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ICANN69 | Community Days Sessions – GNSO - CPH Membership Meeting  
Thursday, October 15, 2020 – 14:00 to 15:30 CEST

SUE SCHULER: Good evening, good morning, and good afternoon, wherever you are. Welcome to the meeting of the CPH membership, on Thursday, the 15<sup>th</sup> of October.

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With that, I’ll hand the floor over to Donna.

DONNA AUSTIN: Thanks very much, Sue. Welcome to Graeme’s house, apparently. So, Graeme, thanks for allowing us to hang out at your place. Just an initial welcome from me. As Chair of the Registry Stakeholder Group, I wanted to take this opportunity to introduce what will be our new Executive Committee come the end of this meeting. So I will be stepping down, and Sam Demetriou, who has been on the ExComm, I

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think, Sam, for the last three or four years, is well-prepared to step into the role and be the advocate for the Registry Stakeholder Group. So we're very pleased to have Sam stepping up into the chair role at the end of this meeting.

Beth Bacon—I'm sorry; Beth; just had a blank there—will be changing roles. Beth is currently our Vice Chair of admin, but she'll be stepping into the Vice Chair of Policy role as a result of our recent election. So we're really pleased to have Beth continue on the ExComm, even if she's taking on another role.

We have a new person joining us—not new to the industry but a new person to the ExComm. That's Craig Schwartz. Craig is going to join us as the Vice Chair of Administration.

Jonathan Robinson will stay on the team as our treasurer.

Maxim Alzoba and Sebastian Ducos will stay on as GNSO Council reps.

People probably know that Keith is also stepping down at this meeting, having served, I think, two years as Chair and maybe five years on the council, Keith? I'm not sure I've kept track of that properly. So thanks for to Keith for his service on the council and certainly in the role of Chair.

We welcome Kurt Pritz to our ExCom team and as our council representative to the council.

So that's just by way of introduction to welcome all of our new people to the ExCom. Over to you, Ashley.

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ASHLEY HEINEMANN: Thanks. Ashley here, Chair of the Registrar Stakeholder Group. Following on that, we had, as part of the Registrar Stakeholder Group, a lot of our changes at the last ICANN meeting, but we do have a few changes as well, notably that Michele Neylon will be stepping down from one of our council rep positions and will be sorely, sorely missed. Kristian Orman will be stepping in in his place.

Otherwise, we have Greg there remaining, and we also have Pam, who is going to continue on as vice chair. Very much thanks to her.

Am I forgetting somebody else on our council? I forget. And Tobias will be swapping out with Caroline to fill in the position of our NomCom seat.

So those are our big changes. Otherwise, everything is staying the same. So thanks for that, and hello, everybody.

Should I carry on into the next agenda topic, Donna, or did you want to add more to the welcome?

Are you on mute?

DONNA AUSTIN: Maybe I am. Am I off mute now?

ASHLEY HEINEMANN: Yeah.

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DONNA AUSTIN: Okay. Carry on, Ashley. I think we're good to get to the substance.

ASHLEY HEINEMANN: Sure. Why don't we just dive right in? EPDP Phase 2. I'm not sure if we've spoken as a group since the council vote, but I'm guessing we are all aware at this point that the Phase 2 recommendations did pass through council for better or for worse as expected in the sense that the IPC and the BC voted against it. There were a number of statements that were read on the record. I encourage you all to read them if you want to get some of the flavor. But things are moving forward.

My understanding now is that we need to now wait to see how the Board comes back with respect to a request from council that there be some discussions with respect to a number of the recommendations, including considering a cost-based analysis on the SSAD, particularly in light of the fact that some of the biggest sets of users have voted against the report. So just looking at it from that perspective.

I'm not aware of getting any feedback at this point. Happy to have Keith correct me if he's heard something.

But what we are all also faced with now and also has appeared on the council agenda is basically proceeding with EPDP Phase 2A. Basically what this is is looking at legal/natural and the feasibility of unique contacts. That's a hard thing to get out of your mouth. But basically

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the understanding that we will continue to look at this legal versus natural persons issue and what has been put on the table and that, in my understanding, is agreed to at this point is that we are to get together and to confirm availability of our members to this group by a proposed deadline of November 15<sup>th</sup> and to start developing proposals to address these topics.

I think one of the biggest gating factors here is also identifying a new chair, which should be a very interesting exercise to some very poor soul. I won't say that. That's not very nice. It'll be a very challenging, I think, position, and I think that's based on history alone, if nothing else.

So I'm just teeing this up at this point. I think what we'd like to do is just get our members' perspective on this, speaking from the Registrar Stakeholder Group perspective. We haven't sat down and really hammered out who is going to continue on. I know some folks have expressed an interest on getting off, but we need to do that.

But I guess, Donna, I'll turn it over to you to see if you had any kind of intro thoughts on that and then turn to the group for comments and discussion.

DONNA AUSTIN:

Thanks, Ashley. We certainly haven't had much of an opportunity to have a discussion around whether our team, who did a terrific job over the last few years, is in a position to continue to have another round. I believe they may be, but certainly I appreciate that it was a

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considerable load. It was a difficult conversation, so there may be some reluctance to go back. But I guess it is what it is. So I don't know if any of our EPDP chain would like to speak on this topic or have any points that they wanted to make at this stage.

Alan, go ahead.

ALAN WOODS:

Thanks, Donna. I was totally not actually going to speak about this at all, but I think the important thing is indeed noting that a lot of time and a lot of effort have gone into this from many people who've been involved across the stakeholder groups on this. I think there is a genuine question over whether or not our own company would need us back for a bit of time as well. So we have to that genuine conversation. I personally have to have that genuine conversation inside. I know that Donna very supportive of me being involved in this on behalf of the Registry Stakeholder Group, and I'm more than happy to lend my expertise. But it is a conversation I do probably genuinely need to have, considering that this is the never-ending EPDP. But I think my initial obviously is I will do what is necessary, and I'm absolutely happy to put my name forward, but there is a discussion that needs to be had about time, basically.

DONNA AUSTIN:

Thanks, Alan. Ashley, I'll hand it back to you.

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ASHLEY HEINEMANN:

Thanks. I don't know if you're responding to my hand up or just to respond to Alan, but, yeah, I totally understand, Alan. We're in the same boat.

One thing I did want to raise for the group for consideration is whether or not we want to get together and talk about, in terms of moving forward, how to frame the discussion if there would be some value in putting across what we see as, if nothing else, are parameters of the discussion or what our expectations are. I assume it's understood already, but I don't know if it's worth having it on the record that this is not an opportunity to get into what we're allowed and not allowed to do at a policy level. I think it'll be really hard for us to do some certain things without any real authoritative guidance from the DPAs that were happy to explore some technical aspects. I'm not even sure if that's a helpful thing to say, but I think a real clear understanding of what the conversation is going to be and how far we're willing to go might be helpful at the outset so that expectations aren't set inappropriately or in a way that just can't be achieved. But I think being really honest with ourselves as well ... It's only natural for our gut reaction to be like, "There's nothing more we can do because we have done so much," but I think it would be helpful to have a real honest conversation amongst ourselves.

So, sorry about that. I'll turn it to ... I believe Michele is next in the queue.

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MICHELE NEYLON:

Thanks, Ashley. A couple of things. On the Phase 2A, I think we've agreed in principle that we're willing to engage as contracted parties in that, but the real problems I see with this is how on Earth can we constrain that working group in terms of the work required; in other words, the number of hours per week? Because you cannot take over people's lives like the last two phases did.

Also, what is to stop the BC and IPC after three or four months from turning around and just completely blowing up the work or lack of work that's been had over the period that's passed?

The thing with the multi-stakeholder process is there's meant to be compromise, but this isn't simply a question of us compromising something that we ourselves are willing to do. We have to be able to operate within the law, which is something they don't seem willing to accept. And if they don't get the outcome that they want, then they're just going to try and vote it down again in council, and we're back to square one again. I just don't see an end to this.

DONNA AUSTIN:

Ashley, you're managing the queue? Or am I?

ASHLEY HEINEMANN:

Hi. Double tasking. Happy to continue going. Thank you. I totally appreciate that, Michele. I think that is what it is. Donna?



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DONNA AUSTIN:

Now I'm on mute. Just to pick up on Michele's point, I don't know how we have a conversation about this, but it's a real problem. So how do we expect our respective change that we're on EPDP 1 and 2 to go back into the ring to have another conversation, a circular conversation, that, if, at the end of the day people don't get what they want, then they might sign on to the final report that ... I guess it's a political statement during the GNSO Council discussion. Just can't use that word [all over it] because I think we're at the point where this has become personal and that's unfortunate because it should still be focused on the business and what we want out of ... Let's be reasonable ... When we had these conversations. But I think we're losing trust in the ability to have these conversations with people and what's the value of doing so. So there's no easy fix and I don't know we do that, but I guess people are unwilling to go back and have the conversations if they're going to expect the same outcome.

So I don't know who is going to develop the charter for this effort—whether it will be the council—but again we will face the same problem there because of the competition of the council. But maybe the team, when it's put back together, has to review the charter first off and at least agree on what they're discussing.

I note, Ashley, that you think Keith is ... that maybe it has already been chartered, but I think it would be helpful for the team themselves to review the charter before they get into the work.

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But I appreciate Michele’s comments. The challenge for Part 3, if this is Part 3, is, what are we doing here? We know the outcome ahead of time, so why should we bother? Thanks.

ASHLEY HEINEMANN:

Thanks, Donna. I think part of the issue is that we have agreed to it in principle. I think we just got to figure out what it is that we can do that’s constructive as opposed to just what’s continued on, which I know has already been stated a number of times.

James, please go ahead.

JAMES GALVIN:

Hey. Thanks, Ashley. Just to follow up with Donna and Michele and some of the others, and to my colleague Alan and fellow trauma sufferer from Phase 1 and Phase 2, first off I want to say thank you to the folks who called this 2A as opposed to Phase 3 because they know that would be a real insult, and folks would run for the hills. I’m going to go ahead and be a contrarian and say, if there is a Phase 2A, I’ll volunteer to continue as much as ... I can’t believe I’m saying that, but I think that it is important to have some continuity with the previous two phases so that we don’t lose several years now of accumulated experience from our CPH reps and I would hope that some of our friends, some of my colleagues from Phase 1 and Phase 2, would be open to getting the band back together for an encore, as much as they’re probably screaming into their mute button right now.

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But I also think, to Donna’s point, we need to put some boundaries and some guardrails around this effort, first off noting that some of these topics touch on deep principles and precedents that go back to the founding of the DNS, the founding of the Internet. Not to be too dramatic here, but the idea that all registrants are equal and have equal rights and responsibilities and equal policy obligations and that we would somehow start changing that based on who they were, what kind of registrant their geographic location; that we would start making all these discriminatory moves and baking that into policy and then of course presumably chasing all of the legislative updates as they pop up around the globe. So I think we need to recognize that that’s a very treacherous course.

The second one is—I think it was Donna that mentioned this—that we have to make it clear at the outset to all participants that a lack of consensus is not a failure of the process. A lack of consensus is a legitimate and viable outcome of these policy development processes. It simply means that, whatever the alternatives that were explored, the status quo is viewed as less problematic than some of the alternatives.

I think that where we get into trouble is that there are some elements of the community that see lack of consensus as failure and that we need to go back and try again and try a new process and fire up a new PDP and recharter it and kick it back to council and lobby the Board and all this stuff. The answer really is that there has to be an exit routine here from this process at some point. It can’t just continue forever.

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But, with that said, I am game for another round because I think, if we draw on the experience of everyone who came before us, we can keep it constrained, we can keep it on topic, and we can keep it abbreviated in terms of time and work effort, he said naively and hopefully. But I think we would be less able to do that with a new crew. Thanks.

ASHLEY HEINEMANN:

Thanks, James. We're going on 30 minutes after the hour, so I'm going to cut off things after Volker. We have Keith up in the queue as well. But I just wanted to say that I think what we probably need here is a small group of those that has an express interest in this or at least an idea of how to progress the conversation. So perhaps we can get that sorted after this.

Go ahead, Keith.

KEITH DRAZEK:

Thanks, Ashley. And I've noted there's some questions in chat. Just briefly, on the EPDP Phase 2A work, which is legal versus natural and the unique identifiers question, the GNSO Council will basically refer this back to the EPDP. These topics were within the scope of the original charter, so there's not a significant lift or load in terms of updating the charter for this work. But the expectation is that the council, as I typed in chat, will expect a report in three months' time to assess whether there is any progress being made, whether there's any hope of having some consensus recommendations coming out of the group, and to determine whether it's worth continuing that

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conversation. So I think there's a recognition that these topics have been discussed before at length and that perhaps there's an opportunity for some additional work and progress to be made but that essentially three months should be enough time to indicate whether that's an opportunity for consensus or not.

On the other topic of data accuracy, that will be a separate topic considered by council and scoped separately. It's a more complex issue. It has implications beyond just GDPR. So the council will be looking to charter and scope a separate track on the question of data accuracy.

I noted Donna's question about timing in terms of the frequency and the intensity of the work of the EPDP Phase 2A, and that will ultimately be up to, I think, the new chair that's identified for that work and the team itself. I don't think that the council necessarily will be in a position to dictate how many calls a week and how many hours a week will be dedicated to the effort. Or at least that's not something that has not been discussed at the council level.

I just want to go back just briefly to the discussion of the EPDP Phase 2 recommendation and the Board's consideration and the cost-benefit analysis. The GNSO Council did have a session with the ICANN Board earlier this week, where that was discussed. I know we have our CPH engagement with the ICANN Board coming up very shortly. So there was discussion about the GNSO Council continuing to engage with the ICANN Board on the cost-benefit analysis and the implications of the actual recommendations coming from Phase 2 versus the estimates

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that were received mid-stream in the EPDP 2 effort from ICANN Org in terms of the cost to build and the cost to operate an SSAD. I think there's a joint recognition that there needs to be continued dialogue on that and what it means and whether the cost of building an SSAD actually is worthwhile in the context of what we've heard from the user groups in terms of the value of the structure for them.

Anyway, I'll stop there. Thanks.

ASHLEY HEINEMANN: Thanks so much, Keith. That's very helpful. Volker?

VOLKER GREIMANN: Thank you very much. I think I can agree with everything that Keith and James said before me. I think we desperately need the continuity because of the arguments that have been had already. I'm also throwing my hat back into the ring to make sure that this is taken care of. Obviously, if somebody wants to volunteer their time, then that's fine. I think we should also appreciate anyone else raising their hands and trying to throw away their lives. But, seriously, I think we do need, in some form or shape, a new approach, as the discussion is already played out, in my view. All sides have made their arguments known, and they have had ample opportunity to lay it out in front of the group. So, unless there is some new proposal on the table of how to resolve that and that probably come before we even start the work of Phase 2A, I think it is, we're doomed to repeat history. That would be a very, very sad waste of our time. But the IPC/BC desperately want to

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have that conversation. ALAC and GAC are also within them. So we need to have at in some form or shape, but we should impress the urge upon them that we're not willing to engage in a substantive manner unless there's something new on the table. Thank you.

ASHLEY HEINEMANN:

Thanks, Volker. All right. Well, let's wrap this agenda item up. Let's keep in touch, and let's work on this idea of getting a group together to talk about how we can put some guardrails on this conversation that could keep it constructive. Thanks.

Turning it back over to you, Donna.

DONNA AUSTIN:

Thanks, Ashley. So ICANN meeting planning. I think Jonathan Robinson is on this call and can help me out with this, and obviously Ashley is involved from a registrar perspective. There's a little bit of activity on ICANN meeting planning. I don't know whether Ashley has had an opportunity to forward information to the registrars yet, but there is a survey that ICANN has asked us to forward on to our respective groups around meeting planning. There is also a session on the Monday where the Board will be leading a conversation on meeting planning and looking a little bit forward into that.

So Jonathan and I have been banging on about this within the Registry Stakeholder Group for a while some of the challenges that we feel we're in at the moment because we're in a COVID-19 situation. The meeting planning isn't particularly effective, and I think we were all

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pretty upset about having five or six sessions on DNS abuse at the last one. Also, the last one was supposed to be a policy one, but there were no policy meetings on the actual schedule. They were off schedule. Going into this one, I know people were taken by surprise that this is the week before the meeting, but we still have another week to go. I know that caught people by surprise.

So ICANN is looking at meeting planning and how to continue in the future. They come at it from the perspective that—well, it seems from Jonathan’s and my reading of the session on Monday—there’s nothing unusual about the pandemic, that we’ll just have a conversation about meetings as if we’re going back to face-to-face meetings in the short term. That’s certainly not the view that Jonathan and I have taken and have had discussions within the Registry Stakeholder Group.

From our perspective, let’s acknowledge that there’s three meetings next year. The most likely situation is that they’re all going to be virtual. It’s hard to know what the world is going to be like in the next twelve months. So maybe if we could just make that decision that we have three meetings next year. They will all be virtual because it’s very unlikely that we’ll have an opportunity to meet face-to-face. So how do we manage that? What’s in the best interest for our respective stakeholder groups, and what is it that we’d like to see as part of that meeting? And what can we do better?

So, I guess, Ashley, that’s the setup. As I said, we have spoken about it a little bit in the stakeholder group but not comprehensively. Now it seems that ICANN has picked it up and does want to have that



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discussion. I think it's something we'll have to try to get out thoughts together on because, whatever comes out of the survey and whatever the discussion that's had on Monday, I think ICANN is going to pick out of that what they want and see how we can manage something going forward.

Ashley, over to you.

ASHLEY HEINEMANN:

Yeah, we haven't too much of an in-depth conversation within our group on this specifically. I will get the survey out to you all. I apologize. I think it just came to us yesterday. But we'll see. Personally I'm very reluctant to have folks make a determination that next year will be all virtual. I realize that's probably the reality, but I guess there's a little ounce of hope in me still that hopes things will get back to normal sometime soon.

That being said, with the way this meeting is being is being conducted, while it's spread out over a much longer period of time, I have to say I feel it's a bit more relaxed in the way it has been handled. So we don't have all the plenaries crammed in with our work sessions, but we'll see how it goes next week. Might have a different opinion. So we'll continue to have a discussion within the Registrar Stakeholder Group, and I'm curious to see if anybody has any thoughts in our membership.

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DONNA AUSTIN: Thanks, Ashley. I note in chat that Craig said it would be nice to vary the time zones between the weeks. I agree. I think that's the biggest challenge that we have, Craig, is the time zone. It's always going to inconvenience someone.

Kurt and then Michele.

KURT PRITZ: Hi. Thanks, Donna and Ashley. I read the blocks for the proposed meeting-planning meeting, and my takeaway from that is I thought the blocks were reverse order; that the first questions was, is three meetings the right amount? Should there be less? and then the other two blocks had something to do with, what are the things we need to do in the meeting? And that sort of thing. So it seems to me we want to figure out what we want to accomplish first and then determine how many meetings there needs to be. So it should be a bottom-up process: what do we want to accomplish in ICANN in a year? And then what parts of those should be done in a remote meeting, and what parts of those can be done during the course of the year more effectively without putting it under the cloak of a meeting and then, having that basis, deciding how many meetings and when. Thanks.

DONNA AUSTIN: Thanks, Kurt. Michele, Sam, and then Craig.

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MICHELE NEYLON:

Thanks. I had a look at the survey, and I did actually complete it. I did find it a little bit frustrating because, with the way they designed it, there were some questions where I definitely would have been happier with an “Other “or something like that because it’s not a binary yes/no question many times. A lot of the time, the answer is going to be, “Well, it depends.” Do we need three meetings a year? I don’t know. Do we need three meetings a year? I think that’s going to Kurt’s point. It depends on what you’re trying to do and how you’re trying to do it. But two meetings a year that were effective would be far better than three meetings a year that were ineffective.

The last time they did a meetings review thing, it became a massive project, and it got heavily political and it got into an entire thing about representation of this and representation of that and how we were going to bring the ICANN spirit to new parts of the globe. And the reality is that isn’t what happens. There’s things like outreach. Registrars and registries can’t really do outreach because the only people who qualify to be members of our group [inaudible] registry ...

DONNA AUSTIN:

Thanks, Michele. Oh, sorry, Michele. We lost you a little bit there, or I did.

MICHELE NEYLON:

I could go on about this, but the thing is, I think some of the questions we’re asking aren’t the right ones at all, and I think there’s a lot of political crap that gets thrown into it that is completely pointless—

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things like the scheduling of the meetings. See who's registered to attend, who's likely to turn up, and schedule it based on that, a bit like we do with the GNSO Council. That would be a practical thing to do.

DONNA AUSTIN: Thanks, Michele. Sam and then Craig.

SAM DEMETRIOU: Thanks, Donna. I certainly don't think that this is a really good time for us as a community to be trying to put the meeting construct into a blender and trying to rethink it. Whether we end up with three remote meetings next year, whether we end up with two, I think we all should recognize that this is a strange time. I think we've all come to terms with that. It's probably not a good moment in time to ask the community to rethink things like, do we need two meetings a year versus do we need three? I think Graeme noted that in the chat; that that's going to take up a lot of time and a lot of energy. And Michele touched on this, too; that this is a very fraught and political concept. I just don't know that we need to be throwing people on the train tracks and wasting cycles on this right now.

I do like the idea that Jonathan and Donna have put forward about looking at meetings on a year-long calendar, looking at twelve months of meetings, regardless of whether we're remote or in person. I think that can be hugely helpful just in general. We are in a unique position where we as registries and registrars get a lot of work done throughout the calendar year. We're not super beholden to the week

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that we're in person or the week-and-a-half or the three weeks—whatever duration it is. We get a lot of our work done every other week, on a monthly basis—things like that.

So I think, for us, maybe we focus on what it is that we want to achieve with the full community convened. I think one place to look at that is, as we're planning these plenaries ... We get so frustrated with the plenary planning because every cycle there's five to ten ideas that get thrown out. I feel like we're never happy with what ends up getting selected. So maybe there's an opportunity to look at, what does the whole community need to work on and focus on for a twelve-month period, and how can that be broken up across the designated meeting times? Maybe we can get somewhere with that. But I think that will translate, whether we're remote or in person. I think that's something we can just carry through regardless.

DONNA AUSTIN:

Yeah. Thanks, Sam. Some really good points in there. Particularly I don't think it's the time to have a conversation with the community about whether we want two or three meetings a year. If we start with that as the basis of the discussion, then we won't get to the rest of it. We'll have a fight around those things. So let's look at what our workload looks like for a twelve-month period and how we want to manage that. As Sam said, it doesn't really matter whether it's a virtual or in-person meeting. It's a case of how we want to manage that load over a period of time. That would probably make more sense.

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I'm very conscious that there's a lot of work that the GNSO Council is lining up in terms of a new PDP. We're going to have to find resources for that. There's a few other efforts that they're kicking off as well. So how do we manage that with the people and the resources and the time that we have? That's an important discussion that we should be having but we never take the time to. We roll along and continue as we always have. So I think it's a good time to have a conversation about what do we want to achieve in the next twelve months and what's on the critical path. And this goes to ICANN's effectiveness of the multi-stakeholder model and being able to prioritize our work. This is the time when we really should be looking at prioritizing the work.

To Sam's point about plenary sessions, I don't see the time and effort that has gone into planning for those plenary sessions. At the end of the day, there's no real results that come out of them. There's nothing concrete. We just talk and "that was a good discussion" and off we go. So, for those plenary sessions—there's three next week; 90 minutes—the prep time that's gone into those is much more than 90 minutes, I can assure you. So it's community time that's taken out.

So, to Sam's point, one of the things that Jonathan has often raised is that we're dealing with a construct that has been provided by ICANN so that they can meet their requirements for how the meeting planning should run. Certainly, from the contracted party point, I think we tried to push back on having another session on DNS abuse within the planning committee, but there was a poll taken and the numbers stacked up this way. So that's what we're going to do. So I'd have to say there's no real thought given to the value of these things.

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So I think it's a good time for the conversation. I don't think it's a good time to have a conversation about two or three meetings a year.

I just want to pick up on something and just clarify something. When I started, I said Jonathan and I don't think we're going to have an in-person meeting next year. Look, just put that aside. That doesn't really matter. I think the point about planning for the next twelve months ... If we are in that fortunate position where we can go back to the face-to-face meeting, at least we know what we're going to be talking about, and at least we know it's part of our longer-term thinking that we've done about what the next twelve months looks like.

I see Ashley. Is that a new hand? Your hand is still up?

Kurt, is that a new hand?

And Volker. I'll give you the last word, Volker.

VOLKER GREIMANN:

Thank you, Donna. My thoughts on this are very much aligned with what everybody has been saying: that this is just not the time.

Just one thing that I would like to add from personal experience is that face-to-face meetings do have very significant value when it is work for a PDP that's being done. I think many PDPs that have had face-to-face meetings and intercessional meetings have benefited very much from those meetings and have made very much progress in just two or three days that they were together instead of having weekly calls. So, if it comes to the point where the community decides that maybe less

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is more, then maybe those largescale meetings could be replaced with more small-scale meetings for the actual work that's being done in the PDPs and have more face-to-face meetings once that becomes a possibility, if ever.

DONNA AUSTIN:

Yeah, that's an excellent point, Volker. I think, if you do the planning throughout the year and you can identify where face-to-face meetings fall in specific work efforts would be valuable, then that's good planning to understand that face-to-face meetings do have benefits for certainly some of the work efforts and that face-to-face is valuable.

The other thing I would note as well—I guess we talk about it from a policy perspective but I do appreciate that, from a business perspective—not having those opportunities for face-to-face engagement is an opportunity lost. So let's not just think about this from a policy perspective but also from an understanding from a business perspective. The ability for registries and registrars to interact and have those conversations is really important. So that is something that's missed.

I don't know where we sit with the GDD Summit. I think the idea is, during 2021, we'll get to Paris in May, but obviously that's up in the air with everything else.

Anyway, thank you for your input. I think we're going to hear more about this in the next few months, so it's good to have a little bit of a conversation about it.



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With that, I will hand it over to Graeme Bunton for some discussion about DNS abuse.

GRAEME BUNTON:

Thanks, Donna. Let me turn on my camera. There we go. Good morning, everybody. I'm not exactly sure what we want to do with this update on DNS abuse, but maybe I'll use it to talk a little about what the RrSG has been doing on the topic and how we're thinking about it. I know the RySG now has a DNS abuse group, and I think it has met a few times. We have yet figured out a cadence to have joint meetings, but we need to do that in the near future to make sure we're aligned and coordinated and not working on the same topics not at the same time.

Broadly speaking, as registrars looked at DNS abuse—and this mostly came out of the meeting last fall in Montreal—it's clearly a topic de jour. Within ICANN, there's lots of community attention to it. So that's a cynical bit, which is that it's a thing we need to deal with for political reasons. But, also, it's a real problem that we could be paying more attention to. There is abuse in the DNS. There is something that registries and registrars can do about it. So let's spend a little bit of time and attention on that and see if we can make the DNS a better place.

So, as we head discussions about what we can do, it's important to remember that the RrSG, for instance, doesn't have any mechanism to force its members to do anything, so anything we produce is going to be voluntary. There's been some reticence to use the term “best

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practices” as well, so we need to be somewhat careful of some legal considerations and how we approach what we’re putting out.

What we were really getting to was ... The primary goal is going to be education. That’s going to be in two directions. It’s going to be outwards to the community—this is how we operate, this is what abuse is, this is what we can do about it—and then more nuts-and-bolt-sy education inside the industry, which is like, “Hey, registrars. If you’re seeing this type of compromise (or this type of phishing or malware), here’s some ways to deal with that that can be effective that your fellow registrars have dealt with.”

So, to that end, we’ve had a bunch of conversations about issues we want to work through, some of which we’ve started, some of which are in our backlog. We’re not exactly practicing agile software development methodology to get through this, but we’re trying to work through a bunch of work. In fact, that’s maybe a good aside, which is we have identified lots of topics that we would like to deal with, and we’re really quite slow to get to them. Some of that is that I’m personally the bottleneck for writing a bunch of stuff. But having more people to hold pens would be pretty useful for registrars, anyway. So that does seem to be an impediment right now is just having enough people to do some work and get things out the door.

For everybody’s edification, some of the things we’re talking about a lot is that we often say that the DNS is an inappropriate place to deal with a lot of abuse. So educating the broader public or the Internet community about where the right places are is going to be some

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valuable work. So we've started down that road a little bit. Part of that also is maybe some work in building some tools to help identify hosts because there's not a lot there. Or helping people find them is going to be better so that they can ensure that they're taking the right abuse complaint to the right place and we're not filling our own queues with stuff that we can't action or that's inappropriate for us to action.

We're working on a white paper right on incentivization programs, both from registries and potentially from ICANN, and having some discussions with them on that topic: what's possible within our contracts, what are the guardrails we need to put around those things to keep registrants safe, that we're not being a little overzealous in takedowns. So there's some, I think, really meaty stuff on that one in particular. We'll engage with the registries when we're a little bit further down the road, but we'll also be engaging with the NCSG on that as well because I would much rather have them shit on it before we put it out—sorry for the language—and while we're working on it rather than be like, “Hey, here's a white paper,” and have them tear it apart for being silly.

We've talked a little bit about appeals mechanisms and how those might work for most registrars. That one was an interesting conversation because most people felt that what they had in place in their escalation path was sufficient for most companies on appeals mechanisms.

Then we've got some more nuts-and-bolt-sy stuff on our list, like we had a really good conversation recently about business e-mail

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compromise scams that are relatively prevalent and what registrars can do about that. So we are working on a paper around that as well that we'll circulate within the registrars.

The last piece I'll share is that we had David Conrad and Jamie Hedlund join a DNS abuse call and had a wide-ranging discussion about DNS abuse and their role and our role. One of the things that came up in that was that it seems like there is a number ... So OCTO is doing a bunch of work around DNS abuse, and they have information and intelligence that they've got. They've had quite a few experiences where they've encountered an issue at a registrar or a registry and tried to talk to them about it and found that that particular contracted party really does not understand that issue meaningfully. So what we're trying to do—and this will mostly pick up post-this-ICANN-meeting, which will go on forever—is work with, I think, John Crain, to identify the top—let's go with three—of those issues that they're finding that the contracted parties aren't really prepared to address and build some webinars and some resources around that that ICANN and the Registrar Stakeholder Group can share, all of which to hopefully make things a little bit better.

I think that's primarily what I wanted to share. Yeah, lots of good topics to work through and more work than we have bodies to get done at the moment. I'm really looking forward to collaborating with our registry friends when we figure out when and how we're going to do that.

So maybe questions or comments?

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DONNA AUSTIN: I see Brian’s hand is up. Graeme, are you going to manage the queue, or do you want ...

GRAEME BUNTON: Sure, I can manage the queue. Brian, I would love to hear from you.

BRIAN CIMBOLIC: Hi, Graeme. Hi, everyone. This is Brian Cimbolic with PIR. Thanks, Graeme. That was a really great update. As you mentioned, yes, the Registry Stakeholder Group’s abuse group has met a few times now. We’re still admittedly in our infancy. We do look forward to meeting with the Registrar Stakeholder Group’s abuse group at regular intervals. Hopefully, we can meet a few times a year. I think there’s great alignment there. So I think that, the more that we can collaborate and work together, the better off the CPH is going to be.

Two quick things. I think that it’s important—and this is something many of you have heard me say, I’m sure—that, as we’re talking about DNS abuse and where the appropriate place to remediate is, I think it’s really important especially when we’re actually in ICANN sessions, we all keep the delineation clear in our heads between DNS abuse and website content abuse issues. So there’s parts of the community that may have valid concerns but want to intentionally conflate DNS abuse with anything that’s bad on the Internet. And that’s not what it is. The CPH has put out our definition of DNS abuse, which has four very limited categories of DNS abuse plus spam when it’s a delivery

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mechanism for one of those four. So I think we should keep that front and center because, when people talk about abuse, I think it's worth an immediate follow-up question. Are you talking about objectionable content or DNS abuse? Because they can be the same thing, and we'll see, "Well, trademark issues often relate to phishing." Great. If it's a phish, we'll take action on it, even if it's trademark-related or it's not trademark-related.

So I think we should really all try and keep that bright line clear in our minds. We're very aggressive when it comes to things like child sexual abuse materials, but is that DNS abuse? No, it's not. It's a limited form of website content abuse that is so egregious that we'll take action it. But is it DNS abuse? No, it is not.

The other thing is that I think each of us, registries and registrars, should come to meetings, even ones not on DNS abuse, just prepared to briefly speak as to what your organization does. I think that we're starting to get some traction as far as getting our own PR out there as far as what we're all doing to responsibly address DNS abuse, but I think we should each be ready, willing, and able to speak to exactly what we're doing to combat DNS abuse because, as has been several times here, it is the topic du jour. Thanks.

GRAEME BUNTON:

Thanks, Brian. Lots in there. A couple things. I super agree on that hard line between what is DNS abuse and what is not. I will say that we certainly have broad discussions within the Registrar Stakeholder Group's DNS abuse group, including on things that are not. That's

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okay because sometimes people still need help with those issues, but I think it's really important, when we're talking about these issues in a more public space like this, that we are very clear about what that line is and in anything we're putting out as SGs; that that line is super clear.

Also, I think that's a great point about being prepared to talk to in a number of different forms about what we're all doing to really have a handle on that because we're terrible at telling the community what we're doing. That's one of the reasons that we set up this DNS abuse working group: to get better at telling that story and put out things that are demonstrating what it is we're doing on a regular basis.

I see hands from Donna and James. Donna, go ahead.

DONNA AUSTIN:

Thanks, Graeme. I just wanted to know that it's true that our working group is in its infancy, but we have had the DAAR Working Group that has been going for about, 18 months. We've just provided a report to OCTO which recommends some improvements or changes that they could make to the reporting of DAAR, which I think hopefully will result in better information being provided those reports that we appreciate people are looking to often to say abuse is bad. Of course, what we are seeing is that there is a decline in the abuse in those reports. That's what David Conrad has reported on at the last meeting and, I expect, will report at this one. But it's also to say that the relationship that Jim and the working group developed with OCTO was really helpful. It was a really good working relationship that we've developed. I think that

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puts us in good stead moving forward. So I just wanted to mention that, Graeme. Thanks.

GRAEME BUNTON:

Thanks, Donna. Yeah, I'm optimistic that the work that we're going to try and do with John Crain on these webinars and resources is going to be helpful and start building that relationship even more because registrars have not had that experience. So we've got some work to do to catch up there.

James?

JIM GALVIN:

Hey. Thanks, Graeme. I just wanted to respond to Brian briefly. I completely agree with the importance of making a distinction between DNS abuse and just catch-all abuse or content abuse.

I think where I diverge from his take is when we talk about CSAM. I think that's an example of a type of abuse that is obviously very critical (CSAM—sorry—is child abuse materials), but the work is occurring elsewhere, and it's probably not applicable to drag that particular topic under the umbrella of ICANN and into our contracts and that we need to ... I think I see this in the chat and echo some of the statements that we need to highlight our efforts here and our successes here a little bit better so that we don't leave the ICANN community with the impression that, "Hey, since I'm not talking about this problem at ICANN, nothing is being done to address this." I think we're the victims of "out of sight, out of mind"; because there's other



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forums are not as visible as ICANN, their good work and their success stories are not being socialized.

So that was the only part of departure. Otherwise I completely align with what Brian said earlier. Thank you.

GRAEME BUNTON:

Thanks, James. Yeah, collecting those places where you're doing work, not strictly ICANN, and being able to show them I think goes to Brian's point about talking publicly about those things.

I think that's an old hand from Donna. I'm going to go back to Brian and then Alan. Then we might need to close the queue there.

BRIAN CIMBOLIC:

Thanks, Graeme, and thanks, James. This wasn't actually in response to you. I don't disagree with anything you said. I may have misspoken earlier, but well-said.

The one thing I want to touch on that I meant to say in that longwinded intervention of mine is that I would also encourage everyone, to the extent you think you're going to find yourselves speaking about DNS abuse—i.e., most of us—to take a look at the bylaws. The ICANN bylaws are very clear. ICANN Bylaw 1.1C says (it's a direct prohibition): ICANN shall not regulate services that use the Internet's unique identifiers or the content that such services carry or provide." So we can have these conversations and understand the other side's concerns, but, at the end of the day, any call to have

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something that goes outside the scope of actual DNS abuse to be included in some sort of regulatory or contractual restriction from ICANN should fall at the gates. It's just something we should all be ready, willing, and able to speak—to bring up Section 1.1C of the bylaws—because this is not something that ICANN can or should be inserting itself into, other than as a facilitator. If it wants to help facilitate conversations where one side discusses its pain points, and contracted parties say, “Okay, we understand. This is how we address those situations,” great. But calls for regulation in this area really are just prohibited by ICANN’s own bylaws.

GRAEME BUNTON:

Yeah. Thanks, Brian. I know you and I felt the same way—that Bryan Schilling, who was the consumer safeguards guy at ICANN for a while probably had an interesting role in trying to do some of that facilitation. But that never seemed to materialize from him or ICANN, and that was a little bit disappointing in some sense. Maybe there is a way that that role can be repurposed or, I don't know, turned into something that actually becomes useful instead of a really nice guy just standing around, twiddling his thumbs.

Alan, please go ahead.

ALAN WOODS:

Thank you, Graeme, and thank you, all. I completely agree with Brian and what he's saying there. Although the people in the Registry Stakeholder Group are well used to me talking about this, for the

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people in the Registrars, I just wanted to point that I've been involved. I was invited to help out on the SSAC current working group on abuse. They're basically looking at that. There is a report that is due out very soon. It's gone through the actual SSAC itself. I think, looking at what came from the Interisle report that Crystal shared there in the chat, again their focus on those reports are, "Look at how bad this is. The numbers are bad," whereas what we really need to do be doing is exactly as you said, Graeme, and exactly as Brian is saying there. It's more about focusing on the education of what we are doing, what we can do, and how can we do it better in order to bring those numbers down. There's an awful lot of finger-pointing still from some quarters, and we need to move forward. That's what the SSAC paper, I hope, will come through with. It's a bit of a dense document, but at the same time, it's point, and if it survives in its current form, is to say we need a little bit more unification, we need more education, we need more interoperability, we don't need somebody telling us how to do it, but we need guidelines that can say we're all moving in the general right direction that is with evidence, the right parties to be pointed out, the right parties to be dealing with abuse, at any particular one point in time- again, a unifying moving of the conversation forward, which I think is quite refreshing, coming from the SSAC, who have been very much about, "This looks bad. This looks bad fix it." They're moving forward to this, "How can we fix it? How can we help move it forward?" So hopefully we'll look forward to seeing that being published soon to the wider community, and hopefully it'll be a good step forward that moves beyond these things like the Interisle reports. We'll see how it goes.

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GRAEME BUNTON: Cool. Thanks, Alan. I actually don't know that I didn't need to close the queue. We still have, I think, a bit of time. If anyone had issues that they think we should be addressing in DNS abuse or any last bits and pieces on this, we might have a minute. Maybe that's Donna putting her hand up saying it's time to move on.

DONNA AUSTIN: No, actually I had something to add, Graeme.

GRAEME BUNTON: Please add away, Donna.

DONNA AUSTIN: Okay. Thanks, Graeme. We had a conversation with SSAC. I think it was last week. One of the conversations we had was around collection of the data. SSAC, I think, are going to send us a letter asking if we can have a conversation about ways that we can collect data and do it in a consistent fashion so that it's meaningful or useful.

One of the conversations that we've had with Becky during one of our registry calls is that we can expect, coming out of the CCT Review, that the Board will ask for a conversation—I don't know whether this includes registrars; I assume it would; but certainly with registry operators—about how can we provide data voluntarily. So some of the CCT Review recommendations are looking to collect more data. The Board doesn't want to make that a mandatory thing because they

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would have to put it in the contracts, but they may come to us looking for voluntary data. Now, I don't know [whether in fact] there is. I don't know what category it fits into, but I think it goes to the point that, if we can collect data in a consistent fashion to tell a consistent story, it's only going to help our cause. So that may be coming your way as well. Thanks.

GRAEME BUNTON:

Thanks, Donna. That SSAC bit is an important note for, I think, registrars. I think maybe GoDaddy has a member or two in there, but by and large, the Registrar Stakeholder Group does not have much relationship with the SSAC. We probably need to fix that so we can talk to those guys a little bit more.

The data issue is a thing that we should take offline and maybe have a joint RySG ... One of our first meetings of the joint abuse groups should be around collection of data. I have strong feelings on this in that I think it's really hard to do that, and we end up reinventing a lot of wheels collectively to try and collect that data, and definitions become really, really important. So that's a big one.

Michele?

MICHELE NEYLON:

Thanks, Graeme. I think everything you've said I totally agree with. I think the other thing is we just need to keep reminding people as well that a lot of issues aren't within ICANN's remit, not because of bylaws or anything else but just simply because we're not the actual problem;

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that the problem resides outside. It's issues with hosting providers. It's issues with network operators. There may be overlap, but it's not within our [gift] to do anything about that.

GRAEME BUNTON:

Yeah. And that's one of the things we're working on. We built a hilarious and amazing funnel of, where should any type of abuse report go? It's pretty cool. We have yet to finish it and get it out there and figure out exactly how it's going to work, but it's a neat idea.

Great. Okay, I think that brings us to the end of our discussion on DNS abuse. Thank you all. I will pass it, it looks like, over to Beth. Beth, please take it away.

BETH BACON:

I'll thank you, Graeme. I'll cave to the peer pressure and turn my video on. Hi, everybody. So we're going to give you a little update on data protection agreements. We've been working on these, meeting regularly with ICANN to draft a DPA between ICANN and the contracted parties out of the recommendations from the Phase 1 EPDP report. We've taken just the two weeks of—ugh, plural—ICANN meetings off, and we'll be returning to that work after making some really good progress at the end of the month.

As for content, because we are considering pieces of the document and we're now moving back to considering the draft as a whole at the end of the month, I don't think it's worth the time to go into the content and structure of the document now but I do plan on a deeper

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dive for the registries. We've got lots of excellent folks from the registrars participating in the small group. So they can provide that for the registrars, or we can try and walk through it as a group if that's attractive to folks.

So we are looking forward to, again, reconvening at the end of October, and then we anticipate getting a draft out to the registries and registrars for review in advance in sending it to the IRT group because it is being negotiated between the contracted parties and ICANN. So we want to give the stakeholder groups the chance review and approve and get comfortable with that document in advance of getting any input from the IRT.

We also anticipate the mechanics of operationalizing the DPA to be similar as to when we added the DPA as an addendum to the RRA back in 2018. So it's being approached. It's an amendment to the RA and RRA and not as part of the consensus policy. We are doing that very purposely because of the way that the EPDP recommendation was drafted. It is to be negotiation between contracted parties and ICANN. We were very clear in keeping third parties out of that negotiation of something that would be part of our contract.

So that's where we are. Again, we are shooting for before the end of the year to get something for folks to look at. Happy to take questions or comments.

I'm also happy to sit in stone-silence.

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DONNA AUSTIN: We'll just all stare at you, Beth. It's lovely to see your face.

BETH BACON: Sounds great. I see Maxim: "Do you expect a bloodbath when the text are shown to the public?" It's from Maxim in chat. I do hope that, if we are able as stakeholder groups to get behind the text in the approach that we've taken to structuring the document, we will not have a bloodbath. Certainly, because ICANN and contracted parties are on board with it, again I hope we can combine forces and explain it and present it well. I do think that there are inevitably going to be parts of the community that just don't like it. Folks are still looking at it. There are folks in the IRT that feel that every single piece of the consensus policy must be actively addressed. I feel that certain issues ... I think they're afraid that contracted parties may be taking the opportunity to limit our responsibilities perhaps by taking a conservative approach to this document, which I don't think we are. I think we're taking a very practical and factual approach to this document. But, again, we can get into that more when we actually have things that are agreed on.

Ashley, I see your hand is up also.

ASHLEY HEINEMANN: I just wanted to thank you guys for working so hard on this. It's one of those efforts that is not in the public eye, and people don't, I think, appreciate all the work that's going in it. So thanks for doing it. Hopefully, we can get things wrapped up and moving forward.



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For what it's worth, I know tensions get a bit high on this subject, but I get the impression at least that both sides are working on this. Hopefully we can get to a point where we can get them finalized. Thanks.

BETH BACON:

Yeah. Ashley, I don't know why people aren't more excited because it's super sexy, I gotta tell you. No, I will say ICANN has been really open and flexible, and we did take a few approaches, and we started and stopped and restarted on different documents just because we hit roadblocks and concerns. But we are making a lot of progress, and ICANN has been really open and committed to this. So thank you. If anyone from ICANN is lurking, pass that one on. Thanks.

DONNA AUSTIN:

Alan, I see your hand is up.

ALAN WOODS:

Thank you, Donna. I just wanted to very briefly, because this is the thing when we do especially in annual general meeting and stuff, personally thank Beth for being an absolute leader in this. She took up the reins on this without ... Shall I say she didn't take them up? They were forced upon her, and she just has run with it so well. She's led us all so very, very well. I just wanted to say, on the record, thank you so much for leading us so deftly and so professionally through this.

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BETH BACON: Thanks, Alan. That's so nice. I'm glad my video is off. You'd see the blush.

BETH BACON: Thanks, Alan, for calling that out because I am aware that Beth has done a tremendous amount of work on this. Also, it supports certainly the registry EPDP team as well. So thank you, Beth.

So, Ashley, I guess we move into CPH and ICANN Board meeting prep. Does anyone have what we're going to talk to the Board about? Sue, maybe? I think it's a conversation about the evolution of the multi-stakeholder model. The Board had some questions for us on that, and I think the second part that we wanted to talk about was to do with—thanks, Sue—some of the concerns that we discussed earlier about the EPDP and some of the negative comments that were made about that, because there was no consensus call or whatever with the EPDP, the multi-stakeholder model is failing. So I think that's the tenor of the conversation we want to have with the Board.

Ashley, this is largely your text that you pulled together, so did you want to speak to it or bring anything out if people want to ask questions about what we mean and what we have to get out of this? Now would be a good time.

ASHLEY HEINEMANN: Well, I think, when we last talked about this and put this together, we looked at it as almost like tiered kind of approach to the broader issue of the multi-stakeholder model in ICANN, specific to the formal

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process that's underway by ICANN to evolve the system, how do we address some of the current examples of where ICANN and its process are being criticized, and then more broadly, but also in the context of the pandemic, how do we continue to deal with this and strengthen the multi-stakeholder process moving forward.

I wish we had—I guess it's just a matter of time—the time to think about some constructive answers ourselves on how to deal with these issues. I don't know if it's more education or what, but how do we tackle the ongoing rhetoric that, quite frankly, comes up with every difficult issue; that the multi-stakeholder model is broken or ICANN is not capable of addressing them. As I think goes on with human nature, people tend to focus on the negative and not the process and that we actually did get through a process on a very difficult situation and that did make some progress. So we'll see how that conversation goes.

In terms of how we actually engage on this Donna, I'm curious. This will be my first meeting with the Board as the Contracted Party House and how these tend to go and how best to address and move forward with the conversation. I'd be happy to get some feedback on guidance on that [inaudible] Thanks.

DONNA AUSTIN:

Generally, Becky will facilitate the session. I think this conversation probably follows what the Board wants to talk to us about. So whoever the Board person is on their topic will introduce it. We will have some discussion, and then we'll introduce this and the same thing.

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For folks on the call, [inaudible] [and Sue], to the extent that it's possible to have at least all of the executive team as part of the panelists or let our members in, I think I'm not sure what format this is taking. But that might be helpful. I don't want the conversation to be constrained because people can't speak because they're not in the right room. I'm sorry it's very short notice, but that is a potential problem for us. I hadn't thought that one through.

The other thing to mention is we usually have 90 minutes with the Board but I think this is only a 60-minute session. So it's likely to go rather quickly, I think.

Kurt, go ahead.

KURT PRITZ:

Thanks, Donna. Your last point raised another idea for me, and that is that we're constrained to this 60-minute meeting because we're packed into this ICANN meeting that's virtual. So we could have a meeting with the Board at any time and have a 90-minute meeting or a two-hour meeting and have the ability to flesh out the issues a little bit more and have a decent discussion. But, because we're shoehorned into this meeting, we're forced into probably something that's not going to be effective.

With regard to the multi-stakeholder model, people are weaponizing the EPDP, but there's other problems, too. It's going to be ten years between gTLD rounds, and that's symptomatic of a multi-stakeholder model failure. The PDPs take a long time. Now we're hearing that the

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GAC wants to put another condition in before the next round about addressing some DNS abuse. And SSAC is talking about stopping the next round because of the name collisions. So I think the multi-stakeholder model discussion is broader than just the EPDP. It's a battle on many fronts. Thanks.

DONNA AUSTIN:

Yeah, I agree, Kurt. I think we looked at the ability of the community to come together and work through the IANA transition as the real success of the model. I think that's because we all had a common goal and we were interested in getting to the end of that call. But unfortunately I think one of the challenges that we do have when we're going through PDPs is that, to some extent, their community and the participants have become quite professional and they're paid to refuse certain points of view and don't have much room for movement. So it is a challenge when the multi-stakeholder model is based on bottom-up policy consensus.

Jeff, go ahead.

JEFF NEUMAN:

I think we need to be careful when we talk to the Board about the problems of the multi-stakeholder model, especially if we point to ten rounds between new gTLDs because we're as much as the problem as everybody else is. We have very different interests here within our groups on a number of different issues. I would argue that the others are not the only culprits in it. What you need in a true multi-

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stakeholder policy development model is that everybody that comes to the table as part of a PDP needs to have the willingness, the incentive, and the authority to actually enter into compromises. And we don't have that, not from the registries, not from the registrars, not from the IPC or the BC. It just doesn't happen. I don't know how we fix that, but we need to be careful because, on the ten years between new gTLD rounds, some would say, even within this group, that that's a feature, not a bug. So I agree that there's lots of problems, but we need to be very careful to not make it sound like the others are all the problem because we're just as much to blame. Thanks.

DONNA AUSTIN:

Ashley?

ASHLEY HEINEMANN:

Hey. To an extent, I agree with Jeff. I certainly don't want to give the impression that we think everybody else is a problem and we don't have any role to play here, which is why I wish we had the time to come up with some constructive ideas on how we would like to fix things or at least improve things.

But, going back to the question of how to conduct the meeting later, if I could propose now, just to make it abundantly clear—I put in the text of the chat—when it comes to our official views on the evolution of the MSM, if we could have Sam and/or Owen express what our formal views have been in terms of being submitted, that would be great, just

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to mix things up a bit and not have Donna and I be the only ones speaking on these issues.

I don't know if there's anyone else now who wanted to raise their hand to any particular issue to address—I know that Jonathan Robinson had some strong views with respect to the last item that we articulated back to the Board—just to make sure we've got a good lineup and we know in advance who's speaking to what during the conversation. That might be helpful.

DONNA AUSTIN: Thanks, Ashley. Sam?

SAM DEMETRIOU: Thanks, Donna and Ashley. I just wanted to confirm with Ashley that, yeah, I'm prepared to speak to this topic. I had sent around to the excomms some very quick bullet notes that are a summation of our last public comment intervention on this. Just for the benefit of the rest of the group, I'll preview it for you guys. A lot of it involves ... There have been a lot of theoretical discussions about this initiative now, going back to whenever it was that we were in Kobe—so I guess 18 months ago—and I think that now is the time to transition to actually some more concrete processes to actually get some of this stuff done. A lot of our comments focused on the topic of prioritization and figuring out a way to actually do some more meaningful prioritization of work throughout the full community but in a way that's actually meaningful, which is going to inevitably involve figuring

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out how to end work, how to bring work to a conclusion, because we as a community are very good at starting things but not always great at finishing things.

There are a couple other points in there. I have my notes next to me. But that's the overall gist of it for the benefit of everyone else who hadn't seen that e-mail.

DONNA AUSTIN:

Thanks, Sam. That inability to complete work is what [was] explained to me in the ICANN context of the dog chasing the frisbee. So when a new sexy topic came up, everybody just left the old one there and went to the new one. So not much has changed in that regard, I don't think. So I think the ability to close that stuff is really important.

Kurt and Jeff, I still see hands up. Are they old or new?

JEFF NEUMAN:

Mine's new.

DONNA AUSTIN:

Okay. Go ahead, Jeff.

JEFF NEUMAN:

I agree we have a tough time closing things out. I'll just give a quick example from yesterday in SubPro. Even though we've been asking ICANN Org to participate in SubPro and asking for them comments as we went along, and they've had multiple requests and multiple



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requests, it wasn't until the draft final report that ICANN Org decided to write a 60-page comment to the draft final report with a ton of positions that were either theoretical or philosophical or complete edge cases or things that they should have mentioned a long time ago because they were participating. So that's one thing that tends to happen: ICANN Org tends to jump in way too late. This time, it's all their fault because they were invited to come in much earlier.

We also have a problem too ...The Board raises an issue about a potential bylaw thing. So what I kept trying to do yesterday during the SubPro PDP meeting was to say, "Guys, look, we're not going to waste our time talking about bylaws and whether something we are recommending could in theory pose an issue with an ICANN bylaw because that's not our issue to look at. Every time I tried to do that, I got pushback from a ton of different sides, including obviously some of the non-contracted parties but also some contracted parties, who were like, "No, I want to discuss it more." Again, I don't know if that's coming from a desire that, "We really need to address these," or maybe "That'll take up more time, and I don't really want new gTLDs." We have to do better. We have to figure out ways to bring things to a close and to say, "You know what? That is such an edge case. I don't care. We'll go forward. We can't solve 100% of the issues. But, if we improve the program by 75%, that should be good enough to move forward." That's the attitude I think we should have for these things.

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DONNA AUSTIN: Thanks. Ken, I see your hand is up. We're two minutes from time and we will be cut off in those two minutes. So can you give us a short, sharp [inaudible]?

KEN: Yes. Thank you. I'm quite concerned because I think that ICANN is timing a lot of the things that they're doing, like the release of this report, to in fact manage their own agenda, using things like this as a last-minute distraction. I think we need to have a long discussion with Org and tell them that this—I'll call it a behavior—just is not acceptable. It pretty well destroys the order of a lot of the things we're trying to accomplish in the meetings. Thank you.

DONNA AUSTIN: Thanks, Ken. Ashley, do you have any closing words of wisdom?

ASHLEY HEINEMANN: No. Other than we're out of time.

DONNA AUSTIN: Yeah. Okay. Alrighty. We'll see everybody in half-an-hour. Thanks, all.

**[END OF TRANSCRIPTION]**