

EPDP DT Attendance and AC Chat 11 July 2018

Attendance: Heather Forrest, Donna Austin, Rafik Dammak, Keith Drazek, Pam Little, Rubens Kuhl, Michele Neylon, Susan Kawaguchi, Paul McGrady, Tony Harris, Tatiana Tropina, Ayden Fedérline, Arsène Tungali, Stephanie Perrin, Martin Silva Valent,

Apologies: Marie Pattullo, Darcy Southwell, Philippe Fouquart, Carlos Gutierrez, Julie Hedlund (staff)

Staff: Marika Konings, Caitlin Tubergen, Berry Cobb, Nathalie Peregrine

Adobe Connect chat:

Marika Konings: (7/11/2018 12:59) Welcome to the GNSO EPDP Drafting Team Meeting of 11 July 2018

Antonio Harris: (13:47) Good morning

Nathalie Peregrine: (13:48) Welcome Tony!

Ayden Férdeline: (13:53) hi all

Pam Little, RrSG: (13:56) Hi everyone

Heather Forrest: (13:57) Hi all - thanks for joining! If you are at all in doubt about your audio connection, please feel free to test now before we get started.

Rafik: (13:57) hello

Heather Forrest: (13:58) @Nathalie we lost your audio there

Nathalie Peregrine: (13:58) Yes my line dropped, dialing in.

Marika Konings: (13:59) Julf, I can hear you loud and clear

Julf Helsingius: (13:59) Thanks!

Tatiana Tropina: (14:01) Hi all

Nathalie Peregrine: (14:04) Stephanie PErrin has joined the call As has Paul McGrady

Paul McGrady: (14:06) ac keeps kiccking me out

Ayden Férdeline 2: (14:07) yes, I think we have reached a good compromise there

Rubens Kuhl: (14:08) Paul, do you have other browser software available at your device ? Like in if you are using Safari, trying to use Firefox or Chrome ?

Keith Drazek: (14:10) I'm having some Adobe issues this morning as well.

Heather Forrest: (14:12) Quite right - small team formed during call on 5 July

Heather Forrest: (14:12) sorry to merge that with meetings in Panama

Keith Drazek: (14:12) As a reminder, the "small team" is Paul, Stephanie, Susan and Keith (me) with support from Donna and staff.

Pam Little, RrSG: (14:13) Many thanks to Donna and the small team. Excellent effort indeed since our last call.

Nathalie Peregrine: (14:13) @Keith and Paul, could you let me know what AC issues you are having? Are you losing access to the room? Could you let me know which browsers you are using please?

Keith Drazek: (14:13) I'm using IE and it froze on me a couple of times. I'm ok now.

Nathalie Peregrine: (14:14) It's working for me fine for the moment on Chrome.

Keith Drazek: (14:14) Sounds right, Donna, thanks

Ayden Férdeline 2: (14:14) sounds reasonable to me @Donna

Antonio Harris: (14:15) OK with me Donna

Nathalie Peregrine: (14:15) 1) Check your plug ins here: https://urldefense.proofpoint.com/v2/url?u=http-3A_tinyurl.com_icannactest&d=DwIFaQ&c=FmY1u3PjP6wrcrwl3mSVzgfkbPSS6s|ms7xcl4I5cM&r=PDd_FX3f4MVgkEIi9GHvVoUhbecsvLhgsyXrxgtbL10DTBs0i1jYiBM_uTSDzggG&m=BnszZ8mOFFifVozyYMhxMU44LUWvkUk5X_w_nq88JC4&s=ZyFXreX1YmT_Lm-GLPzQ672k5QKQuOqgVzm6KV43QW4&e=. Make sure it passes all four points. 2) Clear your browser cache 3) Try a new browser

Ayden Férdeline 2: (14:15) just a suggestion, perhaps we could have a form (like for submitting to Council notifications of whom will be voting on behalf of an absent member) for alternates for the EPDP, which would notify the entire mailing list. might be useful to know when there is a change in representation and for how long

Heather Forrest: (14:16) Good thinking Ayden - we'll want to keep track and empower the EPDP leadership to do so

Michele Neylon: (14:18) ALAC has already emailed all their members

Ayden Férdeline 2: (14:18) does anyone know, how many applications have been received for Chair? are applications coming in?

Marika Konings: (14:19) @Ayden - two applications have been received to date.

Ayden Férdeline 2: (14:19) thanks @Marika

Paul McGrady: (14:25) We just told our volunteers they would each have to work 50% harder than expected to make up the shortfall on staffing. :) We've ordered a case of Mountain Dew.

Rubens Kuhl: (14:26) Paul, RedBull gives you wings... oops, is that trademarked ? ;-)

Paul McGrady: (14:26) @Rubens - love it!

Keith Drazek: (14:29) I think the composition is a reasonable compromise under these unique and challenging circumstances, and I applaud everyone who contributed so constructively.

Keith Drazek: (14:30) and I'll buy the Mountain Dew...

Antonio Harris: (14:30) Agree with Keith

Julf Helsingius: (14:30) I have already serviced my espresso machine..

Michele Neylon: (14:31) FYI ALAC sent this out already https://urldefense.proofpoint.com/v2/url?u=https-3A_paste.ie_view_f4c92420&d=DwIFaQ&c=FmY1u3PjP6wrcrwl3mSVzgfkbPSS6s|ms7xcl4I5cM&r=PDd_FX3f4MVgkEIi9GHvVoUhbecsvLhgsyXrxgtbL10DTBs0i1jYiBM_uTSDzggG&m=BnszZ8mOFFifVozyYMhxMU44LUWvkUk5X_w_nq88JC4&s=pIrRQJTI3h5Ogc62GLiemug_s6dvjzjvIvMYObenNa_Q&e=

Heather Forrest: (14:31) Note that this idea of member "sanction" has a basis in section 3.5 of the WG Guidelines

Paul McGrady: (14:32) Agree with Keith. I think this is as good as it is going to get while trying to balance everyone's views on how this should be balanced.

Paul McGrady: (14:33) Could we just leave the vice-chair question to the group? WG can decide between 1 or 2 vice chairs and then decide who they will be.

Keith Drazek: (14:33) Thanks Paul, and thanks to IPC, BC and ISPCP for your willingness to compromise and shoulder some additional burden per person.

Donna Austin, RySG: (14:34) I agree with Paul. I think its reasonable to leave this to the WG, it's not something we need to prescribe.

Keith Drazek: (14:34) Agree the Vice Chair issue could be left to the group.

Ayden Férdeline 2: (14:34) @Keith - "shoulder some additional burden per person" - I think this is a very interesting interpretation of what happened.

Antonio Harris: (14:34) Agree with Paul

Rubens Kuhl: (14:35) I'm on record in the Google Doc to also support leaving 1 vice-chair or 2 vice-chairs to the WG to decide.

Rafik: (14:36) yep

Tatiana Tropina: (14:36) thanks Heather. I agree in general to leave it to the group

Tatiana Tropina: (14:36) agree :)

Donna Austin, RySG: (14:36) Agree

Ayden Férdeline 2: (14:36) yes, that seems reasonable @Heather

Keith Drazek: (14:37) No objection.

Donna Austin, RySG: (14:37) None from me.

Rafik: (14:38) none

Ayden Férdeline 2: (14:38) Annex A - "trademark law" => replace with "and applicable laws" perhaps?

Heather Forrest: (14:40) See Ayden's comment, also highlighted in yellow, on p 6

Marika Konings: (14:41) Note that this language is actually in the EOI, not the call for members as that is about appointing members.

Michele Neylon: (14:42) if this in relation to the chair why are we editing it??

Michele Neylon: (14:42) "other relevant topics" seems more reasonable

Ayden Férdeline 2: (14:43) @Michele re: editing the Annex was published as a part of the EOI without agreement of us first

Michele Neylon: (14:43) ah

Paul McGrady: (14:43) @Michele - agree. Hasn't this already gone out? This is starting to feel a bit like theoretical hairsplitting to me.

Ayden Férdeline 2: (14:43) "and other relevant topics" is fine with me too

Michele Neylon: (14:43) cool

Michele Neylon: (14:44) we've agreed on it

Michele Neylon: (14:44) let's move on

Michele Neylon: (14:44) see above from Ayden

Paul McGrady: (14:44) Trademark law is certainly "other relevant topics"" within this context. If we just can't bear to use the word "trademark", let's make the change and move on.

Michele Neylon: (14:44) Paul - so are a lot of things :)

Donna Austin, RySG: (14:44) okay

Michele Neylon: (14:44) so "relevant topics" = fine by me

Pam Little, RrSG: (14:45) I think the total of alternates in the table should be 21

Marika Konings: (14:45) @Pam - we'll double check the numbers.

Marika Konings: (14:46) but I believe you are correct

Nathalie Peregrine: (14:47) Carlos Gutierrez sends his apology for today's call.

Antonio Harris: (14:47) yes TO SCOPE

Keith Drazek: (14:49) It's been a challenging job, but I think we've made good progress on scope and we're getting close to a stable document.

Heather Forrest: (14:53) @Keith - just to confirm - you're suggesting we put up your most recent version?

Heather Forrest: (14:53) thanks

Heather Forrest: (14:54) Note all can scroll in the doc on screen

Heather Forrest: (14:57) Acknowledging here that everyone might be busy reading what's on screen as this is fresh to everyone's eyes outside of the small team

Heather Forrest: (14:57) but as noted by Keith this text has only just crystallized in the last 12 hours or so

Rubens Kuhl: (14:57) I believe the 3rd deliverable should be edited to reflect its nature. It's currently a replica of the 1st deliverable:

Rubens Kuhl: (14:57) The third deliverable of the EPDP Team shall be an Initial Report outlining the proposed model of a system for providing accredited access to non-public registration data, where items having FullConsensus of the group are: ● Within the "picket fence" (contract clauses defining what can be specified in a Consensus Policy) ● Not obviously in violation of the GDPR / Assumed to be compliant with GDPR [Presumed to be legal according to the members' best knowledge of GDPR] ● Consistent with ICANN's Bylaws

Rubens Kuhl: (14:58) And while Full Consensus was assumed a requirement for the first deliverable, because it was a triage, it's too high a bar for the whole.

Rubens Kuhl: (14:59) (this is in page 8 of the current on screen document)

Heather Forrest: (15:00) @Rubens - it would be helpful, if you're willing, to speak to your comments here in chat for the benefit of those on audio only

Rubens Kuhl: (15:01) @Heather, there is construction work in my neighbor's apartment so I don't recommend putting me on audio at this point. ;-)

Heather Forrest: (15:01) Understood, Rubens - and sorry. Would you like me to read out your comment?

Rubens Kuhl: (15:01) Yeap.

Heather Forrest: (15:02) thanks Keith - I'll read Rubens' comment into the record

Arsene Tungali: (15:03) i am here sometimes when my network is okay

Arsene Tungali: (15:03) thanks for mentioning that, Heather

Rubens Kuhl: (15:04) Yeap, probably a copy-paste issue.

Heather Forrest: (15:05) This is an optimal opportunity to raise concerns - even high level - if you have them

Paul McGrady: (15:06) "slog" was the word I was looking for, but couldn't come up with in my verbal comment. :)

Stephanie Perrin: (15:06) Thanks for that clear call for feedback Keith. I must say we have chewed this over so much that we may be missing things...fresh eyes are good.

Ayden Férdeline 2: (15:07) Please, can we not use the term "non-public registration data", it is "the personal and sensitive information of domain name registrants". I suggest this edit be made to the text

Keith Drazek: (15:09) What is the term used in the Temp Spec itself?

Susan Kawaguchi: (15:10) currently a lot of the data that is considered non public is NOT personal data

Paul McGrady: (15:10) In Temp Spec it is mostly "Non-Public Registration Data" but I also saw " non-public elements of Registration Data" at least once.

Michele Neylon: (15:10) Susan - well that's debatable

Michele Neylon: (15:11) +1 Stephanie

Heather Forrest: (15:11) To me sticking to the temp spec language seems most logical given our efforts here to scope the PDP based on the temp spec itself

Michele Neylon: (15:12) Heather - exactly

Michele Neylon: (15:12) I think we're getting too far into the weeds

Susan Kawaguchi: (15:12) +1 Michele

Donna Austin, RySG: (15:14) there is an expectation that the Work Team will undertake level-setting training and it seems it would be appropriate that that covers terminology. I don't think we should be overly prescriptive in the Charter with interpretations.

Rubens Kuhl: (15:14) Can we not use charter drafting as policy making ? The two are very different things.

Heather Forrest: (15:14) go for it, Keith

Stephanie Perrin: (15:15) This point is extremely important with respect to the distinction between legal persons and individuals more clearly entitled to data protection rights. I take your point Michele, but if you think we are not going to be arguing about keeping data of legal persons non public, you are a lot more optimistic than I am.

Heather Forrest: (15:15) Thanks Rubens -a good and timely sanity check

Stephanie Perrin: (15:16) I agree, but we have a duty to have clear definitions.

Heather Forrest: (15:17) I appreciate your point, Stephanie, but don't want us to take on here the work of the EPDP Team. We are not foreclosing them from taking your point on board

Michele Neylon: (15:18) ignore me - trying to debug my headset playing nasty with the phone

Paul McGrady: (15:21) Thanks Keith!

Rubens Kuhl: (15:22) We already know that EDPB strongly suggested changes to TempSpec in their last letter, so a new version is likely upcoming.

Michele Neylon: (15:23) +1 Rubens

Donna Austin, RySG: (15:23) Would the Board have to terminate the existing Temp Spec, in order to issue a new one?

Paul McGrady: (15:24) @Donna - a great question. We are in uncharted territory here.

Julf Helsingius: (15:26) We need a dragon mascot ("here be dragons")

Michele Neylon: (15:28) we already have one

Donna Austin, RySG: (15:29) Can we 'in principle' agree on no changes to the Charter after Monday?

Keith Drazek: (15:29) COB Friday is good. I'll work the weekend to update the doc as needed.

Antonio Harris: (15:29) Can this doc be recirculated please?

Marika Konings: (15:30) staff will circulate it together with the notes and action items

Paul McGrady: (15:30) Comments by Friday COB, Keith finalizes draft by Saturday, Small Group looks at it on Sunday, "Final" draft to DT on Monday?

Rubens Kuhl: (15:30) Tony, the on screen one can be download thru A.

Keith Drazek: (15:30) Works for me Paul

Rubens Kuhl: (15:30) Upper right corner button, "Save As"

Stephanie Perrin: (15:30) yes!

Susan Kawaguchi: (15:30) yes that works for me

Donna Austin, RySG: (15:30) My comment re no changes after Monday relates to the 'Charter', not just scope.

Keith Drazek: (15:30) Indeed!
Paul McGrady: (15:31) Mascott Selection: Ninja, Dragon, or a Case of Mountain Dew?
Tatiana Tropina: (15:32) a ninja flying a dragon?
Rafik: (15:34) @Donna I think Tuesday would be more realistic and I think that is doable
Keith Drazek: (15:35) How about Heather, Donna, Rafik, Susan and Maxim? GNSO Leadership Team and SSC Co-Chairs?
Rubens Kuhl: (15:36) Keith, sounds good to me.
Susan Kawaguchi: (15:36) yes later today for me
Ayden Férdeline 2: (15:36) no objections here
Antonio Harris: (15:36) OK for me
Keith Drazek: (15:36) That gives some flexibility in case someone needs to recuse themselves due to a possible conflict, or at least enough firepower to share the load.
Ayden Férdeline 2: (15:37) no objections, i mean, to the SSC co-chairs speaking with Council leadership about their experience evaluating candidates
Ayden Férdeline 2: (15:37) but the SSC should not be involved in selections
Ayden Férdeline 2: (15:37) here
Ayden Férdeline 2: (15:37) i have lost audio - did anyone else?
Stephanie Perrin: (15:37) am I the only one with lost sound?
Rubens Kuhl: (15:37) Lost audio as well.
Nathalie Peregrine: (15:37) I am on the bridge and can still hear.
Rubens Kuhl: (15:37) Will try reloading AC.
Marika Konings: (15:37) AC audio may have gone - phone bridge is still working
Donna Austin, RySG: (15:37) I'm on the phone and I'm okay
Tatiana Tropina: (15:37) Audio works just well
Arsene Tungali: (15:37) i can hear from phone
Nathalie Peregrine: (15:37) PLease log out and quickly log back in again
Paul McGrady: (15:38) I keep thinking we solved this one and that Council Leadership was going to make the decision.
Julf Helsingius: (15:38) Will have to log in again as well to get back audio
Arsene Tungali: (15:38) I had the same feeling that Leadership would do the selections
Heather Forrest: (15:38) @Paul it was reopened on the list shortly after Panama
Nathalie Peregrine: (15:38) Am reconnecting AC audio we had a drop.
Rubens Kuhl: (15:39) Haven't worked for me...
Nathalie Peregrine: (15:39) Apologies for this, please all dial into the bridge as per the invitation
Keith Drazek: (15:39) Agree that SSC has a role to play...that's what they do, but the time constraints here are a potential problem and I think Council Leadership should be leading this particular effort. The Council has taken a hands-on approach to this entire effort, so it follows that our leadership team should be involved.
Nathalie Peregrine: (15:39) Audio passcode EPDP DT
Julf Helsingius: (15:39) Still no audio :(
Tatiana Tropina: (15:39) Ayden can't log back in to Adobe
Nathalie Peregrine: (15:39) Am reconnecting it now.
Julf Helsingius: (15:39) Now I got audio!
Arsene Tungali: (15:39) audio is back on AC
Rafik 2: (15:39) audio back

Paul McGrady: (15:39) Agree with Keith.
Nathalie Peregrine: (15:39) of course.
Stephanie Perrin: (15:40) back with sound
Marika Konings: (15:40) Donna, you may need to repeat. Ayden is not back on AC yet.
Marika Konings: (15:40) he just appeared again
Ayden Férdeline: (15:40) i am back now
Ayden Férdeline: (15:40) sorry
Nathalie Peregrine: (15:40) AC audio is restored.
Ayden Férdeline: (15:40) thanks
Rubens Kuhl: (15:40) I am also back.
Heather Forrest: (15:41) We are circling back
Stephanie Perrin: (15:41) I do agree with Keith that it is important that council keep a hands on approach, perhaps informed by the SSC?
Michele Neylon: (15:42) his audio seems to have gone again
Donna Austin, RySG: (15:42) Thanks Ayden
Nathalie Peregrine: (15:42) he's muted
Michele Neylon: (15:42) or maybe I've lost audio?
Rubens Kuhl: (15:42) Neutral is a matter of attitude during the EPDP, not that the chairperson has possibly no interest whatsoever in the outcome.
Arsene Tungali: (15:42) lost part of Ayden's remarks
Stephanie Perrin: (15:43) I have been saying all along that we need to examine carefully what failed in the RDS working group. Of course, we have no time for that. I do think that we may lose time, and possibly run into snags, if we delegate this to the SSC.
Marika Konings: (15:44) Chair and vice-chair
Paul McGrady: (15:45) Will go with whatever the majority wants here, but I really think the fastest solution is the right one. There is trust here with our leadership and the leadership of the SSC, so let's leverage that trust for a speedy result.
Donna Austin, RySG: (15:46) I think Council and SSC Leadership is a good compromise solution
Michele Neylon: (15:46) Yay - let's all agree on move on :)
Tatiana Tropina: (15:47) I think a council vote is a good solution
Tatiana Tropina: (15:48) then we can go with a hybrid solution for selection and a council vote as a final stop - so we can eliminate all the concerns
Paul McGrady: (15:48) Aren't we out of time to take a formal vote in our next call?
Tatiana Tropina: (15:48) can we vote via email?
Keith Drazek: (15:50) Or as I said, if there's concern about representation, we could augment the ad hoc selection committee of Council Leadership, SSC Leadership, plus one NCSG rep from SSC?
Keith Drazek: (15:50) to address Ayden's concern
Marika Konings: (15:50) you could agree in principle on the upcoming meeting and then formally approve as part of the consent agenda for the next meeting (that is how it is done for PDP Chairs usually)
Marika Konings: (15:51) Council liaison would serve as interim chair per the draft charter
Stephanie Perrin: (15:52) In addition to being a potentially thankless hard job, this is bound to be contentious. I think we need to be realistic. It could take us a while if the candidate is rejected.

Ayden Férdeline: (15:54) another reason to leave it just to the Council leadership - keep the group small

Ayden Férdeline: (15:54) otherwise it balloons to a huge subgroup

Michele Neylon: (15:56) FYI https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_pages_viewpage.action-3FpageId-3D64077781&d=DwlFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=PDdFX3f4MVgkEIi9GHvVoUhbecsvLhgsyXrxgtbL10DTBs0i1jYiBM_uTSDzggG&m=BnszZ8mOFFifVozyYMhxMU44LUWvkUk5X_w_nq88JC4&s=XZPIEsJs3Ujai1uZEGorrI6QmsG9ocOvHLrDrvGPy4Y&e=

Keith Drazek: (15:58) I think Tony's suggestion of Council Leadership, SSC Leadership and full consensus addresses the most concerns raised.

Paul McGrady: (15:58) +1 Keith.

Donna Austin, RySG: (15:58) I support

Ayden Férdeline: (15:58) I object

Keith Drazek: (15:59) There's no perfect solution, but Tony's suggestion ensures the NCSG isn't somehow overruled because Rafik can block someone completely unacceptable.

Rafik 2: (16:03) @Keith I hope that we won't be in such a situation :)

Rafik 2: (16:03) nope

Keith Drazek: (16:03) Thanks everyone. Please review the draft scope document that staff will circulate shortly and send us comments by Friday.

Donna Austin, RySG: (16:03) no

Paul McGrady: (16:04) I think we are 95% there.

Donna Austin, RySG: (16:04) Thanks to the Group of Four :-)

Paul McGrady: (16:04) Thanks all!

Rafik 2: (16:04) thanks all

Ayden Férdeline: (16:04) thanks all

Julf Helsingius: (16:04) Thanks!

Arsene Tungali: (16:04) Bye everyone