ICANN Transcription
EPDP – Data Elements Workbook Meeting
Tuesday 22 January 2019 at 1730 UTC

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Coordinator: The recording has started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening, and welcome to the EPDP Data Elements Workbook meeting taking place on Tuesday the 22nd of January 2019 at 1730 UTC. On the call today, we have Sarah Wyld, Alan Woods, Marc Anderson, (Unintelligible) and Kurt Pritz. From - I have no list of apologies. From staff, we have Berry Cobb, Caitlin Tubergen, and myself, Terri Agnew.

I would like to remind all to please state your name before speaking for recording and transcript purposes, and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this, I'll turn it back over to Berry Cobb. Please begin.

Berry Cobb: Thank you, Terri. Berry Cobb for the record. Hopefully Alex and Stephanie will join relatively soon. First, apologize upfront. I'm only operating on about two cylinders of my normal Ferrari 10 cylinders. In fact, you can hear it in my voice. So hopefully we can work through this.

Our agenda today is basically just kind a welcome and intro, a quick review of some updates that we've made for readying the NXD of our initial report into the final report. We'll talk a little bit about our approach to testing the logic in the workbooks.

And then mostly we'll spend a majority of our time probably around Purpose 1 and two, down into the trenches of testing the logic of the data elements and how they traverse the various processing activities. And I'll also probably just give a quick preview about the consolidated data elements workbook as well.

So I think first and foremost, this was already part of staff's action item, which of course was to update the data elements workbooks to prepare for the final report. If for nothing else, we knew that there was some still outstanding items that needed to be addressed that didn't make it into the initial report.

Specifically, I can kind of name two key areas, although this is not an exhaustive list. The first was a better documentation of how some of the data elements were transferred from a registrar to a registry. The second area was around Purpose 6, which is the RPM's purpose.

And that I think there needed to be some better representation of what occurs when data is transferred from a contracted party to the provider, and what happens at the - when a case is actually being worked, and how that data may be transferred to the complainant and for sure, how that data is represented on a provider site once the case has concluded.

In addition, we also received some input from Francisco, which was included in the email that I sent around. It was quite a rather long list, but most of

those items were just questioning some of the logic, most specifically around some of the data elements that are either generated versus collected, and whether it's generated at the registry level.

And then as you work down his list, there are some more complex inputs that we'll eventually get to. And I think most of his suggested changes probably align to some of the current concerns that Alan and Marc had with some of the logic issues in the workbooks.

And finally, there is also some additional input that probably relate more to the existing ICANN - the existing consensus policies as it relates to registration data, things like consistent labeling and display, pick WHOIS, transfer. And we'll get to some of those down the road within our small team as well.

As I noted in the email, there's quite a bit for us to accomplish. I doubt we'll get through all of it today, and quite likely will need at least one more, if not two more meetings, to get through a bulk of this. And lastly, recognizing that we still have dependencies with the larger plenary group about some of the discussions. Or for that sake, a dependency with some of the legal advice that's pending from the legal committee.

So that's kind of where staff sees kind of a roadmap, where we need to go. Ultimately within the document that you see in the Adobe Connect Room, it's mostly about confirming and closing out all of the comments that I have posted on to the side. And once we knock out most of those, and assuming that some of our dependency discussions and legal advice are completed, then we'll probably be near a final draft as it relates to the data element workbooks.

The last thing that I'll say and then I'm going to open this up to the group, I want to go ahead and show you this particular document, which is the

consolidated data elements table. You may recall seeing this a long time ago. These tables themselves did not make it directly into the initial report.

However, there was a link to it, I believe within recommendations four, five and six, that basically specifically talk about what data is being collected by a registrar, versus what's being collected by a registry, versus what is transferred from a registrar to a registry.

And it was specifically just listing those data elements themselves, but not necessarily represented in this chart are these three tables. And the intent of these consolidated tables is to try to get a 50,000 foot view of what data elements are being collected or transferred or disclosed, only - specifically only around from registrar to registry, and what is disclosed by those across our seven purposes.

And the intent is that each one of these tables has a collection logic column on the far right. And so if that particular data element is required to be collected, it will - the logic behind it will automatically shift to green. If a data element is optional for collection, and I know that we still have an outstanding task about defining what optional is, that will turn to yellow. And then of course no data elements that are required for collection will turn red.

But ultimately, that for each of our primary processing activities, if you were to filter out all of the red data elements, we're left remaining with a subset of data elements that ultimately defines our work. So hypothetically, down on page three, a disclosure.

If I were to filter this table, and remove or only allow required or optional data elements to show up, you would see that it would collapse down to just the green and yellow type data elements that are available. And then we could also take a view at specifically the redaction of those data elements.

So the last thing I'll say about this is, I haven't updated the ones or dashes or

optionals in this table yet. I've only updated the data elements down the first line, making better clarification around what is collected versus generated, as well as the row headers to properly identify what purposes that we're dealing with.

But in terms of any changes of ones or dashes from the workbooks, I haven't updated this chart yet until we get some better agreement about our logic testing. And when we get a little bit closer, then I'll update this table and we can take a fresh look for kind of our final logic test.

And I'll just point out that, you know, from - on page two, which is transfers, just to give you an idea of why this was an important task. Under Purpose 1, you can see a series of ones that are highlighted in red. And if we were to take the data elements tables as they were out of the initial report, the logic question here is well, it's only Purpose 6 that is requiring the transfer of data from a registrar to a registry for those fields that weren't identified as being transferred under Purpose 1.

The original idea was that just the domain name and the name server would be "transferred," but in reality, other purposes would probably require that those data elements be transferred. But none of the other purposes specifically identified that.

And I suspect that this is also part of the reason why this is a topic close to Alan and Marc Anderson, are the registries. And that that logic started to break down, noting that we have a - we're awaiting a proposed new Purpose 1 delineation between activation and allocation that would - based on Spec 11, would require that even more data be transferred than what we currently have listed under Purpose 1. And I may not have classified that completely accurately, but I believe I'm in the ballpark.

So I'm going to stop here. I'd like to turn it over to either - I guess Alan Woods first since I know that he can't stay the entire call. Perhaps, Marc, you

can back him up if he doesn't say anything. And then Sarah or Alex or Stephanie, if you have some opening comments or you have ideas about how we move forward with our task, then please go ahead. Marc.

Marc Anderson: Hey Berry, this is Marc Anderson for the transcript. Thanks for teeing this up. I think you've done a good job introducing the topic and highlighting some of the challenges that we've got. So thank you for that. And hopefully - sorry to hear you're under the weather there. So hopefully you bounce back quick.

What I did want to add I guess is a sort of, you know, a couple of thoughts. And I guess, you know, one of them is the registry's comments, you know, included something along the lines of the fact that we haven't done a full analysis of all aspects of the working workbooks as a working group.

And certainly those workbooks have been out there and available for comment for a while. But at least for me, the assumption was that we would get a chance to deliberate on them, and we just ran out of time. and so that was one of the registry's comments and I know it's less than ideal, but at least we're getting a chance to go through and do that deliberation now. So I think that's a good thing.

One of the points that I did want to add though is, you know, at the end of our plenary call, you know, Alan Woods summed up quite nice. And I probably won't do him justice here, but he summed up that, you know, one of our tasks here as a working group is to define the minimum amount of data that were for us - for ICANN policy to require to be processed, define the purposes for that and identify the legal basis under which that processing activities will occur.

And that's one of the things we're - you know, these workbooks need to show that thread. But also, you know, I also want to point out sort of from an implementation standpoint, the way - you know, including the workbooks by

reference into the policy recommendations was problematic for, you know, myself, and I think it's reflected in the registry comments as well.

You know, the workbooks are a great tool, but as part of policy, they create some implementation challenges. And so what we need to get to at the end is a - you know, something that we included in the policy that clearly defines, you know, what data needs to be processed, what the purpose for processing that data is, and what the legal - the lawful basis is for that.

And, you know, I think we can get there. I think in some cases, Berry you extrapolated tables in the sections of the final report that are much clearer and easier to understand, rather than having to look through the workbooks and translate them.

So one of the things I'm hoping we can get to is part of the small group, is to be able to do that work, make sure their workbooks are properly fleshed out and take those workbooks and translate them into something that's easy to understand and read in a policy recommendation, that will make things much easier to implement and also avoid misunderstandings with compliance over the meaning of things.

So I'll stop talking there, but thank you again for teeing this up, Berry.

Berry Cobb: Thank you, Marc. And I'll note that I think that was the intent of, for example recommendations four, five and six. And that was also some of Francisco's feedback that how it was presented in the report is not precise. And I think as you said, it could lead to implementation challenges.

In terms of the overall decision about how a consensus recommendation may refer to the workbooks, I would say ultimately that's probably a plenary decision, although we can discuss it on this small team and offer up suggestions on how to take care of that.

But I do agree. In general, the workbooks are really a tool to help us get to some easily understandable consensus policy recommendations. Probably easier said than done ultimately, but I believe that that's the goal. Alan, please go ahead.

Alan Woods: Thank you. I hope you can hear me because I'm connecting (unintelligible) here. But so I'm not going to repeat anything that Marc said there. I completely agree with everything he said in fact. And again, I would only draw reference that the workbooks are important because it gives context. But they are ultimately the, you know, cheat sheet that we would be providing to a DPA if everybody asks us, well, how did you come to a conclusion with regards to the data you're processing for a particular.

We were never actually - I would never hope that we would intend to create the workbook as being a policy in its own right, just more an illustration of where our thought process came from. So that's important. So I just want to say that and I agree with him absolutely.

The other thing, and apologies to everybody that I have to leave pretty much in 10 minutes, and therefore I'm going to lob a grenade and I apologize. But one of the things - because I'm in the depths of trying to review workbook for purpose 1A and 1B as we're trying to call them, the issue I'm having with - is two things. And that is, what is the difference between a transfer and a disclosure? Because in the law, a disclosure or a transfer is a subset of a disclosure. It is a disclosure.

So what I'm finding is that there are certain elements where that you don't necessarily marry. So I think we need to be very, very careful on that. A disclosure is the transfer. And I think perhaps what we're looking at is that when it's transferred, it's the receipt of the information, where in reality that's a system by the registry.

So a transfer from the registrar to the registry should probably more likely be categorized as collection by the registry, which I know is an awful grenade to throw in because it could change an awful lot in this. But we need to be very careful because we are duplicating and transferring disclosure. And I think that's one of the first things that every time I look at these documents, I'm like oh, that just doesn't sit well with me and agree with me.

So I think things like this is another thing that we can do to clean things up on these documents and it might make people - it might make it more reader friendly.

Berry Cobb: Thank you, Alan. For sure I agree in that the approach that the workbooks have evolved into, they do get - there is limitations to them, especially when we're talking about different parties such as registries or registrars. And if for anything else, a predominant example of that limitation is why the escrow purpose is actually split into two, because they're two completely different animals.

In regards to your point about a transfer is disclosure, I recall us having that discussion I believe in Barcelona, and that is - you know, obviously I think you're factually right. And certainly staff is here to make changes however necessary to make this more appropriate.

My one concern about changing the logic is that it will dramatically change the data element workbooks, the tables themselves. And I'm not sure how much of a change that is and whether we have enough time to do with it. But I do agree with that. Sarah, did you like to say anything before I turn it over to Alex or Stephanie?

Sarah Wyld: Thank you so much (unintelligible). Honestly, I think that Marc and Alan have really summarized it quite well. These are really important things for us to go through. But yes, I don't have anything else to add (unintelligible).

Berry Cobb: Great. Thank you. And Alex or Stephanie.

Stephanie: Hi. It's Stephanie for the record and I'm sorry, I'm busy typing away in the chat here. I mean I don't wish to be a real pain in the neck about this, but, you know, so many of the data elements, in order to figure out what we're doing, we have to go back to agreements and arrangements, because they're fundamental.

And I realize that means rewriting all of these workbooks, but sorry, it's necessary. Thanks.

Alex: And hi, it's Alex. Yes. You know, unfortunately I haven't had a chance to dive into all these questions that Berry, that you very helpfully laid out over the weekend. So I'm kind of looking at this fresh now. I guess I'm curious, Stephanie. Which - can you be specific as to which agreements you just referenced? Because I think it's important to make sure, you know, exactly which ones you're referring to there.

Stephanie: Stephanie again. It's not - I'm not looking at the workbook that is open in front of me. I was just addressing this whole issue about when something is transfer and when it's a disclosure. It's not really a disclosure if it's a transfer to an accredited processer for processing.

So for instance, every registrar is bound by, I would argue with the ICANN controller dictated escrow agent. So that particular transfer of data to that escrow agent, is not a disclosure for their - in their terms. It's a transfer for processing. And that assumes a controller relationship with ICANN, because ICANN has no authority to tell them to send it to the processer, the escrow agent for processing.

So hence my sort of insistence that we sort out, who's the controller, who's the co-controller and who are the processors, because it decides whether the

actual data elements you're sending hither and yon, that you are disclosing or not disclosing, are legal, and what you call them. Thanks.

Berry Cobb: Thank you, Stephanie. Sarah, I'm going to go to you and then lastly, I'll turn to Kurt if our fearless leader has anything to say as well.

Sarah Wyld: Super. Thank you. I just have a more general question, not responding to what Stephanie was saying. But I'm looking at the purposes listed here in chat, and these are the old purposes, right? Did I miss - did we talk about when we'll - are we going to look at the new purposes in relation to the data elements, or how does that work? Look, I think these purposes change based on the workbook.

Berry Cobb: Right. Yes. So please ignore page one. It's really kind of a table of comments and I didn't bother editing those purpose statements until there's some finality on all of that. What you will notice as you move into the workbooks, in the actual workbook by purpose, I did update the purpose language there with the latest that came out of Toronto.

So that first page one is just a placeholder.

Sarah Wyld: Super. Thank you so much, Berry. You sent out this version of the NXD and I missed it or was it …

Berry Cobb: Yes, I did. I think I sent it out last night around 5:00 or 6:00 p.m.

Sarah Wyld: I will go over it again. Thank you so much.

Berry Cobb: And lastly, Kurt, any words of wisdom?

Kurt Pritz: No. I think - well, yes, of course. But I think carry on. You're on the right path here. I just want to like clarify. For the example of specifying the transfer of data from a registrar to registry as a collection by the registry, what

Marc or Alan, what you're after there is that in fact the registry needs some sort of purpose or there needs to be a purpose, either in the existing ICANN purposes or just a registry purpose for collecting that data. So that's why I'm understanding why you want to make that distinction.

And with regard to Stephanie's question and point, you know, it's really valid. And I think what came out in the meeting we just closed is there's sort of an iterative nature for this, because we have to specify some data elements with the knowledge that the agreements have to be struck and form agreements that will affect the data elements themselves.

So I think some of his comments are spot on, but I don't see that as a reason for not trying to make this as accurate as we can. I had one more comment, but I forgot what it was. So let it go. Oh, and as far as this becoming not part of the policy but really our backup, I think that's a accurate assessment.

I think that, you know, where we will then, we'll lift from these workbooks and insert them right into the policy document itself as need be, for example for data lists or something like that. And we might refer to this work as the basis for making those selections in the report.

So I hope that doesn't disagree with what anybody was thinking or if I've mischaracterized it. That means I misunderstood it and a correction will be in place. Thanks.

Berry Cobb: Great. Thank you, Kurt. And I'll just make one note that Stephanie brought up into the chat that I didn't mention in my intro. Of course one of our tasks, and across each of the workbooks, is the data flow diagram that was included. And those are very high level, and I think the further that you drill down, the more complex they can be.

So I would applaud and joy Stephanie could find examples that other organizations may have used, and perhaps we can adapt that to our need

here. I will say that in the original version of that data flow diagram, and when - I think this was long before we even started talking about the potential of the joint controller arrangement, it was more just controller processor data subject.

I did apply those labels to the data flow diagram, but I quickly took them out and just kept it as the roles or the group that was kind of responsible for it because they were starting to change or they were too dynamic to keep up with just one stick figure in the diagram.

And then of course as we got closer to the initial report, we extracted out the role responsibility and just left either ICANN registry or registrar. And certainly those columns are something that we do need to clean up. And as Stephanie rightly pointed out, there is kind of a dependency to a certain degree as to what is the defined nature of controller processor or joint controller, et cetera.

And I don't know that - certainly for today's call, that's not going to be resolved. So I think we're still going to have to figure out a way that we can work through those, even though we don't have a precise answer yet. All right. So what I'm going to do is I'm just going to run through very quickly, some of the high level changes that I've made into the document just to kind of give you a feel.

I know that most of you, if not all of you, haven't had the time to really get into the weeds on this. Haven't had the time to get into the details of the document. So it's probably still a little bit foreign. So on page one, again that pretty much is just a table of contents to help readers link down into the various purpose statements.

And you'll notice over on to the right, there is a pretty extensive comment here. And that was what I alluded to earlier about some input from ICANN

org about some of the existing consensus policies. And for sure, I put them here as inventory/reminder that we need to circle back from them.

But I don't think we'll get to those today, but I did want to keep them in front of you so that when we are talking about some of the processing activities and the data elements to keep those in mind. Specifically for our purposes, things like a transfer or a WHOIS and retention will be kind of right in our faces, where we're getting down into that level of granularity.

Moving on down to about page three, so Purpose 1. The structure is again still very consistent with what we had in the initial report. As Alan noted, they're still working on 1A, 1B. So we won't get in too much of the details about the structure of Purpose 1.

But when we circle back to some of Francisco's edits, I would like to - or proposed edits I should say, I'd like to highlight some of those in detail so that we understand the basis why he was suggesting the change. And I'll also note here, there's a pretty big comment out to the right about global changes across the document.

And some of them again may not be a decision that we're able to make here. We may need to take it back to the plenary, but that doesn't preclude us from at least coming up with some initial thoughts or suggestions to attack a particular problem that we've uncovered for the plenary to discuss.

And so one of those for example might be across every one of our purpose workbooks, we have listed here that it's an ICANN purpose. And I recall that Thomas has suggested that we move away from that notion of calling it an ICANN purpose and really in a more generic sense, that it is just a purpose by which we're processing data.

But the underlying principles still exists. The purposes defined here are more for the fact, this is eventually at some point, something that ICANN enforce

through its registry and registrar agreements. And we don't need to make a decision on this quite today.

And also some other kind of global changes that, you know, the purpose rationale statements, which are basically divided into three is, does this purpose based on ICANN contracts or is it in violation with ICANN bylaws? And then of course, are there any picket fence considerations.

For Purpose 1, I think the group did a good job in properly responding to these rational questions. However, as you go through some of the other purposes, I can't remember which one, for example there would be like one word responses back to picket fence considerations.

So I think it will be important for us to try to confirm and make consistent some of these rationales statements that are across the purposes, as well as some of the rationale statements that we're making within - under the lawful basis column.

Again, noting what is very important and that we won't discuss yet, is whether it's a 61B or a 61F, because the legal committee is - has the action item of trying to bring more clarity around that. Marc, I see your hand is raised. Please go ahead.

Marc Anderson: Thanks, Berry. It's Marc. I just want to react to what you were just saying because I think it's important. What you're touching on right now is really at the heart of the registry stakeholder group comments. Our comments were really to the effect, you know, as you pointed out, I think we had discussions on Purpose 1 and fleshed those out.

But as you get farther in on these workbooks, they were just, as you said, one word answers and the group really didn't do a proper - didn't do - you know, didn't fully vet the worksheets or workbooks.

And so this may be redundant and apologies, but I just want to chime in because what you're touching on right now I think really does get to the heart of what the registry stakeholder groups comments were, and what, you know, we're hoping to accomplish as part of this small group effort. So thank you.

Berry Cobb: Thank you, Marc. Okay. So just - again, still kind of an overview of some of the changes moving down. As we noted, I think for the most part, our column one, when we get into defining the processing, setting aside Alan Wood's comment about the confusion around transmission disclosure or not.

I do think we need to probably have a good discussion around that, because it seems fundamental to how these workbooks are structured. If we're going to make changes, we should decide what those changes should be. You know, for example, the processing activity to transmission from registrar to registry, do we need to relabel that as disclosure or not.

So I definitely want us to spend time on coming up with that approach. Or as Alex noted in the chat, you know, maybe we just continue to make some educated assumptions, draw a line. And I don't think that there's anything that - I could almost see that these workbooks as I think Alan or Marc noted earlier, they really are a documentation instrument of our rationale for how we came to the conclusions that we did.

So in some respects, I can see this as a forever living document, not a consensus policy in of itself, but an ever living document that can be referenced to in terms of getting to that end goal of documenting the rationale, the lawful basis, et cetera, for how we came up with what we did.

So in terms of getting from an initial report to the final report, at least changes up to this point, I haven't added or removed any of the processing activities that the group had decided at the initial report realm. The responsible party column is something that is probably one of the worst off right now. And

again, noting that we still have to figure out joint controller or controller processor and stuff.

But whether we even label the role and responsibility in here or not, I think we probably ought to spend some time about how we're going to document those, at least in the interim. And then as I mentioned, the third column which gets into the lawful basis part, we really - that's probably going to be one of the last things we do, or at least up until we get some better clarity around the 61B and 61F.

But once that is resolved and we go to document the lawful basis in this column, there will need to be some extra work performed here and cleaning up these rationale statements for that lawful basis designation. And then as we move around, so the data flow maps.

And again, I don't claim 100% accuracy or representation here, but the idea was just to provide a visual for the dataflow, at least as a first cut. And the general idea here was to highlight what agreement instrument that ICANN would use, at least in the original intent is, if ICANN was a processor, I'm sorry, a controller and registries or registrars were a processor controller, is what was the instrument that would dictate that, as well as the roles that would be played.

And then it's kind of a very simple view, and I think this has probably been one of the challenges for the group to discuss about how data is processed between the parties. And, you know, so - and it also ties back to kind of some of the limitations of the workbook.

You know, we talk about data that is collected or transferred or disclosed from a WHOIS standpoint. But in reality, the WHOIS systems don't do any of that. They're literally just push only systems of data from EPP. So in reality, a lot of the processing that occurs is occurring in EPP and not necessarily WHOIS or in the future RDAP.

And that's what I tried to make - or at least that was my first intent here of making this distinction between EPP and an RDAP instance, because especially when any of this data is disclosed publicly through a WHOIS query or an RDAP query, that that is in fact what an internet user would be viewing. Of course they're not viewing directly into EPP or anything like that.

But again, the general principle here was to highlight, you know, who was the responsible party, what role they played and trying to label the processing activity that would be occurring. So for example, PA1 is the collection of this registration data from the registrant.

The registrar is the party that is collecting it. And then, you know, that enters into EPP. Processing activity two is the transfer of that data, or as Alan would say, the disclosure of that data to registries. PA3 three being the actual disclosure or, you know, what would be presented out on a public facing registration data directory.

And then fourth, over down in the bottom left is the retention of that data. And this is certainly one aspect that we'll want to take a close look at because the plenary is still talking about the overall retention of data, which right now is tacked on to the transfer dispute resolution policy.

So the working recommendation is life of registration plus one year at a minimum because of course local jurisdictions may dictate otherwise. But as you work through the other purpose workbooks, we're also touching on retention for that specific purpose, and it doesn't necessarily map to our global retention definition that we're trying to define.

So for example, in the escrow workbooks, there's a suggestion that a full year of escrow data doesn't need to be retained. And perhaps that may be only two weeks or one month, something significantly shorter than what the current policy is, is the retention for escrow data.

So we'll need to keep those inconsistencies in mind. And I think there's nothing that precludes that says that those can be changed. But we just need to make sure that we're properly documenting that. And yes, Alex, the RTA is the registrant agreement with the registrar.

And probably what I don't have on here, which is really kind of outside of the scope of GNSO policy, of course there is the RRA, which is the registry registrar agreement between those two parties. And - but I think the reason why it was avoided in this diagram is that starts to get into purpose definitions that ICANN can't necessarily enforce in terms of that agreement between those two groups.

I think there are some policies out there that ICANN will stipulate that certain provisions are included in an RRA. But there's - to my understanding, there's no direct enforcement about other provisions that may exist in those agreements. So for now, I avoided documenting that line item between a registry and registrar. If we feel that it does need to be included, we can get to that.

And then so lastly, then we get into the actual data elements. And so there's a perfect map of one processing activity to one column down below. Again the four horsemen here are the collection, transmission, disclosure and retention. So that's kind of a highlight of the high level changes that I made to the document.

And now, I wouldn't - I'd like to spend perhaps a little bit of time walking through some of the more detailed changes that were suggested by Francisco. And I believe that - I'll ask if this is the appropriate way to go, at least just to continue the discussion. But it really was just more to try to highlight the technical logic of what's occurring here, as opposed to what we had originally documented.

And I don't think that it shows up well in the Adobe Connect Room. So if you can, you might want to try to follow along in the document on your own computer. But there are a couple of instruments for us to use. First and foremost, the email that I sent last night, at the very bottom of that email is a list of those proposed changes listed by Francisco.

And then I highlighted responses to each one of those that - essentially that I updated it in the working book, and then after our review, of course it would go into the final report. And I just want to highlight some of those to see if they make sense to you.

But for the most part, I went through every one of Francisco's suggestion. In one way or another, they are highlighted in red line, or they are a side bar comment that he suggested. And so my hope is to maybe review through some of those.

So I'm going to stop here. Any questions or comments before we kind of go into some of the details here? Okay. So like I said, I'm going to continue working through documents on my screen, and not necessarily driving in the Adobe Connect Room. I'll try to be mindful of this number that I'm on, and then I'll switch back and see if there are any comments or questions.

So what Francisco did is mostly he reviewed through our initial report. In fact, I'm not even sure if he's seen these workbooks in and of themselves, or if he did, he made it all the way down to page 200 or wherever it was that these were located.

But based on his input, it looked like he was mostly reading through the recommendations and the graphics that were pasted, and recommendations four and five, and then provided his response to that. So for example, his first input it was based on recommendation four and five, that the domain name is

not a field generated by the registry and registrar, but provided by the registrant.

And so I want to talk - can you hear me okay? Yes, I do apologize. I'm on the - okay, all right. I am on the Adobe Connect mic as my phone doesn't work well down in the dungeon that I'm at. Okay. So what had happened, just to give you some background a little bit. Oh, Marc, please go ahead.

Marc Anderson: Thanks, Berry. This is Marc. I'd say, you know, I can hear you, but just like Stephanie is saying in chat, like it's - there's like - it's a little bit shrill. We're getting some kind of feedback or distortion coming through with it. Can still hear you, but not ideal sound quality there.

But I actually raised my hand on this - the feedback from Francisco, this first one on the domain field. I think - the domain name field. I think this is where Alan Wood's earlier intervention is particularly useful, because if you - you know, Francisco's right. The domain name field is not generated by the registry or registrar.

But here, if you spin that and consider this as something that's collected. It's collected first by the registrar and then collected by the registry, in order to perform the activation and allocation of the domain name. so I think if you flip that a little bit and look - and I think that gets to the heart of Alan's suggestion and where that makes sense, hopefully that'll help a little bit with that one.

Berry Cobb: All right. Thank you, Marc. So I'll come back to that in just one second. So in our first versions of the workbooks, there was no indication of what was actually did versus just automatically generated in EPP. And what was ultimately documented in the initial report was to highlight in column one, those fields that would be generated versus essentially inputted by the data subject or by the registrant, and within the process of registering or activating and allocating that domain name.

so what Francisco picked up on was specifically the first field, it's not generated, although I guess it could kind of be somewhat debated that a registrant typed it into the search bar of a registrar, but as soon as they hit the pay button, that's where the name is technically activated and allocated in EPP, or I should say allocated, not necessarily activated.

But the point is we had an asterisk next to it as generated. And his input was that we should remove that asterisk. And in fact, that it's really more inputted by the registrant. And I guess - and I'm probably not going to go through all of Francisco's comments on this call. We'd have enough time to get through them all, but probably time would be better served to review these offline amongst this group.

But, Marc, I do want to go back to your comment that you just mentioned, because I am concerned about this foundational aspect of collected versus generated. And I'm not really sure how to proceed on that. So I am open for ideas as to how we better represent what's occurring in this activation or allocation aspect.

Or maybe could you at least give the group kind of a preview here of what the registries will be submitting for 1A or 1B. Or - and or just some better insight how you think we may need to restructure how the processing activities are represented in the data elements table.

Marc Anderson: Hey Berry, thanks. This is Marc. I don't know how much rework it is, but if you're looking at the processing activity that occurs, right, and here we're talking about the activation and allocation of the domain name, and you need that string, you need the domain name string in order to achieve that, right?

It's, you know, I think unambiguously required for the performance of the contracts delivering that service. But who's performing that processing

activity? And, you know, I think there, if you look at - let's just look at the registrar aspect in isolation.

We can get to the registry in a second, but if you look at just the registrar, in order for the registrar to perform the service, to deliver their contract, right, the processing activity that has to occur is they have to collect the domain name from the registrant.

So you're collecting what string the registrant wants to activate and allocate, or I should actually reverse that. Wants to allocate and presumably activate it in the DNS. And so I think - you know, I don't know that that materially changes what's happening, but I think it more accurately reflects the processing activity that's occurring, right. And that processing activity in this case is the activation and allocation of a string.

And I think if you carry that to the next step, right, once the registrar collects that information, then, you know, you want to look at it as a transfer from the registrar to the registry, or is it a collection by the registry of that information for purposes of activating and allocating it. Again, same purpose, but we're looking at the actual processing activity itself.

You know, between the registrar and the registry, I think it's - you know, I think the word you use is maybe less important as considering the processing activity, and is that processing activity necessary to fulfill the purpose. And I think for Purpose 1, clearly it is. We need to do that in order to estimate and allocate the string.

But I think Alan's point is looking at it as a collection, makes it a little bit cleaner and easier to sort of, you know, visualize, if you will. And also, you know, considering that some information is - you know, if you consider it as a collection, right, looking at the registrar to registry processing step, right, if you consider that some of the information is collected by the registry and

some of the information is generated by the registry, I think just conceptually it's a little bit cleaner.

if you have to think of it in terms of okay, the information is transferred from the registrar to the registry, and then some information has been generated by the registry and transferred back to the registrar, I think just the - you know, I think at the end of the day, does it make a material difference? Probably not. But I think it's just a little bit cleaner and easier to understand. So hopefully that helps. Hopefully I've done a fair job of representing Alan's point there.

Berry Cobb: Thank you, Marc. So if I'm interpreting this correctly, then - so PA1 for Purpose 1, would first be the collection by the registrar. PA2 would be collection by the registry. A PA3 would be a transfer of data from the registry back to the registrar.

And then PA4 would perhaps be disclosure of that data, kind of meeting what would be publicly available in an RDS query from an internet user. And then a PA5 would perhaps be retention. And we may need to make a decision about whether we even bother putting retention into our data element tables, because they're really all the same for that specific table. Is that kind of ballpark where yours and Alan's logic is going?

Marc Anderson: So I guess the first question, are we still - is this all for Purpose 1, or are you talking sort of the totality of the system?

Berry Cobb: In a way, totality of the system, but using Purpose 1 as an example.

Marc Anderson: Okay. So the reason why I ask is, you wouldn't have - Purpose 1 doesn't include a - sort of an RDS like disclosure step. So that would be under a different purpose. So, you know, so if I guess - if you want to have it in here so from a totality of the ecosystem perspective, that's fine. No concern there.

But if it's illustrating just the processing activities associated with Purpose 1, then I'd say that that doesn't go there. And then my other comments, you talk about processing activity three. And there, you define that as a transfer from the registry to the registrar.

And, you know, that one's a little - I don't know if I'd characterize it that way, because it's - I think, you know - and here I really wish Alan was here because I think he would have a - he would be insightful here. But I think Alan would look at it as a disclosure. I think there we're talking about disclosure of certain data from the registry to the registrar.

And I don't know if I'm minting words or not, right, because the - I think the end result is the same. You have some data generated at the registry level and it gets to the registrar. And so the processing activity flow of the data is the same. So I am maybe splitting hairs over things that aren't so material, but I suspect Alan would prefer disclosure there to transfer.

Berry Cobb: Great. And before I get to Sarah, so - and perhaps we've matured enough that we can be more precise. The original intent of having these four merry processing activities across each purpose, was to be able to look at it in isolation for that purpose and ask the question well, is this - is any of this information disclosed as an example or not?

And then when we go back to those consolidated tables, that's when we would start to ask the question at a macro level. I forgot the word you used earlier, but - and it was just making sure that if a particular purpose did require a disclosure, that it was accounted for within that purpose, but that it could be that - and that it would be captured when we were looking at this at the macro level.

I would agree with you that perhaps we do need to be more precise here, that in terms of activation and allocation of the domain name, Purpose 1 in of itself

does not require that the domain name, or that this registration data be disclosed in a registry - in a directory service. But in fact, it is still somewhat being disclosed in that, you know, it's activated in the DNS. And regardless of whether you're looking it up in a WHOIS query or trying to ping the domain name or a DNS lookup on it, and in fact, it gets disclosed there.

So I think that was kind of some of the original understanding. But I do agree that in terms of registration data being disclosed, it would probably fit under purpose three, which I believe is communication with the registrant and where that would perhaps be disclosed.

The last thing I'll say, and this was kind of a question I had back for Francisco. For example the second field, registry domain ID, for sure when the name is allocated, the registry is generating this registry domain ID. And my question was, is that data element itself ever passed back to the registrar? And more specifically, if I were to do a WHOIS query at the registrar against domain name X, would I still see the field displayed to me, registry domain ID or not?

And if not, then if I did a WHOIS query at the registry, I would see that ID - that field generated. So that's certainly a question that I had as well. Sarah, please go ahead.

Sarah Wyld: This is Sarah. Just a couple of things. I do agree with Marc. I would also see that data - transmission of the disclosure of data from the registrar to the registry. And I wanted - also I do like having a full set of processing purposes that we would then check - I can print each of the processing purposes in that (unintelligible), at least to ensure that we're not missing something.

Oh, I'm sorry, Terri. I'm not able to adjust my mic. Maybe that's a little bit better. Yes. And also just not sure about the registry ID showing up in the registrar WHOIS. That's a good question we should (unintelligible).

Berry Cobb: All right. Thank you, Sarah. Okay. Let's see. Give me a second. I'm process - Marc, please go ahead.

Marc Anderson: Okay Thanks, Berry. This is Marc. You know, I take what she said to heart. You know, I think you - we don't need to go through every single item that Francisco sends on a call. Sort of you're cognizant that our pace has been a little on the slow side so far. And, you know, that's not completely unexpected the first time we're having a call like this. You know, you need to tee up the concepts and give a little background. So, you know, first calls tend to start off a little slow.

That said here, I'm thinking of how we can, you know, best use our time on these calls and, you know, try and do some of these things offline. And so maybe, you know, I think you sent some great material. I think, you know, I can certainly review offline. You know, I think the rest of us can as well and come back with comments. And, you know, either agree, disagree or warrants further discussion.

But maybe on these items, you know, you said you've already done some of that work. So my question for you would be, would it would make sense now if you were to jump into maybe some of the items that you were less sure about or thought might be a little more controversial, and those might be worth us having a discussion here on the call. So just thinking out loud a little bit, but hopefully that makes sense.

Berry Cobb: Thank you, Marc. I'm not - I'm trying to think of what would be one of the more controversial ones. I guess we could maybe scroll - or well, I will say for sure, I do agree that going through in detail Francisco's changes, again I think most of them do make sense, at least the top 15 or so, that it is a waste of call time.

Maybe we could move down to Purpose 2. Just give me one minute to look through some of my notes. Hold on please. Okay. I still don't have a direct

answer to your question, Marc. Do you have what you consider a more controversial item that we can discuss or that you feel that the registry is important to them, and perhaps we can tee that up?

Secondarily, as - you know, as Alan put in the chat earlier, I think it'd be very helpful to get Purpose 1A and B so that we can better understand the change and how we're documenting this, especially the transfer being a disclosure and those kinds of thing.

Marc Anderson: Hey Berry, this is Mac. So I was suggesting that, you know, if it would be helpful, it sounds like you had, you know, maybe already had some things in mind. If you don't, that's fine. I was just maybe suggesting that as a path forward. To your point on Purpose 1, I just - just to clarify. So the purpose itself is unchanged from the language registries provided in public comments.

So we haven't modified that at all from when we made that suggestion in the public comments. I don't have that readily available in front of me, but you're not waiting on new language from us on that. It is that language we put in the public comments.

What is outstanding is our updated worksheets in order to - you know, the worksheets they're updated to reflect the new split purposes. And there it says it's with Alan. He has some edits in mind but, you know, he's well aware that we need to get that sent out to the group last week at the latest. So apologies for that if it hasn't been sent out yet, but it's been a little bit more involved than we expected.

You know, and I didn't have anything specific in mind when I suggested going through the - any controversial or harder topics again. You know, what's kind of - I was under the impression that maybe you had already had things in mind, but if you do not, then please disregard my suggestion. We'll just continue.

Berry Cobb: Thank you, Marc. Yes, I didn't have any of those teed up for yet. So tell you what, let's scroll down to Purpose 2 workbook, and which is on page 9 if you happen to be following on your own screen. And one particular section that was questionable to me, again based on our updated purpose statement, is contributing to the maintenance of SSR, of the domain name system in accordance with ICANN's mission through enabling responses to lawful data disclosure requests.

And the way that we had - and again, we're not here to debate the purpose statement itself. That's been done in the plenary. But in the general sense of Purpose 2, is about maintaining the security and stability and resiliency of the DNS. And as we look through the processing activities, one thing that I never understood was, as part of SSR, why the processing activity number two and at least how we labeled it before, that the transmission of registration data from registrar to registry was not required for this purpose.

And as you'll see on page 10, I have it flagged over to the right that not applicable, I don't think is a sufficient documentation. And regardless of whether we call it transmission of data from registrar to registry, or we re-label it that it's collection of registration data by the registry, why that didn't - why it wasn't documented here within Purpose 2.

So that was something that I pointed out. Sarah put her hand down. So Marc, please go ahead.

Marc Anderson: Thanks, Berry. This is Marc. It's a great question. I don't think that you would transfer data from the registrar to the registry for this purpose. I'm not sure you would want to. I think or, you know, even look at it from a collection standpoint. I don't think you would do that for this purpose. You either - this purpose, you know, really is, if you remember - I mean this is really our placeholder purpose for disclosure of data.

And ideally, you would go to the source of truth for the data itself. So that

means you would go to the registry for the data the registry is authoritative for and the registrar for the data, the registrar is authoritative for. And with data (unintelligible), you would not do any unnecessary transfers of the data for this purpose, which is really a long way of saying, I don't think you would transfer data from the registrar to the registry for this purpose.

Berry Cobb: Thank you, Marc. And I mean it's - this kind of goes back to, you know, again weighting the submission by the registries on 1A versus 1B. But as I understood the comments from (Claire) in Toronto, that part of the rationale for the allocation of the name, I think she was tying it back to Spec 11 and one of the general language picks, which would mean that the registry needs the collection - or the registry needs to collect this data in terms of monitoring and mitigating abuse.

And that's definitely not a direct quote from the pic there. But that that was the rationale for why the registry would be allowed to collect this particular set of data. And when I looked at that Pick 11 statement though, it seemed more in line with the - protecting the SSR of the DNS, as opposed to necessarily just the activation and allocation, but yet the registries are really kind of targeting that the transmission of that data would occur under Purpose 1, where - and you're right as well to state that Purpose 2 is really more a path for disclosure of this data. And I'm kind of curious if there's a disconnect there.

I'll just read into the - there. Sarah has raised her hand. Please go ahead, Sarah.

Sarah Wyld: Thank you. Yes. Sorry, I'm a little bit up down. And I hope you can hear me. Just want to echo what Marc was saying, and I - or agree with. And I do think we don't need any data transmitted to the registry for this purpose. The registry can find a lawful request with whatever data they hold for existing purposes. And the registrar will also respond with the data we hold for other

purposes. We're not collecting data just so that we can disclose it (unintelligible).

Berry Cobb: Yes, definitely correct. Thank you, Sarah. Appreciate that. So I'm kind of struggling about what - how we use the next 38 minutes of our call. And I don't want to waste people's time. What I might suggest again, especially apologies for not getting this out sooner, but what I might suggest is that we all have a fair amount of homework to do to first review through what we have, review through some of the questions that ICANN Org has presented to us that are labeled within this document.

And as well, again hopefully we can come up with a proposed approach on how we modify the structure of the data elements tables themselves. And I certainly again have no problem with relabeling our processing activities, certainly converting them from a transfer to a collection.

But it will be a fair amount of work because it will force us first to actually step back up above into the processing activity rose and confirming the logic of those processing activities for each purpose. And then of course then we need to step back down into the data elements tables and realign those back to our processing activities. And then we get more precise about the specific data elements that are being tagged for that. Before I go on, Alex, please go ahead.

Alex: Thanks, Berry. Yes, this is Alex. I think that's right and I think you're on the right path there. It seems to me, you know, as I think about what we need to do, I'm trying to envision what our end goal is here, what is the result that we're looking for.

And it seems to me that, you know, we have a set of - we have the data element workbooks are complete. We have defined important terms as we've discussed. So we're all on the same page as to what they mean and

how they fit in with not only how ICANN works, but our GDPR compliance, or at least consistent.

And then the other thing that I have in mind is that whatever work we do will result in the update of recommendation 14, which we discussed on the call earlier this morning. So I guess if we kind of agree with what - with kind of those really high level, but, you know, final goals, then I guess the question is, how do we get from where we are now to that point in a way that, you know, uses our time efficiently.

I'm not saying this - today's call wasn't an inefficient use of time. I think it was important because we're all wrapping our heads around what we need to do. But also, you know, what work - I think we should consider what work can we do offline, progress can be made offline, and what discussions should we leave for, you know, the calls?

And hopefully, you know, once we kind of have a better understanding of what we need to do, we could set the agenda in such a way that we are all prepared and have the time to review and have that discussion when we do jump on a call to make forward progress. So that's kind of how I think about it. I hope that's helpful.

Berry Cobb: Thank you, Alex. Okay. So yes, let's - I guess again, we've got homework we need to do. I need to better structure our approach. And it does seem to me that, you know, our next step should be going through the processing activities. So here's - I guess first, we'll talk about when we can meet again next. I'm hoping either tomorrow or Thursday. Tomorrow is probably a little bit ambitious, if not a lot ambitious.

If it's possible that we can - I don't think we can really touch Purpose 1 until we get the submission by the registry. Hopefully we can get that relatively soon because that will set the stage. Secondarily, for our next call, I think what we can do then is we can move on to Purpose 2, and we will purely

focus on the processing activities, the section of the workbook that's above the data flow map.

And at the very least, let's confirm our language that we have identified in the processing activities, and adapt that as a working model towards where we want to go. So for example again, processing activity two is no longer going to be called the transmission, but it's going to be called the collection.

Well, specifically for processing activity two, if we're in agreement that there is no transmission of data or collection of data by a registry, then perhaps we just delete the whole processing activity altogether. Of course other purposes that would require the transfer, as opposed to what we may now call a collection by the registry, that we appropriately document those.

and then of course, then let's test our logic, that if Purpose 2 is about disclosure, then perhaps we need to expand and better document what that disclosure processing activity is as it relates back to the latest purpose statement that has been agreed upon by the group.

And so I can see that as a possible path forward. And perhaps it is one that's kind of probably bugging me the most is Purpose 6, which is the RPMs. And that it's probably one of the more complex workbooks that we have because there's - it's either that one or escrow because there are multiple parties involved in the processing activities of registration data.

But what I like about the RPM's one is that it gets a little bit more complex when you get to the disclosure processing activities after the provider has requested registration data from either a registry or a registrar. So I'll stop there. Marc, please go ahead.

Marc Anderson: Thanks, Berry. I just wanted to pass along my thanks and appreciation for the job you're doing. I know this is like trying to unravel a bowl of spaghetti or something. It's a real tangle and it's hard to know where to start

or how to tackle a task like this. And, you know, so I just wanted to sort of tip my hat for a second and say thank you.

And also just note, you know, like I think you've done a great job so far, flagging where the issues are and where we need to focus. So I think you - I think based on what I've heard from you in past conversations and on this call, I think you've got a pretty good handle on where the issues are and where we need to focus our time on. So thank you for that and, you know, what you said make sense as far as our path forward. So thank you.

Berry Cobb: Thank you Marc. Sarah, please go ahead.

Sarah Wyld: Yes. Thank you. A couple of things. I would rather keep the processing activity in the sheet, even if it is not applicable in this case so that we have a consistent step for each purpose. And then indicate why it is not applicable. These workbooks are to be used in the future to show how we came to the conclusions we did. I think that would be a more useful way to approach it.

And second, I just want to say the things that Marc expressed. I really appreciate you leading us through this work. I can imagine that it's not an easy job. So we thank you for that.

Berry Cobb: Thank you very much, Sarah. And, you know, that does make sense, that a particular processing activity is not going to be used and we just document why. And that way, we keep our traditional four wise men, for lack of a better analogy, consistently printed across the purposes. And lastly, I guess if it were easy, everybody would be doing it. So Alex, please go ahead.

Alex: Yes. Thanks, Berry. It's Alex. Just on Purpose 6, if you remember on the call just a few hours ago, I think Margie suggested that at least the VC and IPC and any others who are interested in the topic, kind of sync and talk about making sure we understand the data flows for Purpose 6. Then you are assumed to be a provider.

So I hope at some point, I'd like to suggest that we have a chance to do that before we dive into the deep end on this - on Purpose 6 as it relates to the data element workbooks. And I'll do my best to make sure that we have that conversation sooner rather than later. Just wanted to make that note.

Berry Cobb: Thank you, Alex. And yes, I guess in some ways it's kind of my favorite purpose, only in that I've been intimately involved in the RPM's working group. So now I'm a self-proclaimed expert in URS and UDRP. So as it comes to documenting at least what we do today, I know that we're - we haven't quite hit the mark as to how we documented in Purpose 6.

And I do think we owe it justice to probably - I think we'll probably wind up adding two or three more columns when we get to the actual disclosure and the retention questions that haven't really - for the most part, I think Purpose 6 kind of stops at the provider getting the data. And there's several - there's at least one or two more processing activities that occur beyond that.

I've tried to show that in the data flow diagram, but that doesn't match to what is actually involved in the data element table down below it. And so you're right. We'll postpone that one so that your groups can have a little bit more time to talk about that. So again - all right.

So what are we going to do for next call? And I'll get to that at the very last. First, again everybody review through the documents and everything that we sent out last night. In terms of a secondary approach, we'll focus more on the processing activities and specifically column one for each of the purposes.

And perhaps maybe where we can start is either Purpose 2 or we can also maybe do Purposes 4A and 4B, which are data escrow for registries and registrars. Those are slightly more complex in that another third party is involved.

So the end goal again is to first come to some sort of agreement about what the processing activities will look like and be documented. Let's stick to it for one purpose. Gather agreement about how we modified the documentation of the processing activities, and that may take one or two iterations before we kind of get to some general agreement.

But once we're satisfied with that approach on one purpose document, then we can kind of implement the crank and try to perform that same analysis across the other 6 purposes. And once we're happy with making sure that our processing activities are consistently defined or redefined across the 7 purpose workbooks, then we take a step back down and start to better understand the data elements that are being transitioned, or I'm sorry, being processed across those processing activities.

And in fact, maybe the - when we are trying to define that crank, maybe just for that initial definition, we actually go and spend the time to confirm those data elements. But the point being that we define our process or approach and our outcome on one purpose document, and then we try to replicate it across the other six.

So as I mentioned in our email, obviously we're not going to get things complete today given the amount of work. As I said, we're probably going to need at least two more meetings. I will have Terri ultimately send around another doodle poll. But for targeting a general time, is this time - even though I realize we have three hours of calls beforehand on Thursday, could this time approximately work for most of you if we were to try for the same time on Thursday?

And on top of that, could we also set up a time for Tuesday of next week as well just so we have it on our calendars. All right. Excellent. All right. So we're going to even bypass the doodle poll. I'll just have Terri send out the

calendar invites for this exact same time, two hours for Thursday and on Tuesday.

And for sure, we don't have a list set up on this, but I'll send out a reminder email as well as the notes that - and thank you very much, Caitlin for typing up the notes for us. And we can just respond just in our small group. I don't think it's worth us getting an email mailman account set up. But if you do have questions or observations or ideas before we get to Thursday, please send them around.

I will also make one other announcement back to the plenary, if there's one or two others that would like to join, especially either from the SDAC or whoever, if they have time to join. Any last minute comments or departing thoughts before we hang up? All right. Thank you very much all. I appreciate the input and participation and we'll get through this. See you on Thursday. Take care.

Terri Agnew: Thank you, everyone. Operator, if you could please stop all recordings. Everyone else, use your number to disconnect all remaining lines and have a wonderful rest of your day.

END