

So let me stop there. Certainly if anybody has any questions or comments about the message I sent out or what I just said feel free to interject those now.

Kathy go ahead.

Kathy Kleiman: Great can you hear me Chuck?

Chuck Gomes: I can.

Kathy Kleiman: Terrific. Hello to everyone and thank you for what you sent out Chuck and for the explanation of it.

I have a question about B 1.1. And the question what are the fundamental requirements of gTLD registration? And forgive me if this is somewhere else. But for the 16 years I have been working on WHOIS issues I have had the same question and I just want to make sure we are going to address it which is what is the purpose of WHOIS? Which seems to be a little different than what are the fundamental requirements of gTLD registration?

For those who have delved into the history, you know, we find that we inherited a system. When ICANN was created we inherited a system of domain name - a publication of domain name data in WHOIS database.

That was created in a very different network for very different purposes. It was created kind of under the NSF net guide. It never had personal data. It had people's business data for business purposes.

Scott Bradner at Harvard IT with his business phone number. This is pre-cell phones days even. So now how do we - where and when do we think about not only what data is needed to be collected for registration but what data is needed to be published to the work for other purposes other than handling the technical problems of the internet? That is what we really seem to be here to be asking.

So for example, in the telecommunications world and the telephone system. There is a data we collected - I am a telecommunications attorney. There is a data we collect to run the telephone system to establish a new line to a home or to a business.

Then there is the data you publish in the directory. Different questions, different purposes, different reasoning. So I am wondering how we are going to look at those two tiers of questions? Thanks so much.

Chuck Gomes: Thanks Kathy. Great questions and comments. Let me say - I will respond first of all and I will let others jump in. This is Chuck speaking.

First of all, Area 1 or Question Number 1 of the 11 questions deals with users and purposes. I suspect we will spend quite a bit of time on that and hopefully we will be able to reach consensus or at least strong support for various purposes and who the users are.

Now one of the things that is really helpful in my personal opinion okay is that the expert working group did an incredible job of not only using their expertise and applying it and reaching strong levels of consensus on a lot of things but it gives us a base to start with.

It doesn't mean that we have to accept everything that they recommended but that will be our starting point and that is a starting point that the board suggested that we use. And so we will start off there.

Now we are not going to be restricted to that. But I think Area 1 really deals a lot with what you are talking about Kathy on the purposes. In fact I compliment those who develop the framework and who - oh thank you that is gone.

And also develop the charter because they listed that particular area in question Number 1 of the 11 because it really is going to impact everything that follows after that.

Now I think - and my opinion as Chair that in our work plan hopefully we can come up with a very deliberative way of going through these. And make sure that we not only identify possible requirements but that then on each one we agree as a working group in terms of supporting it or not. And that will be a lot of work but that is where we are headed.

(Stephanie) your turn.

(Stephanie): Thanks very much. I hope you can hear me.

Chuck Gomes: Yes.

(Stephanie): Okay good. (Stephanie) for the record. I just wanted to add to what Kathy was saying. One of the problems that we ran into on the EWG in my view is

that some issues were deemed out of scope. And I apologize for my cough I have got the flu.

To a data protection person and I speak as a former data protection person. The RAA agreement is the collection instrument for the data that we are talking about in the RDS.

The actual disclosure of the data through the WHOIS only one aspect of the complete lifecycle. You have to also look at collection retention and escrow.

And so I just want to underline that ICANN looks at things in a particular way. This data is out in the public. You have to acknowledge that there are different frames in which we look at this data.

So expect me to be jumping in on a regular basis and pointing out that we need to figure out the overall purpose of the collection of registration data not just its placement in a public directory. Thanks.

Chuck Gomes: Thanks (Stephanie) and I definitely expect that. And welcome it okay.

So Alan you are next.

Alan Greenberg: Thank you very much. Interesting discussion. I think our job is to put a structure in place going forward. So WHOIS and why it was created in, you know, 30, 40 years ago is interesting but it is not necessarily what should be driving us.

So a particular bit of information may have been collected and disclosed in the olden days so to speak for Reason X. We may find that there is still reason to collect it and perhaps disclose it and they are two separate things.

And as (Stephanie) pointed out it is not only the collection disclosure. It is the escrow of it. It is the storage of it. It is retention of it. And all of those may have different issues related to them.

We need to put something together that will make sense going forward. So we may still need to collect the same bit of information we did in 1963. It may be for completely different reasons unrelated to why it was (unintelligible).

And I don't think we should get bogged down by the rationale for what it was used for before but what do we need to do our job properly, legitimately and with all due care today. Thank you.

Chuck Gomes: Thanks Alan. Points well taken. Kathy did I answer your question sufficiently?

Kathy Kleiman: Yes you did. So there is much more detail kind of underlying your email to us which was the higher level. And I knew that but I appreciate the clarification.

Chuck Gomes: Thanks and of course we are going to have to get down into the nitty gritty detail if I can say it that way as we go through these things. And that is where we are going to need the perspectives of all different users.

And then we are going to - the challenge then okay we have got all these perspectives how do we put them together and recommend the requirement that can best satisfy all of the users and all of the purposes? Thanks Kathy.

(Michele).

(Michele): Thanks Chuck. (Michele) speaking as me not as any member of anything but as a former member of the EWG.

I would actually have to disagree with Chuck on the last sentence he said enough though I put up my hand before he said this. We don't necessarily want a WHOIS or a replacement for WHOIS that supports all purposes

because not all purposes are legitimate. And therefore not all purposes should be supported.

The thing is there is some very interesting discussion going on in the chat there in the Adobe Connect. I mean people talking about the history of WHOIS.

And it is something I think a lot of people tend to forget. I mean once upon a time a long, long time ago there were a handful of people who were connected to the internet.

And they all knew each other and most of them were either involved in the military or they were involved in academia. But they all knew each other and they all interacted with each other in a very, very different way.

That was before I was on the internet. When I first got on the internet back in the mid-90s you could actually get a list of every single Web server in Ireland if not in the world. I could spend hours with nostalgia about what it was like back then.

But the point being that it was a very, very different beast and the way we interact with it and the way things are handled now compared to then is hugely different.

I mean if you have a look at some of the stuff we got back in another PDP when we - when a group of us asks the public to give us their experiences dealing with WHOIS.

This discussion of proxy and privacy. I mean certain things that people had to happen to them as a result of data being made available or not being made available is quite fascinating and completely unimaginable if you were to look at it for the perspective of somebody in the 1980s, early 90s, mid-90s or whatever.

If you look at the EWG's report which I know is very long and quite tedious believe me I have lived through it. You will see we spend quite a bit of time trying to go back to basics. Looking at every single element. Why it was collected? What was needed? What was not needed?

And then I am not sure exactly where the line is in terms of this PDP because it is one of those things where I think some of the wording may lead to kind of a push pull thing around it.

But you know can we simply say that maybe some of this is just not required? Because I think the question as (Stephanie) is framing it is a very interesting and very relevant one. Sorry if it was Kathy as well.

I think that is something that it is often isn't asked because people assume that certain things are required. But questioning whether they are or not I think is a valid exercise. Thanks. I will shut up again.

Chuck Gomes: Thanks (Michele) and let me thank you for disagreeing with me and correcting my statement. In fact, the EWG report contains some purposes that we don't want to satisfy and they make that very clear.

And I want to use that opportunity to say for a lot of you that maybe haven't worked with me before. So I think (Michele) obviously knows this and a lot of you do.

But I am very comfortable with disagreement with things I say and I welcome it and encourage it. So for those that haven't worked with me please understand that. And we will all be better for it if we can disagree.

Because I am Chair that is all the more reason why you should disagree with me. To make sure we have things accurate.

Kathy is that an old hand?

Kathy Kleiman: Sorry Chuck. That is an old hand.

Chuck Gomes: Okay thanks. So let me now turn it over to Marika or and other staff members to see if there are any questions on the mind map. Any further discussion of the mind map. Our agenda item here is a continuing brainstorm we started last time on the mind map.

Anybody have any suggested changes to it or questions that something is not clear in the mind map? Now depending on your screen it may be hard to read. To the extent you have a printed version which I do to help me. That kind of thing can be helpful.

But are there any questions on it? Anything that is not clear or anything that you think might be changed? And Marika, Lisa feel free to share any things that you think might be helpful for people to understand here as we spend a few minutes just focusing on the mind map directly.

Marika go ahead.

Marika Konings: Yes this is Marika. Just to know that we did circulate the mind map as well together with the agenda and it is also posted on the Wiki for those that want to have their own copy available to better see the information that is provided there.

As Chuck already noted and we have broken this out into the different phases per the outline of the charter. Nothing that the focus really has been on Phase 1 although at the bottom of the page you will also see a placeholder for Phase 2 and 3 which is basically (unintelligible) for grouping (unintelligible) together that may come up as part of discussion here today.

And then going forward that we may want to park it and remember that we said we would take care of those items and not lose sight of them but not necessarily bring them into the Phase 1 discussions.

So as Chuck already said, you know, we have broken out the different questions along the lines of this fundamental - two fundamental questions as you see here on the screen and as well for the different items. We have created a separate Wiki page as where relevant information to each of those questions can be found.

One of the questions and I think we already put that forward as well during previous meetings. If there is anything missing, any other information that you think needs to be reviewed or added to that list, you know, please let us know so we can add it and make sure that it is complete as possible.

So I don't know if that is great enough time for everyone to have a look at this and start looking their hands to bring forward points or items that you think should be reflected in the mind map.

As we said before, the idea is that the mind map serves as a starting point for discussion. Discussing how to organize our work. You know what information needs to be considered?

How to approach certain topics? Which would then hope to translate into a work plan that basically reflects the different elements as well as any points that are added as a result of our conversation today.

Chuck Gomes: Thanks Marika. Chuck again. Does anyone have any questions? Comments? Suggestions with regard to the mind map? Now is the time to bring those up. Not that you can't ask them in the future or make suggestions in the future. But let me just pause a moment and see if there are any discussion on this.

As I said, this will be a real helpful guide for developing our work plan which we are going to be intensively working on in the next couple of weeks.

Okay not seeing anything there I think we can then go to Agenda Item 5 which is outreach to SOs and ACs and the GNSO stakeholder groups and constituencies.

So before I talk about that. Amr it is your turn.

Amr Elsadr: Yes thanks Chuck this is Amr again and I apologize for the late hand on your last question.

I had earlier asked Lisa to add something to this PDP working group's Wiki and I just think that this something that could also be added under the key inputs that need to be reviewed on the mind map perhaps.

That is the legal review done by ICANN legal team during the implementation of Thick WHOIS. This wasn't part of the original PDP or recommendations made by the GNSO to the ICANN board because it was conducted by ICANN legal when GDD staff took over.

So I think that is helpful inputs to review and Lisa already confirmed that she would be adding it to this PDP working group so I just wanted to draw attention to it. Thank you.

Chuck Gomes: This is Chuck again. Thanks Amr and thanks Lisa for adding that. (Mark)?

(Mark): Thank you Chuck. This is (Mark). I am looking at Section 1.1 for the fundamental requirements for gTLD registration data. And I am thinking there are two items. I have heard other people mention these and I don't see it explicitly called out here.

But I think questions on retention of data and impacts around how that data is escrowed. I think those are fairly important topics that should probably be called out as well.

You know especially noting around the retention of data. I think that is probably you know at least from my observation that is the number one item I see registrars requesting exemptions for. A period of the time they are required to retain data.

So I think that is probably an item that is big enough that it should be called out in its own section in 1.1. Thank you.

Chuck Gomes: Thanks (Mark) and I was glancing real quick to see if those were addressed in the charter specifically. I didn't find it really quickly. Lisa I am glad you raised your hand. Go ahead.

Lisa Phifer: Thanks Chuck. Just a note that both data retention and escrow were briefly touched upon in the EWG's work under system requirements. And so I don't know that either of those things are specifically called out in the process of the charter.

But if you were using the EWG report as a sort of map to move forward on each of these questions where you would find that information would be in the system modeling exception. Could just as easily be our group that it belongs under data elements I think.

In fact this is Chuck speaking before I go to (Michele). I think that probably it does apply to at least those two areas not just one - not just the system model but the data elements.

And obviously that will be a key policy development area as well. (Michele) go ahead.

(Michele): Thanks, (Michele) for the record. Just very briefly. One, as Lisa said I mean she is very good and she will be able to tell you the - what exactly was current and what wasn't. But just from a practical perspective speaking as a European based registrar and speaking as one who has grappled with this, with ICANN legal plus (unintelligible) yay that was fun.

The data retention thing is something that quite a few registrars are already requesting waivers and exemptions for. So that is something which is known is an ongoing and subject of debate.

In terms of data escrow in light of the Schrem's decision this has become a very, very pointed subject of discussion between contracted parties. In other words, registrars and registrees and ICANN.

Essentially for those who are not aware. ICANN currently "funds" the data scroll for registrars if they choose to use Iron Mountain. But Iron Mountain do not have any physical service within the EMEA European Union, et cetera, et cetera.

So if registrars want to escrow to an European EMEA whatever based - sorry European Economic (unintelligible) no EMEA that would be wrong. My bad.

They would need to pay for that themselves. ICANN currently does not finance in (unintelligible) activity. The reason I mention that the financing pay for it (unintelligible) because ultimately it is bundled into the fees that the registrars already pay ICANN. So it is not exactly free.

But it would cost the registrar extra at the moment to choose an European based escrow provider. And I am not aware of any discussions involving non-EU and/or non-U.S. providers. Whether that is an issue or not, I can't speak to that.

Chuck Gomes: Thanks (Michele). Chuck again and as I think everyone understands. A lot of these details that people are bringing up in this discussion and earlier discussions in this meeting will be especially important when we get down to actually focusing on specific possible requirements for an RDS system. So thanks for that.

If there are no more discussion on the mind map. If there is no more discussion on the mind map let's go to Agenda 5. Agenda Item 5 which is outreach and this is a brief one. The outreach to the SOs and ACs and SG&Cs and the GNSO.

That is not something we need to spend very much time on here but comments are encouraged and welcome. Once again I have committed the leadership team to come back with some ideas on that for our next meeting. And hopefully something sent out before the meeting a week from now with regard to that.

But just generally we have a responsibility to get input from all supporting organizations that are interested and all advisory committees that are interested in this issue.

And I am going to particularly recommend that we not just do that once but we do it multiple times. And that we keep the request for input somewhat limited in the sense by two factors.

One of them so that we get input on issues we are going to be working on in the near term. And secondly, that we do it multiple times so that as we need more input, more specific input we can request that later.

So by having multiple outreaches to SOs and ACs and constituencies and stakeholder groups hopefully we will be able to maximize the use of that. And also minimize the amount of time it takes them to develop their comments because they are all very busy.

And if we can keep it to realistic amounts of input from them I think that it will be more effective. But we will get more details on that later.

Again, the leadership team will come back with an initial recommendation in terms of outreaches. And the outreach to different groups doesn't have to be the same. We can customize it as well.

So let me stop there and see if there are any questions on that and/or comments.

And I note your comment in the chat Andrew. And I think somebody else made a point. It may have been (Michele) similar to that. That past presidents could be bad and certainly need to be taking in contacts. And I think Kathy also was making points in that regard.

Okay. Not seeing any discussion on that. Leaders and staff if I missed something on any of these items please let me know. If not, let's go to the last agenda item and talk about next steps.

First of all, and you can look back if you have a - I don't need the mind map brought back up. But if you have a copy on your device or a printed copy like I do.

Phase 0 in the mind map talks - Item 0.1 talks about reviewing key inputs okay. And there are six of them listed there. So again I encourage everyone strongly to become familiar with these inputs.

Like (Michele) pointed out some of them like the EWG final report are quite large but it is going to have a huge impact.

Now at this stage of the - of our work as we are just getting started. Begin familiar with the EWG final report is very helpful. You will have need as we

move forward to probably look at it in - at parts of it in more detail as we proceed with our work.

The final issue report is another one that is very helpful because there is some information in that that we will use. And certainly I and other leaders will call attention those areas as we are going through this.

Of course we need to follow the working group guidelines and the PDP manual. So being familiar with those and certainly knowing where to find those and look things up is useful.

And there is lots of work going on now and that has gone on over the years. And so - and Amr pointed out the work with regard to Thick WHOIS. So that is an ongoing action item for all of us to become familiar with that and to know where those resources are.

As I already said in this call, before next week's meeting the leadership team will provide a draft work plan. Now that is a huge task and I hope we can deliver on that. We are going to try and schedule - we have a regular leaders call on the day before, on Monday before our Tuesday meetings.

I have suggested a special call later this week so that we can hopefully deliver something before our meeting next week on a draft work plan.

And we will also deliver before next week's meeting a draft request for initial input from SOs and ACs. Now the purpose of course of providing those to the full working group is so that the full working group can make edits, make changes, change directions whatever.

So that it is truly a working group decision and not a leadership team decision. But hopefully by us doing that it will help us get to that point sooner.

So that is next steps. Did I miss any next steps?

Okay Marika.

Marika Konings: Yes this is Marika and maybe you were still getting to that next step. But one thing we discussed as part of our leadership team discussion is to plan ahead for the Marrakech meeting.

And send out a Doodle poll to the working group to get an idea of who is going to be there in person? Who is able to participate remotely? And who is not able to either attend in person or participate remotely.

So that the leadership team has an idea of who will be - whether there will be sufficient participation to have normal kinds of working group meeting or whether something else should be planned or scheduled. So that is something we are planning to send out shortly after this meeting.

Chuck Gomes: Thanks Marika. I did miss that and it is right in front of me here. And so when that - is that Doodle poll going to be sent out later this week or next week? Or do we know?

Marika Konings: We can send it out later this week.

Chuck Gomes: Okay so good. And so when you see that it will really help us if you can respond to that. Again whether you are going to participate remotely or in person that is helpful information for us. We need to make sure we have a room that accommodates those attending in person.

And keep in mind that at an in-person meeting at an ICANN meeting. Anybody is welcome to attend our meeting. But right now and we still need to discuss this further.

But right now I am thinking that the working group meeting in Marrakech will be a regular working group meeting that anybody that wants to attend can

attend. And of course the remote participation will be available for those working group members who cannot attend in person. So thanks for catching that.

So our next meeting is on the 23rd of February. It may be the 24th for some because - correct me if I am wrong but I believe that that meeting will be at the 0500 time. That is the last meeting of the month. Is that correct Marika?

Marika Konings: This is Marika. Yes sir that is correct. Actually the meeting will be on Wednesday the 24th at 5 UTC. Would actually mean that for some people it will be on the Tuesday 23rd. But the official time date is 24th at 5 UTC.

Chuck Gomes: Thank you. Any questions or comments as we have a chance of completing this meeting on time? Maybe with a minute to spare or two.

Okay sorry that I monopolized so much of the talking today. Hopefully that will not happen in the future. But we had a lot of background material to cover today and give opportunity.

I am assuming that the working group is in support of everything that we - the directions we have gone today and proposed because there haven't been any objections to that.

Certainly let us know if there are any concerns about any of that. I believe that is all we have for today. I want to thank everybody for participating and please continue to participate on the list as well to the extent that we can get things debated on the list. It will make our meetings even more effective so I encourage that.

So at this time I will adjourn our call. Thanks again and have a good rest of the week.

Woman: Thank you.

Coordinator: Once again the meeting has been adjourned. Thank you very much for joining.

END