

2020-Mar-3: Minutes NRO EC Teleconference

FINAL

Date: Tuesday, 3 March, 2020, 11am UTC.

Attendees

Executive Council:

Oscar Robles (OR)	LACNIC	Chair
John Curran (JC)	ARIN	Vice Chair/Secretary
Paul Wilson (PW)	APNIC	Treasurer
Eddy Kayihura	AFRINIC	
Kaveh Ranjbar	RIPE NCC	

Observers:

Pablo Hinojosa (PH)	APNIC
Sanjaya Sanjaya (SS)	APNIC
Richard Jimmerson (RJ)	ARIN
Ernesto Majó (EM)	LACNIC
Carlos Martinez (CM)	LACNIC

Secretariat:

German Valdez (GV)	NRO Secretariat
Susannah Gray (SG)	NRO Secretariat (Minutes)

Agenda

0. Welcome
1. Agenda Review
2. Cooperation on the Internet Number Registry System (NRO-INRS-JPAA)
3. SLA Changes for the IANA Numbering Services Regarding RDNS
4. Review of ASO/NRO in ICANN's Bylaws
5. NRO EC at ICANN 67
6. IGFSA Funding Request
7. CG and Secretariat Reports/Consultations
8. Open Actions Review
9. Minutes Review
10. Next Meetings
11. ICANN and the .org Registry Agreement
12. ASO AC's Request for an Update on ICANN Inspection Request
13. AOB
14. Adjourn

Resolutions

The following resolutions were passed during this meeting:

R-20200303-1: The NRO EC resolves to contribute US\$ 50,000 to IGFSA in 2020.

R-20200303-2: The NRO EC resolves to approve the 2019 NRO Expense Report.

R-20200303-3: The NRO EC resolves to approve the 2019 distribution formula.

New Action Items

The following action Items were assigned during this meeting:

New Action Item 20200303-1: All to review the NRO-INRS-JPAA and engage individual legal teams as necessary, flagging any issue with ambiguity, meaning or intent to the NRO EC as soon as possible.
New Action Item 20200303-2: JC to write a cover letter outlining the rationale behind and the potential value of the NRO-INRS-JPAA.
New Action Item 20200303-3: OR to incorporate input from the ECG and eventual input from the legal team into the SLA Changes for the IANA Numbering Services Regarding RDNS and recirculate by end of March.
New Action Item 20200303-4: All to complete the ICANN-Bylaws-ASO/NRO-References spreadsheet before the F2F Meeting.
New Action Item 20200303-5: OR to send a note the ASO AC asking if it had any items for the agenda for the ICANN Board – ASO session during the virtual ICANN 67 Meeting and propose to cancel if there were none.
New Action Item 20200303-6: All to review the 2020 NRO Budget and approve as soon as possible.
New Action Item 20200303-7: Secretariat to contact RIPE Meeting team to arrange rooms for the legal team/NRO EC F2F meetings during RIPE 80.
New Action Item 20200303-8: JC to draft a response to the ASO AC regarding its Request for an Update on ICANN Inspection Request and circulate to the NRO EC mailing list.

0. Welcome

OR welcomed the attendees to the call. The proceedings commenced at 11:04 UTC.

1. Agenda Review

No items were added to or removed from the agenda.

2. Cooperation on the Internet Number Registry System (NRO-INRS-JPAA)

The NRO EC discussed the Cooperation on the Internet Number Registry System (NRO-INRS-JPAA).

PW noted that the APNIC Board had not yet discussed this. He noted that it would be discussed during the next meeting, time permitting.

KR noted that the RIPE NCC Board had reviewed the document and there was general acceptance. A Board meeting would be held on 6 March where the document should be formally approved.

PW asked if this initiative, which had been ongoing for quite some time, had been overtaken by events. The legal team had been reviewing RIR relationships, and this work seems to intersect.

JC noted that he thought that each RIR's legal team had already reviewed this document separately. If the legal team was asked to review the document again the NRO EC would need to be very clear with its directives and what the legal team's tasks were.

OR noted that this document had been on the NRO EC's list for a long time and he would like to see it closed. LACNIC's legal team had reviewed this document so it would be preferable not to have another legal review. The RIR Boards would likely come up with suggestions or changes if they were not happy with this version.

JC noted that there were a number of interlocking and interacting items. The NRO EC recently decided to move ahead with an updated MoU with ICANN even though the NRO EC and the legal team had work items that could potentially lead to further changes to the MoU and changes to the ICANN Bylaws.

JC continued that the NRO EC should decide whether it was committed to the underlying principles in the NRO-INRS-JPAA. There was no real role for the legal team, unless an RIR's individual lawyers would need to sign the document. He noted that, after further consideration, he would not support referring the document to the legal team unless there were specific questions on definition as it was not a legally encumbered document and the legal team's track record of providing timely and compete input was not great. Each RIR's legal counsel should review the document individually to see if it could proceed.

EK noted that the AFRINIC Board had discussed the NRO-INRS-JPAA document and some questions had been raised. When the AFRINIC legal staff reviewed the document, they had questions about context and how this document came about. There were references to some changes that didn't actually seem to be changes and this was unclear for them. The legal staff had hoped to get more understanding at the F2F meeting, which was now cancelled. He asked if

someone who had a good understanding of the document and what changed could talk with the AFRINIC legal reps so that they could gain traction with the Board.

OR noted that this document was the first version although some changes to the draft version were requested by LACNIC. He asked EK to send a note to the NRO EC mailing list regarding the references that were unclear so some clarification could be offered.

JC suggested each RIR asked its legal staff review the document and flag whether there was any issue with ambiguity, meaning or intent. If there were any concerns, the NRO EC should be flagged. He continued that he would write a note/cover letter outlining the potential value of having this change to the NRO MoU would be, which would help when presenting the document to the Boards for agreement.

PW agreed.

KR commented that it would be useful to have such a cover letter. He added that signing off on this document would be useful and it would be best to do it soon. The RIPE NCC Board supported the document and should be able to sign it soon.

New Action Item 20200303-1: All to review the NRO-INRS-JPAA and engage individual legal teams as necessary, flagging any issue with ambiguity, meaning or intent to the NRO EC as soon as possible.

New Action Item 20200303-2: JC to write a cover letter outlining the rationale behind and the potential value of the NRO-INRS-JPAA.

3. SLA Changes for the IANA Numbering Services Regarding RDNS

The NRO EC discussed the SLA Changes for the IANA Numbering Services Regarding RDNS.

OR noted that the SLA Changes for the IANA Numbering Services Regarding RDNS document was still being reviewed by the legal team and the ECG. He had received some comments from the ECG and would circulate a new version of the document for review shortly. Comments from the legal team had not yet been received and he did not think that input would be received before the rescheduled legal team F2F meeting (May).

OR continued that he had met with Kim Davis (KD, Vice President, IANA Functions, PTI) and had outlined the changes that the NRO EC wanted to introduce and he seemed to be comfortable with the operational and technical changes. However, as he was not a lawyer, ICANN's legal team might override his comments.

He concluded that the next step would be to finalize the document so that the suggested changes could be formally submitted to ICANN/IANA. He asked what the next steps for the document were and what should be done about the legal team review.

JC noted that ARIN had reviewed the SLA Changes for the IANA Numbering Services Regarding RDNS and was ready to sign the document and move ahead if the other RIRs agreed. He added that ARIN's legal staff had also reviewed the document.

OR suggested that each RIR should ask its legal staff to review the document and flag any issues.

JC commented that he thought each RIR should always have their own legal teams review all such documents.

KR noted that the RIPE NCC technical team had reviewed it and it has been sent to the legal team for review. He did not foresee any issues and would report back to the NRO EC shortly.

PW commented that the ECG was happy with the document. He would double check with the APNIC lawyers. He added that, however, he thought this document had already been approved.

OR concluded that he would wait for formal comments from the ECG and would incorporate any suggested changes to the document and recirculate. He would wait until the end of March to see if there was any input from the legal team. He added that any changes were likely to be technical so the current version could be sent to the legal teams for review.

The NRO EC was in agreement.

New Action Item 20200303-3: OR to incorporate input from the ECG and eventual input from the legal team into the SLA Changes for the IANA Numbering Services Regarding RDNS and recirculate by end of March.

4. Review of ASO/NRO in ICANN's Bylaws

The NRO EC discussed the **Review of ASO/NRO in ICANN's Bylaws**.

New Action Item 20200303-4: All to complete the ICANN-Bylaws-ASO/NRO-References spreadsheet before the F2F Meeting.

5. NRO EC at ICANN 67

OR noted that ICANN 67 had been cancelled. One relevant session remained on the agenda for the virtual meeting: the ICANN Board – ASO session. He proposed to send a note to the ASO AC Chair noting that the NRO EC had no agenda items for this session and, if the ASO AC did not have any agenda items either, the session would be cancelled.

The NRO EC agreed.

New Action Item 20200303-5: OR to send a note the ASO AC asking if it had any items for the agenda for the ICANN Board – ASO session during the virtual ICANN 67 Meeting and propose to cancel if there were none.

6. IGFSA Funding Request

OR explained that the IGFSA had asked the NRO to provide its yearly contribution early. ARIN, APNIC and LACNIC had agreed to this.

EK asked for clarification regarding how this funding was approved.

OR noted that it was included in the yearly joint NRO budget.

After further clarifications, EK noted that AFRINIC was in agreement.

KR noted that RIPE NCC was also in agreement.

R-20200303-1: The NRO EC resolves to contribute US\$ 50,000 to IGFSA in 2020.

There were no objections. Resolution passed.

7. CG and Secretariat Reports/Consultations

a) Secretariat Report

i) 2019 Expenses Report

ii) NRO Distribution Formula

SG reminded the NRO EC that it was committed to reviewing the distribution formula each year and agreeing to continue using the same criteria.

OR noted that the expense report and distribution formula had been reviewed and approved by the CFOs.

JC noted that he had reviewed the distribution formula, which was the same one used in the past and had reviewed its application. ARIN approved both documents.

PW noted that APNIC had reviewed both documents and approved.

R-20200303-2: The NRO EC resolves to approve the 2019 NRO Expense Report.

There were no objections. Resolution passed.

R-20200303-3: The NRO EC resolves to approve the 2019 distribution formula.

There were no objections. Resolution passed.

iii) 2020 NRO Budget

OR asked the NRO to review the 2020 NRO Budget and send any comments or approvals to the mailing list.

KR noted that RIPE NCC had reviewed the budget and approved it. He would send formal approval via the mailing list.

New Action Item 20200303-6: All to review the 2020 NRO Budget and approve as soon as possible.

8. Open Actions Review

<p>Action 20200114-1: OR to create a list of proposed changes to the ASO – ICANN MoU for eventual circulation to ICANN.</p> <p><i>Discussion:</i></p> <p>OR noted that this action item would be kept open until the F2F meeting as there might be some overlap with the ongoing work on the ICANN Bylaws.</p>	<p>OPEN</p>
<p>Action 20200114-3: ALL to review the ASO-NRO in ICANN Bylaws Document for discussion during the F2F meeting in Cancun.</p> <p><i>Discussion:</i></p> <p>JC asked that this action be updated with the link to the ICANN-Bylaws-ASO/NRO-References spreadsheet.</p> <p>Replaced by New Action Item 20200303-3: All to complete the ICANN-Bylaws-ASO/NRO-References spreadsheet before the F2F Meeting.</p>	<p>CLOSED > <i>Replaced by Action Item 20200303-3.</i></p>

<p>Action 20200114-5: Secretariat to work with the legal team to compile a list of outstanding action items assigned to it in preparation for the F2F meeting in Cancún.</p> <p><i>Discussion:</i></p> <p>OR noted that the list of tasks he had shared on the mailing list includes this compilation. See also agenda item 10.a(i).</p>	<p>CLOSED</p>
<p>Action 20200114-6: Secretariat to work with the CCG to finalize the 2020 work plan (including F2F meeting work items) and decide on an alternative location for the 2020 F2F meeting if the NRO EC does not approve the requested F2F meeting in Cancun within the coming days.</p> <p><i>Discussion:</i></p> <p>SG noted that the CCG had not yet decided on a location. The Secretariat would inform the NRO EC when it had more information on this.</p>	<p>In PROGRESS</p>
<p>Action 20200114-7: OR to send a response to <u>Jonathan Zuck</u> to clarify that there was no outside involvement in the ASO's inspection request and ask that he share the response on the policy mailing list.</p> <p><i>Discussion:</i></p> <p>OR noted that he had sent a note to JZ in January and that he would share his response with the NRO EC. He did not think there needed to be any other follow-up.</p>	<p>CLOSED</p>
<p>Action Item 20191210-3: OR to update the SLA Changes for the IANA Numbering Services regarding RDNS and send to the Legal Team for review.</p> <p><i>Discussion:</i></p> <p>See discussion under agenda item 3 and New Action Item 20200303-3: OR to incorporate input from the ECG and eventual input from the legal team into the SLA Changes for the IANA Numbering Services Regarding RDNS and recirculate by end of March.</p>	<p>CLOSED > replaced by Action Item 20200303-3</p>

<p>Action Item 20191210-4: OR to contact IANA regarding the proposed changes to the SLA for the IANA Numbering Services regarding RDNS.</p> <p><i>Discussion:</i> See discussion under agenda item 3.</p>	<p>CLOSED</p>
<p>Action Item 20191108-5: All to send the NRO-INRS-JPAA document to their respective Boards and report back on progress.</p> <p><i>Discussion:</i></p> <p>See discussion under agenda item 1 and New Action Item 20200303-1: All to review the NRO-INRS-JPAA and engage individual legal teams as necessary, flagging any issue with ambiguity, meaning or intent to the NRO EC as soon as possible.</p> <p><i>and</i></p> <p>New Action Item 20200303-2: JC to write a cover letter outlining the rationale behind and the potential value of the NRO-INRS-JPAA.</p>	<p>CLOSED > Replaced by Action Item 20200303-1 and Action Item 20200303-2</p>
<p>Action Item 20191108-9: GV to ask ICANN whether it could assist with translations of the revised ASO MoU.</p>	<p>OPEN</p>
<p>Action Item 20191015-7: Secretariat to coordinate with the ECG on what information on TALs could be added to the RPKI page on the NRO website.</p>	<p>IN PROGRESS</p>
<p>Action Item 20190820-4: OR to follow up on action item 20190618-1 and ask the ECG and legal team to provide a report on the proposed changes to the SLA for the IANA Numbering Services regarding RDNS before the September NRO EC Teleconference.</p> <p><i>Discussion:</i></p> <p>See discussion under agenda item 3 and New Action Item 20200303-3: OR to incorporate input from the ECG and eventual input from the legal team into the SLA Changes for the IANA Numbering Services Regarding RDNS and recirculate by end of March.</p>	<p>CLOSED > replaced by Action Item 20200303-3</p>

<p>Action Item 20190820-7: OR to follow up on ACTION ITEM 20190618-5 and ask the Legal Team to provide its review of the proposed Fraud Handling Framework before the September NRO EC teleconference.</p> <p><i>Discussion:</i></p> <p>See list of legal team tasks outlined in agenda item 10.a (i).</p>	<p>CLOSED</p>
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9. Minutes Review

- 2020-Jan-14: Minutes NRO EC Teleconference- DRAFT (Pending: AFRINIC, ARIN, APNIC, RIPE NCC)
- 2019-Dec-10: Minutes NRO EC Teleconference- DRAFT (Pending: AFRINIC, ARIN, LACNIC, RIPE NCC)

10. Next Meetings

a) Reschedule NRO EC f2f Meeting

i) Legal Team F2f Meeting

List of Topics:

- InterRIR Fraud Handling Communication Framework
- ASO Review ASO MoU subsequent changes related to recomm 1-17
- Legal Status of IP Addresses (rights to IP resources)
- NRO MoU Section 9 (* To check with NRO Sec whether it was already finished)
- Review RIR Cooperation Agreement Framework for Handling Personal Data (* To check with NRO Sec if NRO Legal Team feedback was incorporated into the document)
- Review of Reverse DNS SLA proposed change (this message).^[1]_[SEP]

The NRO EC agreed to hold their F2F Meeting alongside the RIPE 80 Meeting in Berlin from 15-16 May 2020. A joint meeting with the legal team would also be held and it was suggested that this be scheduled for the morning of 16 May.

PW noted that OR had proposed, several months ago, to have a strategic planning meeting and asked whether time should be spent on this in May or at some point later in the year.

KR asked the Secretariat to follow up with the RIPE Meeting team regarding rooms and offered his assistance if necessary.

New Action Item 20200303-7: Secretariat to contact RIPE Meeting team to arrange rooms for the legal team/NRO EC F2F meetings during RIPE 80.

b) Tuesday 17 March 2020 Teleconference

c) Tuesday 21 April 2020 Teleconference

PW asked the Secretariat to check why Zoom was showing this meeting as taking place at a different time.

d) Tuesday 19 May 2020 Teleconference

The NRO EC cancelled this teleconference due to the F2F meeting taking place 15-16 May.

11. ICANN and the .org Registry Agreement

The NRO EC discussed the ICANN and the .org Registry Agreement.

12. ASO AC's Request for an Update on ICANN Inspection Request

OR explained that the ASO AC Vice Chairs had sent a request asking for the NRO EC to update it on the inspection request. They mentioned that community members who were confused about whether the request had come from the ASO or the ASO AC had approached ASO AC members.

He suggested that a brief email be sent to explain the answer that was received from ICANN and that, so far, there had not been any follow up. The ASO AC would be informed of any next steps when they were defined.

PW noted that it was out of scope for the ASO AC. Out of courtesy, the NRO EC could have explained that to them. He suggested that a mail be sent noting that the NRO EC could have copied the ASO AC on its communications but felt that this issue had not required any consideration by the ASO AC.

JC agreed in principle with PW: it was out of scope for the ASO AC, as it was not related to global policy or to the election of an ICANN Director. However, he thought that any message to this effect might not be taken well. He agreed with OR's suggestion to send a mail and suggested that it could note that any questions from the community about the inspection request should be referred to the NRO EC as it was not an ASO AC matter. The ASO AC should also be informed that the NRO EC was willing to meet with it at the next F2F meeting to discuss this.

New Action Item 20200303-8: JC to draft a response to the ASO AC regarding its Request for an Update on ICANN Inspection Request and circulate to the NRO EC mailing list.

13. AOB

- **US Government Issues Draft Guidance for Public Comment regarding Federal Agency IPv6 strategy**

JC commented that he sent a note to the mailing list noting that the US Government Office of Management and Budget (US OMB) has issued draft guidance for US Federal Agencies regarding IPv6 deployment, directing them to finish the transition to IPv6, including preparing for v6 only services. He noted that he could give more details about this during the F2F meeting.

- **Covid-19**

The NRO EC discussed the Covid-19 situation, sharing emergency plans for office shut downs and remote working plans, staff travel policies, restricted travel and government issued warnings about travel to certain countries, potential RIR meeting cancellation and the risk factors of travel and threat of possible quarantine. The NRO EC agreed to share plans and discuss further on the mailing list.

14. Adjourn

The meeting was adjourned at 12:55 PM (UTC).