

**ICANN
Transcription
GNSO Temp Spec gTLD RD EPDP
Tuesday, 05 February 2019 at 14:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <https://audio.icann.org/gnso/gnso-epdp-gtld-registration-data-specs-05feb19-en.mp3>

AC Recording: <https://participate.icann.org/p4qi1phmdti/>

Attendance is on wiki agenda page: <https://community.icann.org/x/RJ0WBg>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

Coordinator: The recording has started.

Terri Agnew: Thank you. Good morning, good afternoon, and good evening, and welcome to the 42nd GNSO EPDP Team Meeting taking place on the 5th of February, 2019 at 14:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Adobe Connect Room. If you are only on the telephone bridge, could you please let yourselves be known now?

Hadia Elminiawi: Hadia Elminiawi.

Terri Agnew: Thank you. Anyone else? Hearing no one further, we have listed apologies from Kavouss Arasteh, GAC, Alan Greenberg, ALAC, Georgios Tselentis, GAC, Esteban Lescano, ISPCP, and Emily Taylor of the RrSG. They have formerly assigned Rahul Gosain, Holly Raiche, Chris Lewis-Evans, Fiona Asonga, and Sarah Wyld as their alternates for this call and any remaining days of absence.

During this period, the members will have read only rights and no access to conference calls. Their alternates will have coaching rights and access to conference calls until the member's return date. As a reminder, the alternate

assignment form must be formalized by way of the Google doc. The link is available in the agenda pod to the right as well as the meeting invite email.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you need assistance updating your statements of interest, please email the GNSO Secretariat. All documentation and information can be found on the EPDP Wiki Space. There is an audio cast and view only Adobe Connect room for non-members to follow this call. Please remember to state your name before speaking. Recordings will be circulated on the mailing list and posted on the public wiki space shortly after the end of the call.

Thank you. With this, I'll turn it back over to our Chair, Kurt Pritz. Please begin.

Kurt Pritz: Thanks a lot, Terri, and hi everyone. I hope you're well today. We have quite a few items to cover on the agenda that don't exactly go to the substance but are really important to our discussions. So let me start with them. And when we get through with the welcome and the updates, I'll pause for a minute to see if there are any other adjustments to the agenda that are in front of you.

So the very first thing is sort of a recent development. So I think Rafik might have just sent you an email that we got from Keith. So we've been working with the GNSO and ICANN to extend our deadline a little bit in order to -- which might be good news for you or bad news -- in order to provide some time for us to, from my standpoint, to settle some outstanding issues, if we can, to make our report as complete as possible. And second, to provide a little bit of quiet time for review and consideration of the report, and you know, to make the quality of that report the best it can be.

So in that email, the ICANN staff has been working with the Board and talking about different timelines and things like that, and from some sort of a high-level view said, you know, it seems to us that an additional two weeks would

be fine. What Marika and the team have done in anticipation of that is work out a somewhat different timeline.

So I think we should - since this is the new news, we should go through that first. So unless there's questions, Marika, are you prepared to - you can take a look at the letter we got from -- not we but the Council -- got from ICANN if you want. And more importantly, here's kind of how we think the rest of our working time before the delivery of the final, final report should go.

Marika, do you want to take the helm? There's a bunch of lineouts so you don't have to pay attention to that.

Marika Konings: Sure, Kurt. So indeed what you see up on the screen is basically an updated version of the timeline that I think we have already shared with you. I think that's probably only last week or maybe just the week before that. So what has been stricken out is basically the meetings that we've already had and the items we have already covered.

So where we're currently at -- and I'll take you there in the document, yesterday -- the deadline for flagging topics for further discussions based on the latest version of the final report. Then we have another meeting here today. A small team group will meet - the data elements small team will meet later today to continue on their work.

We have additional meetings scheduled for this week, including a meeting tomorrow as well as a legal committee meeting. And then I think as originally planned, we hope to circulate a final version of the final report basically hopefully addresses all the kind of open issues that we still have by Friday this week, which would also then be accompanied with the latest batch of items for the consensus call.

The idea would then be to submit on Monday basically a placeholder motion for Council consideration of the report, as well as the version -- the latest

version of the final report -- to the GNSO Council for consideration. But making clear that this is not necessarily the final, final version yet, but that some additional time is being provided, what we've labeled here as quiet time for the EPDP team to review the final report, socialize it with your respective groups.

I think it's important to emphasize the idea of the quiet time is not about reopening previously closed issues or question a previously reached agreement. The focus should really be on are there any issues that were overlooked? Are there any inconsistencies in the documents or any errors that we didn't spot before, and also an opportunity for you to review the consensus designations as an overall package in the context of the full report?

The GNSO Council has already scheduled a special meeting on the 14th of February. So that will be an opportunity for the EPDP team leadership to brief the Council on the version of the report as it stands, of course making very clear that some further updates may be made as a result of review that's ongoing in relation to the quiet time. But it will also be an opportunity to outline, indeed, the next steps and plan delivery of the final version to the GNSO Council. And again, it's an opportunity for the Council as well to ask any clarifying questions they may have, or any concerns that they might see.

So then at the end of that week, at the 15th of February that would be the end of the quiet period. So that is your deadline for flagging any issues that were either overlooked, inconsistent, or an error, or flagging any disagreement that you may have with the consensus designations. So based on, you know, what issues are flagged by that deadline, we've currently foreseen two additional meetings on the 19th and 20th that would allow for ironing out any of those items that would require further discussion. Obviously, that may be some items that are flagged that are mere updates to the report that might require conversation.

But we do want to plan in some additional time that allows for further conversation, which would then lead up to the production of the final report. So again, that is either an updated version of the original version, or a confirmation that the version that was submitted on the 11th of February is actually the final one, should no issues be identified during the quiet period.

Then there are two Council meetings that, one of which has already been scheduled, and I expect that the 4th of March one would be scheduled following that, which is the 21st of February meeting. It's the Council meeting that's already scheduled. So that would be a first opportunity for the GNSO Council to consider the final report and my expectation is that that would only happen if the changes that are made to the final report are fairly minor. But if there are more substantive changes that might require the Council to consider -- have some more time to consider the final report -- then there would be a special meeting on the 4th of March that would allow for that adoption.

I know that Stephanie asked a question on the public comment period. So this timeline doesn't yet include the next steps, but basically as soon as the GNSO Council would adopt the final report, the next step would be that it's published for public comment prior to board consideration. So that is really a public comment period that is for the Board to consider. It's not something that comes back to this group to review or opine on. But it's really an opportunity for the Board to kind of review and assess the broader community feedback on the report.

In parallel to that, the GAC will also be asked to identify whether there are any public policy considerations that the Board should factor in as it considers the report. And those two parallel tracks would then lead up to the moment where the Board is in a position to consider the report for adoption.

So that is in a nutshell the proposed timeline, factoring in the little additional flexibility that has been provided as a result of the letter that was sent by

Goran Marby in relation to when the Board would need to receive this report in order to meet the 25th of May deadline.

So I hope that makes sense. Happy to take any questions or suggestions people may have.

Kurt Pritz: Thanks very much, Marika. Two features of this I'd like to point out are, one is that we still plan to share a version of the final report in the near future, and, you know, before it's done. And I've thought about that quite a bit and think that's okay. The purpose of that is for us to really take the GNSO Council through the final report and show them how it's constructed, and how to read it, and where to find stuff so that when they get the final, final report, they'll sort of be able to more hit the ground running.

So I think it's good to keep that step in there as sort of a time saver training exercise. I'm sure we'll point out which recommendations seem to be settled or at least hitch ones are under discussion. But we'll certainly avoid a substantive discussion of any of those at that point. But I think that's a worthwhile exercise.

And then, you know, second, from the school of (unintelligible) management, I just want to let you know that I've been told not to say the words quasi-quiet or semi-quiet period but if I or we do see an opportunity to make progress on some issues where they were formerly not making progress, either because we've just received legal advice or something like that, I'll respect the quiet period greatly but will try to move some things forward during that week too.

So that was borne out of the request of some of you to build some time in for consideration of the report, and also with the realization that we have our troubles. But we're like the well-configured group that's knowledgeable about GDPR here at the right time and the right place to settle these things. So we should take advantage of all the work we've done to try to get as far as we can.

Are there any questions about that? Great. So thanks, Marika. Thanks for your active participation on the mailing list on many of these issues. I think the email conversations have been pretty good. We're ready to discuss some of those issues today. I think the deadlines we put in for regard to raising certain issues or commenting on edits to the report has gone by. So where I think we are now is that we're continuing the email discussions on the items that are raised. Maybe we can knock a couple of them off today. And we'll move to closure as best we can on those outstanding items.

As everybody knows, I obviously agonized over that email about the consensus calls. So I hope it was clear to you and if you have any questions about that, you can ask them now or later. Obviously, in those first two bundles of recommendations, we try to pick out the ones where we were able to say, either in Toronto or before then, going once, going twice. So thought we had agreement in the room on that set of purposes for processing data and recommendations.

And in bundle three are the recommendations we're working on right now. So I think it's important to know where we stand to complete those to see if you agree with my assessment on those sets of issues where I thought we had agreement. Now, I think we should hold to the timelines I suggested. So if there are issues, we raise them quickly but I'm hoping not. Although hope is a really bad strategy, isn't it?

And I had one more thing to say about that but it's gone away. So I think that's all the updates I have. I'm kind of looking at the staff to see if there's anything else. Margie, go ahead please.

Margie Milam: Thank you, Kurt. It's Margie. Regarding the consensus call, I raised this on the last call. We feel that the purposes alone is not a sufficient area to look at for consensus because there are other recommendations that are linked to it,

in particular recommendation two regarding the additional work that's got to be done.

And so if there any we can take a look at the consensus from the perspective of recs 1 and 2? Because frankly, if there's no consensus on the first one, you know, a second one then we don't agree with purposes without having the access recommendation considered alongside it. So our suggestion is that the consensus be looked at in connection with recommendations 1 and recommendations 2 since those are fairly closely linked. If that's something we could consider.

And then my second request is regarding the timeline. Can we have an additional day to identify topics given that we've got an extension of two weeks? We just didn't have the time to work through the entire final report.

Kurt Pritz: An extra day for what, Margie?

Margie Milam: For identifying the additional topics. That was yesterday's deadline. We just ran out of time. There's so much back and forth on the list and work done that we couldn't get it all together in time for yesterday.

Kurt Pritz: Okay. Sorry, too bad. No, that will be fine.

Thomas Rickert: Kurt, this is Thomas. Just so that you know I've joined only on the phone a couple minutes after the hour and I will stay as long as I can, but I have to jump on a train. So the connection might get lost. Sorry for (unintelligible).

Kurt Pritz: Thanks for letting us know and if you want to get in the queue, Thomas, just speak up. Margie, to your second thing, I thought about unbundling the purposes and trying to match them up with later recommendations. And I guess I decided not to do that because it seemed clear this way and to me, these are areas where we have agreement. So I hope your concern is unfounded.

And so I think the best way to do that is, you know, I'd be happy to, you know, this isn't an inflexible thing. So I'd be happy to take your agreement with the assessment on consensus and condition it on something else. And certainly, there's going to be kind of a gestalt kind of consensus kumbaya thing at the end. So it's not such an inflexible process that you can't condition one on the other. Or if the eventuality discussed took shape that you couldn't raise your hand and say, hold on there, we need this. So I understand what you're saying and I think we can address your concerns in those couple ways.

Yes, that's what I'm saying, Margie. I don't want to set things down. No, I agree with you and I'm in front of everybody here. You'll have that capability. Okay. And then so in trying to get this done, we'd like to schedule meetings. So there's currently one scheduled for Wednesday, which is tomorrow, that I'd like to keep. I know the - but it's problematic in that there's an RySG meeting at that time and I don't know what other obligations people have on Wednesday or what attendance we'll get to have.

So my recommendations to the support team was to keep the Wednesday meeting on the schedule. We could break for, say, half an hour if the RySG guys are happy with jumping off this call and jumping on their call. Because I know there's discussion around - there's a lot of discussion on important topics. There's an update to be given and other things.

So I would suggest we have a meeting for, say, an hour tomorrow, an hour and 15 minutes, and then let the RySG guys go and then maybe or maybe not come back. So let's at least have that and then to kick off our quiet period, we're going to schedule a meeting on Monday. And for me, that will be fine. So we'll schedule a meeting for Monday too and that was what I recommend.

Marc, please go ahead.

Marc Anderson: Thanks, Kurt. Marc Anderson. I guess I'm wondering what is it you're hoping to cover tomorrow during this meeting. You know, and we're still planning n having the Thursday call, I assume. And then on next week, do I understand that you're hoping to schedule a Monday meeting instead of a Tuesday meeting? And I guess - or is that in addition to the Tuesday meeting?

Kurt Pritz: No, that would be the only meeting for the week.

((Crosstalk))

Kurt Pritz: Go ahead.

Marc Anderson: (Unintelligible) Monday but I'm wondering what the different is between starting the quiet period immediately following an ad hoc Monday meeting versus starting the quiet period after a Tuesday meeting during what would be our regular timeslot. Is there a particular reason for that?

Kurt Pritz: Even with the extension, we have certain deadlines for submission of documents that we're trying to work to and Monday is that date. So we're trying to meet that. So from what you're saying - so first, let me answer your first question and that is, you know, we think that we're not going to - I don't know if we're going to get to completion today on the transition mechanism. And also on the agenda, we have a few other topics that are added to substantive topics that have been discussed on the email list.

I'd like to talk about those. Actually, the list I was working to an item file was longer. So I had up to five things there. So we have many substantive issues. If what you're hinting at with the Monday/Tuesday change is that you and you think others might be available on Monday because you schedule your life around these things, that's understandable too. So I'd like to get feedback from the group on that. But I'd still propose we have a Monday meeting instead of a Tuesday meeting so we can go into the rest of the week and be quiet.

I know it's not comfort but nobody wants to have another meeting less than me. You're talking to the only guy that feels the same way and feels that it's a necessary thing. Let's see how far we get today and then we'll make a final call. Ashley, please go ahead.

Ashley Heineman: I'm sorry. This is potentially a rather dense question but in terms of the - things are just moving so quickly. In terms of the next handful of meetings that we have or may not have, could you just briefly - I mean I don't need a full on agenda, but just an understanding of what those meetings are intended to achieve. I know I'm still kind of anxious to see the resolution of the remaining recommendations. But just for the sake of making sure we're on the right calls and knowing what's going to be discussed, an idea of what you intend to cover will be helpful.

Kurt Pritz: So one issue that was raised while you were gone is an implementation transition period. So that is the fact that our policy will require some implementation discussion that's likely to extend past May 25. So that we need some mechanism for providing a set of rules to operate by during that interim period. And there's been a couple recommendations for how to go about that. And the ICANN Board and the GNSO Council are keen for us to make a recommendation on that. So that's one item.

And then items for us to discuss further are the things that are on the email list that were put out to close out. So reasonable access is an issue, Recommendation 10, which is email contacts been discussed on the list. The research purpose is still open but coming to a close. Geographical indications, privacy proxy issues, and I think that's it. Maybe there's one more.

So it's really focusing on the open issues. And then also, finally, we've got some feedback on the final report where we're trying to parse the input

between substantive change and correction or non-substantive change and any topics that come up from that, that need to be discussed with the group.

So that's the list. About five or six open items, the transition period, and then comments to the final report. If I say it really fast it doesn't seem like a lot. Great. I'm looking at the support team and seeing if there's any action items or any other update issues before we go into the more substantive part of the agenda. Go ahead, Marika.

Marika Konings: Thanks, Kurt. This is Marika. If I can just remind people as we indeed extended the deadline for flagging issues for further consideration. If these substantive issues, or people think there are substantive issues, if those can go on the mailing list so people can see them and potentially already react to them. And any minor edits, corrections, please use the Google doc for that. I'm happy to circulate the link again if people don't have it handy. You can also find it on the wiki page where the different versions of the final report are posted.

And also a reminder, if you are referring to specific sections, please use the line numbers in the PDF version, not the redline version, so we're making sure that we're looking all at the same thing. Thanks.

Kurt Pritz: Thanks, Marika. And I think - I'm not one for making speeches like this but it is good to take a step back and reflect on the work that's been done here, starting with the decision -- I think we were led by Thomas into this -- but the decision that we would analyze each of the data elements, and their flow, and how they're processed. Then that exercise grew, and grew until it's a pretty formidable piece of work that we have backing up our conclusions.

And the fact that we've struggled -- struggled is a strong word -- but struggled through the set of recommendations we have so far that are I think really meaningful. And so it's easy to forget about the quality of the work that's

been done so far. And I think that's a basis for trying to finish up these issues that are important.

Thank you, Farzi, for that point. So with that, I'm going to turn my - we want to talk about the implementation transition period and I'm going to turn my head gently to the contracted parties to see if we can get a hand raised on what we think the current state of play is here and if there's any updates to what we last discussed.

Thanks, James. Go ahead.

James Bladel: Hi, Kurt. James speaking. I'll throw myself at the mercy of the crowd here and hopefully one of my colleagues from registries or registrars will jump up and rescue me. But just generally, we've had some conversations. And I think the good news is, I mean, for this group that they all circle back to some of the proposals that we had at the tail end of our meeting in Toronto where we discussed a time period whereby compliance would - well, whereby compliance would enforce either some elements of the temporary spec. We can't call it that of course, because it will expire, or the new policy. And that would allow contracted parties a period of time to pivot from the old to the new.

I think that the reason I'm a little cautious here is that we still haven't achieve 100% signoff from our constituencies on the exact language. So we're kind of still circulating that and poking it with sticks. But I think we should have something to present back to this group shortly.

So it is moving forward. It was the subject of a call earlier where we're trying to get all of our ducks in a row. But I think it fits with the new timeline and it fits with what we discussed in Toronto. And that's probably the most substantive update I can provide. But I would welcome any additions from some other folks. Thanks.

Kurt Pritz: Anyone else? I see the clock is ticking down. Marc Anderson? Please go ahead. It's okay with me if the clock (unintelligible).

Marc Anderson: Kurt, hi. This is Marc Anderson for the transcript. I don't have anything to add directly to what James said. Thanks James for jumping in there. I do want to add, though, I'm looking at the letter from Goran that was provided to us just now. And I'm noting that sort of the two extra weeks are conditional on the Phase 1 final report, including policy mechanisms or policy recommendations on the bridging mechanism -- my word, not the word from the report.

So paraphrasing here, or reading from the letter, "provided that the final report includes policy recommendations for the initial phase of the policy at the time period between 25 May 2019 and the time needed to implement the full set of policy recommendations."

So just sort of noting for everybody that having some kind of bridging mechanism is sort of a prerequisite on getting additional time. So I want to note that for everybody that we really do need to have this mechanism in there and that it's referenced in Goran's letter there today.

Kurt Pritz: Thanks. So I want to take a couple minutes I guess. One is - sure, James, not to put you on the spot, but anybody, (surely) is a vague term. I think that there's going to be some level of discussion or debate on a proposal when it's made. So we're all waiting for somebody to nail 95 theses to the door. So it's really - if we want to have a quiet period, it's really imperative that we close something off in the next day or two, or at least have a proposal on the table, or at least have a proposal on the table that you might not be able to completely sign up to because you might be getting the response of your stakeholder group.

And then second, given James' comment on this. Anybody else has any preliminary thoughts on form that would be fine too. Thanks a lot for raising your hand, James.

James Bladel: Yes, Kurt. James speaking. Just to commit to we can have something here I think in the next 24 to 48 hours. The latest version of the language, and again, I'm very behind on my emails, but the latest version of the language seems to enjoy a broader and deeper level of support than we've seen in the past. So I think we're there. So we'll get something out here shortly. Thanks.

Kurt Pritz: Thanks. Anybody else want to comment on this issue? Thanks very much. Let's go on to the work that's being done on the data elements workbook, which is truly a small team because it's a dedicated bunch that really has been looking into this. And I think it's been Marc, Alan Woods, and Alex that have been doing a lot of the work, aided by a couple others.

So we really owe them a debt of gratitude. They meet for two hours after each one of these meetings, which I have trouble staying focused on. But the work and the detail they're putting into this is great. So I'm going to turn the floor over to Berry Cobb and he can include the members of his team as he wants.

Berry Cobb: Thank you, Kurt. Berry Cobb for the record. I'm actually going to be turning it over to Marc and Alan to provide the update. But for the most part, Marc will talk about kind of the general approach that we've taken in the small group, as will give a higher-level overview of the split of Purpose 1 into 1A and 1B. I think you'll note that purpose statement split in the consensus call package.

And then also, they'll talk a little bit about the minimum public dataset, which has now been migrated into Purpose 3. But they'll talk a little bit more about that. So Marc, please go ahead and let me know if you need any help.

Marc Anderson: Thanks, Berry. Marc Anderson for the transcript. I've been asked to start things off so I'll try and give sort of a brief overview of what we've been doing. But just by way of background, you know, the registry stakeholder group comments was that we hadn't really done all the work to go through the worksheets from start to finish.

And I think as we're getting ready for the initial report and in the rush to make the deadline there, we sort of went with what we had done up until that point. But I think hopefully, everybody has the recognition that there was work that still needed to be done on those worksheets.

And once again heading into this final report, you know, deadlines sort of crushed us and we ran out of time to deliberate this in the full plenary. And so we had the small group forum to go through or to take on the task of going through each of the data element workbooks, making sure everything in there was accurate, make sure it reflected what we had discussed and agreed to in the plenary, and make sure it was consistent with the purposes and processing activities for each of those purposes.

So that's sort of where we ended up or how we ended up having this small group discussion. Berry's got up on the - or I guess in Adobe, we've got a list of the data element workbooks we've been working through. And we agreed in Toronto to the Purpose 1 split. And so having that broken out into a 1A and 1B and the workbooks provided by the registry stakeholder group provided sort of the starting point for us. And we went through and deliberated on those.

Purpose 2, of course, is the purpose for third party access. And so we got through the discussion on that one. At a high level, that workbook focuses on the fact that we're not doing any processing activity specifically for the purpose of providing access. All of that processing activity has to be done for another purpose and that purpose, Purpose 2, is for providing access to data

already collected or processed for other purposes. So I think we've got that one updated to accurately reflect what we discussed in the plenary.

And I think if memory serves, where we left off, it was a large discussion on 3. And Berry alluded to this a little bit in that Purpose 3 is - I consider Purpose 3 the contactability purpose. And Purpose 3 is really in a lot of ways is the purpose why you would have an RDS in the first place. And if you don't have Purpose 3, your justification for having a public directory service really goes way.

And so for having an RDS at all, Purpose 3 is really important. And so here, we went through and looked at, okay, what's the information that's collected, transmitted, disclosed. And also, you can see on there, there's redaction as well. And so there's the publication - we also - I should say, and this is maybe something Alan could get to in a little more detail, but we got into the difference between disclosure and publication - publication being sort of a subset of disclosure. And that was sort of a fine conversation about what we meant by disclosure and publication.

But it was also - it was one of those discussions that it was good to have and important as far as flushing out the details for this workbook, and just sort of a level of detail and discussion that we didn't have a chance to have up until now.

And so this is the result of where we are with Purpose 3. And again, I think this is real important because it gets to the basis for having a public directory service at all, and it's also the one that covers where redaction occurs. So that's important to take a look at and review.

I think I'll mention one other thing and that's as we've been going through this, one of the things we talked about that would be helpful would be sort of a single summary. We've got these data element worksheets that are tied to each of the purposes that we identified, which was fine for our deliberations.

But the one thing we talked about that would be useful to have in the final report was a complete listing of the fields.

And so sort of a single rollup of all the data elements. I don't think that's something we've gotten to. I don't know if that's anything Berry has been working on at all. But that's one of the things we were talking about that would be useful to include and probably a conversation we'll be having after today's meeting as well.

I think I'll stop there and see if anybody has questions or wants to add to what I put.

Berry Cobb: Thank you, Marc. Alan Woods, would you like to just briefly touch on Purpose 1A and Purpose 1B and the split that occurred there?

Alan Woods: Sure. Thanks, Berry. (Unintelligible) have it. Of course, (unintelligible) the room (unintelligible) that I started talking. So apologies if you can barely hear me.

So just I want to add one or two things to what Marc said there as well, which occurred to me as he was speaking. So thank you Marc, for that. I would just add, one of the things that we did actually have to go in as part and parcel of our work as well is -- and Marc actually did touch off it -- was the concept that we really needed to defined as well what the specific headings were, the collection, transformation, the disclosure publication, things like that. We really - sorry (unintelligible).

Is that better? Can people hear me now?

Kurt Pritz: This is Kurt. I think it's fine, Alan, and I turned up the volume on my headset.

Asset allocation Woods: Sorry about that, guys. So I'll go a little bit back then. So what March ad been talking about was with regard to the definition of disclosure

and publication. And that was one of the things we needed to do as well. And we went and we looked, and we'd given tentative suggestions as to the definitions of what the individual processing actions are, as well.

So that was kind of important that led to us trying to identify the proper data elements and put each element on that. In addition to that, another thing that Marc said very important is that when we are defining what is a minimum data set, we are not talking about a minimum dataset for the entirety of the purposes. We're talking about a minimum dataset for each purpose.

And that is very important that each purpose must be looked at in isolation of each other because - and we can't think of, well, you know, (unintelligible) use X data elements that's collected under Purpose 3 in order to apply to Purpose 1. No, they have to be individually thought about as an individual purpose. The data elements that are required for that individual purpose, unlimited only to that individual purpose.

Now, there will be overlap. Absolutely. Huge amounts of overlap. But we must think about it in that light. So when we're talking about a minimum dataset, remember, we're talking about per purpose. So now, I'm going to jump in and talk about Purpose 1A and 1B and I won't take very long on this. God love poor Berry and the crew got an awful long-winded version of 1A and 1B when I introduced this. And thanks to Berry for giving clarity as well to what we had done on that.

So the important thing with 1A then is, as we discussed in Toronto, there is a huge difference between the technical aspect of the activation of a domain and the allocation of a domain, and then the ensuring that the benefits of the registrant are being able to be enjoyed by the registrant subject to the terms and conditions of the registry and ICANN policy itself.

So we needed to necessarily looking at a minimum dataset break the two of them together, break them up, should I say. Because the minimum dataset

for 1A is actually relatively straightforward and that is specifically that we need the domain name, obviously. You need the main servers and in certain instances, you may also need the main server IP address as well. And there's this whole concept about a specific named server that is within the zone that you're trying to register a name on.

And we won't get into that. It is described. But it is a very straightforward and similar very straightforward set of data that is required under the activation. So we're looking at what ICANN requires specifically to activate a domain. Something about (unintelligible) and a technical specific set of actions that is necessary.

So 1A is very, very small dataset. And then when you compare that to what is contemplated under 1B that is a much bigger dataset. Because, again, in trying to give the specifics - so again that is conferring the benefits to the registrant, but also subject to the terms and conditions of the registry, the registrar, and ICANN consensus policy if it were necessary, you would need potentially a transfer of data elements such as the registrant data as well.

Because again, in, say, an AEP (unintelligible) limitation that there was an AEP violation or something like that, well, then the registry may need to contact the registrants directly. So they're going to provide the registrant data from the registrar to the registry in order to - where it is a legal basis and there is a justification for that transfer as well.

So you will see also that we put that down, however, as being optional and now, this is probably something that has spilled over into Recommendation 5 as well. I think it's Recommendation 5. And it is an interesting one, and that is that the minimum dataset for 1B is including registrant data. But - and this is where it gets a little bit like, you know, as Shrek would say, the layers of an onion.

There are instances where registries may not necessarily need that registrant dataset. It is still justifiable under the legal basis - there is a legal basis and it is justifiable. However, certain registries might suggest or might believe that they do not need that data in order to fulfill their own business needs, their own business models, or indeed their own legal interpretations of the obligations upon them.

So that is not a required. It is an optional. So we have to - when we're going through these individual data elements, it is so vitally important that we take into account this sort of a concept and that is why you will find under 1B that the registrant data is not done as required but done as optional, where there are registries out there who might not need it. And they're perfectly okay with not to need that, but that should not affect the minimum dataset, which is justifiable and linked to a specific business purpose that would be communicated to the registrant at the collection of that data by the registrar.

So it's not clear-cut and this is why we wanted to put a lot more data into this and a lot more thought into this. Because these are things we haven't really thought about. And this is what made it very difficult for the registry. And apologies that it took us so long to get this, but it is a very complex teasing apart of what is necessary versus what is justifiable, while taking into account things like privacy by design, and of course, necessity and justification.

So there, that's what we've come up with at the moment. We will continue to work on it and again, thank you to Berry for the inordinate amount of work that he's put into this. I've been finding this time is not the best time for me and I'm finding it difficult to be able to attend these things. But they are working exceptionally well and I just want to thank everybody for their help.

I'll just see if Marc wants to jump back in. So I'm happy if people have no specific questions about Purpose 1A or Purpose 1B, I'm happy to pass back over to him.

Marc Anderson: Thanks, Alan. Marc. Getting the go ahead from Berry in chat so I'll just jump right back in. Alan mentioned optional there at the end and that sort of triggered my memory. I forgot to talk about one of our major topics of conversation from last week was around optional. And I see we've got that up here in Adobe so thanks for pulling that up.

I think we've stumbled upon this problem in the plenary discussions as well and certainly, this came up again in sort of our deep dive on the worksheets, the fact that the word optional alone is not sufficient for the work we're trying to accomplish here. So optional by itself doesn't provide enough specificity on what we need.

And so we spent a bit of time, I think it was on Thursday, really trying to dive into what we mean by optional and provide a little more specificity. And so I - sorry, I'm trying to read as we go. We've got a legend here. We've got optional for a registrant to fill in but if supplied, it must be supported.

So there, the name server is a classic example, if you will. The name serve is simply - it's not required for a domain registration but it's the critical component of the service that a registry provides. And so it's optional for the registrant to provide it but it's mandatory for the registry to support it. And so that's what that first one refers to.

Optional - the next one on there is optional for the registrar to provide, but if supplied, it must be processed. And so here, I think what we're trying to get to, I think the example we used last week was phone extension. And so maybe people don't have a phone extension but from a (contactability) perspective, if you do have an extension, you would expect that to be provided. And so I think that little nuance there was what we were trying to accomplish in that second one.

And that third bullet there is optional for contracted parties to support. And so this is a field, feature, or functionality that is not required for the registry or

registrar to provide. Generally, we would include this if, while optional to provide, if they do provide it, we're stipulating that it be provided in a certain way.

And so that optional I think generally has meaning there. So I think this is something we've stumbled over a couple times. And so we spent some time last week trying to get a little more specific in what optional means and how we're using it. And hopefully that will translate into or make this a little more clear and easier to agree on what is meant in there. '

So just adding that to what I said earlier. Thanks.

Berry Cobb: Thank you, Marc. I don't think the rest of the team has anything to say other than what was placed into the chat. So Kurt, if no objections, I'll turn it over to Hadia and then you can take back over.

Hadia Elminiawi: So hi all. I had just a question, a clarification question. With regard to the data elements of (unintelligible), for example, 1B, which speaks about the name holder exercising its rights. While the name holder (unintelligible) rights by delegating the rights to an admin contact or a tech contact, by delegating it to professional people (unintelligible) or outside of that.

So I was wondering there was no reference but however, I know we haven't agreed yet on including the fields. However, I'm thinking - I just wanted to ask. So you did not include any of these fields then. Are those fields pending until we decide on whether to include them or not? Or do you think they don't belong here?

Berry Cobb: Thank you, Hadia. I see Alan and Sarah typing into the chat. I, myself, I'm not sure that I understand the full context of the question but perhaps it would be good if you could email that to us and we can discuss it in our small team call later today. Thank you, Hadia. Kurt, back to you.

Kurt Pritz: Great. Thank you very much, you guys, and thanks for the additional work. Berry, how can people who are interested, how can those who are interested, how can they keep up with the work you're continuing to do? What's the best way for those that want to sort of dip their toe in and review without getting sucked into the maelstrom?

Berry Cobb: Thank you, Kurt. I posted a link to the wiki page that houses all of the data elements, workbooks, prior versions, et cetera. I think you really only need to pay attention to the first two rows on the wiki but that contains the latest versions of NXD and the updates, our proposed updates that the small team has made.

Also, there's a section on the wiki about meetings if you want to go back and hear any of the recordings. That will probably bore you to death. So I'd really just recommend reviewing through the latest Annex D, and it might be - right now, only have the redlines posted. So it might be helpful when you take a look at that, to just review it without any of the track changes so that you can see where we're at.

As I mentioned in the chat, we have purposes 1, 2, and 3, and 7 mostly done. A little bit of cleanup on 3, and then today, we want to hopefully get through 4 and 6. And then lastly, will be to essentially kind of run through the entire document to increase the consistency on the rational statements that are provided for each of the purposes, as well as the lawful basis designations for each of the processing activities.

And we'll update that based on where the current recommendation sits in the final report that was derived from the legal advice that (Bird and Bird) had sent to the group.

Kurt Pritz: Great. Thanks. And thanks a lot, Alan, and thanks a lot, Marc. That was really well done and thanks Alice, too. I know you're on all those calls. All

right, so let's get to the substance - another substantive part and that is the email discussions we're having on the various issues.

So first, the first topic we'll discuss is the topic I think that Alex brought up, which is privacy proxy services. Yes, that's good. And we have two sets of language. And so let me - my perception of this issue might be incorrect given what the email said. But in order to sort of shortcut the discussion and get to the heart of it, my perception is that, you know, a proxy registration is not personal data. And so it seems to me that that should be published.

But there is a debate about - an important debate about the email address and whether how that should be handled. But the debate might be broader than that. Alex, you brought up the issue in the first place so thanks for offering to kick this discussion off.

Alex Deacon: Sure, Kurt. And hello everyone, this is Alex. Yes, so just to - so first of all, thanks everyone for the active discussion on the list. I appreciate that. I just thought I'd kind of step back. As I understood it, the original intent of the language in Section 2.6, I think, of the temp spec, and also of this new proposed recommendation was really a pragmatic one, one that avoided a situation where privacy proxy data was behind the gate.

Right, the update proposed by Alan, and again, I appreciate that and thank him for that, it puts us in a situation where privacy proxy data can be redacted and is thus subject to reasonable disclosure requests and all that that entails. So when this is the case, at the end of a potentially very lengthy process for not only the requester but the responder, which could, we hear, take up to a month or even more, the privacy proxy information is simply returned and essentially we're back to square one.

I understand - my goal was to come up with language that allows us to avoid that situation because I still assert that it's not good for anyone involved here. I understand that a pseudo-anonymized email address can be personal

information, but given all of the rest of the data associated with the privacy proxy record as associated with the service itself, and not the individual, I think the risk is low.

But the benefits I think are pretty high. So I just wanted to tee that up and kind of focus on, you know, the reason for I think the original temp spec language and my attempt to move that into a recommendation. Thanks.

Kurt Pritz: Thanks, Alex. And so I'm going to try and focus this on this. Whenever you discuss costs are minimal and benefits are high that gets me into a sort of 6.1F kind of analysis. And I think - so then if we're in that 6.1F analysis, what we're saying is the proxy registration data is personal data. And I think it's not. So maybe Alan Woods can help me out here. But I think the proxy data is not. So we don't have to get into the balancing. And James will help me out too. Okay, great.

Alan, go ahead please.

Alan Woods: Thanks, very much Kurt, and to Alex as well. And absolutely, I think everything that he said on board, and I can see where he's coming from on that. It's just one of those situations where we need to be very, very clear on the impact that we are having and the risk profile that we are trying to create here for the registrars (unintelligible) because it probably wouldn't filter down to the registries. I'm kind of putting on my pseudo-registrar hat here.

So the problem here is that pseudonymous data is not anonymous data. Pseudonymous data, if it can be linked or capable of, with our data, identifying the registrant, is still personal data. Now, there are varying levels of risk associated with that based on what is the public availability of the other data that could potentially identify or see behind the pseudonymised data.

And I know that there has been a good discussion between (Nathan), and Hadia, and others, and Alan Greenberg as well, and the important thing here

is that we need to be able to assess what the risk is here. And we're saying that with pseudonymised data, as certain (PNP) providers do provide pseudonymised as opposed to anonymized data. And there are both there, that we need to be clear that if it is a pseudonymised email address then simple things like going to the actual Web site itself might be able to identify who that registrant is.

And you're linking an email address, which doesn't look like the email address, I'll give them that, but it's still an email address for that person. So it is capable of identifying that this email address equals this person. And I mean that for me, straightway I'm like, we run into an issue at the first hurdle.

It is very, very, very important and I know my audio is crap today, so I might actually after talking here reconnect, but it is very important that people need to understand that we're not saying that this is a no full-time. But I just think that this is something that it outside the scope of the EPDP at the moment. There is a problem with privacy provider setup at the moment potentially, so the GNSO should probably look into that.

We cannot change that these are set up and the way we are expecting them to set up. What I will say as well with regards to what Alex was saying, he said that there's no reasonable disclosure request for that, which is not true at all. There absolutely are reasonable disclosure requests available for that data. Number two - chances are, it will probably make more sense to go the privacy provider to do that. But again, this is not our call. It is something outside of our remit.

But I just want to give a little anecdote as well perhaps to help with this. That the vast majority of the requests I have received as a registry operator to date have been for ones that currently behind privacy, and privacy proxy provider services, and which are currently very obvious (unintelligible) output. It's just that the requesters aren't bothering to check the output. They just blanket give the request anyway.

You can see it's a (PNP) provider and yet they still request. So I don't know where the benefit is. And using that word, I would just ask Alex as well, to whom is this benefit you're talking about? Because we're talking about the controllers and the processes here. We're not talking about third party benefit. If you're talking about public policy and the public interest end of it, well, then you really need to look at Article 6.3 and say, well, under what public benefit are you talking about? Where is it in EU law and to whom is it for?

So this is a non-starter of an issue. I understand where you're coming from. I think if you want to be reasonable in this, we can make it a "may" that a registrar and a registry may publish. I think Alan Greenberg in his last email pointed that out on the list. Actually said, we'll make it the option of the registrar. And I don't think I have a problem with that because it would be under the controllership of individual registrar (domiciles).

So that's where I see this issue. I think a "may" would be fine.

Kurt Pritz: So here's what I don't understand and maybe James can answer my question, and this might be a gross misreading of what's going on here. But my understanding is that the recommendation asks for the return of the proxy data, which is not personal data, except for a debate we're having about the email address.

So is that true? And if that's the case, why wouldn't the registrar return the non-personal proxy data? And then we're debating narrowly about the emails. So that's what I don't understand. And anyway, James, please go ahead.

James Bladel: Thanks, Kurt. James speaking. I've been following this discussion online or trying to on the list and I have to confess that I'm a little behind on that and I

also couldn't hear everything that Alan Woods was discussing. So I'm probably more responding to you and to Alex.

I just wanted to -- and maybe I should have raised my hand sooner and teed off the conversation with this point -- is that we have to be very careful of painting the services with one brush. Sometimes a privacy proxy service will establish a separate legal entity and it is effectively a transfer or an assignment of the domain name to that entity as the registered name holder. And sometimes, it's simply providing contact information relay between the registered name holder and the contact information provided by the service. And sometimes it's - there's all kinds of shades of grey in between and there are probably models that I'm not aware of or that haven't even been deployed yet.

So I want to be careful when we say, well, this is true of this. Those services do this or they operate like that. I just want to be careful that we're being a little too over-generic when in fact there's a whole spectrum of the biodiversity, I guess of services, the way they're modeled, and the way that they operate.

I hear Alex Deacon's concern that hey, if I follow the recipe that is TBB and Phase 2 for disclosure, I don't want to jump through all of those hoops and then at the end of the process end up with a privacy or proxy service responding to me as opposed to the actual underlying beneficial user.

And I get that and I think as a provider, I think we want to automate that process to the point where at least for the vast majority of cases, it doesn't happen that way. But I don't know that we can bake in a guarantee in this particular policy that's going to assure that that will not happen for all possible implementations of the service.

So I think I just am trying to kind of put an overarching concern on the table that we're trying to put - boil the whole universe into a very small box here

and I'm concerned that doing so not only restricts innovation and restricts all the different ways that these services can operate and can serve different markets, but also will not yield the outcome that we want, which is kind of this guaranteed deterministic outcome of never seeing a privacy service at the end of disclosure request.

Now, to the point about email, I think what we found just in terms of implementation guidance, is that if we associate a single email with a single domain name, whether that elevates it to personal information or not I think is a subject for considered debate.

But the bottom line is that that's useful for spammers. That's just as good as having your email address, particularly if it's a blind relay and there's no filtering involved. But essentially, we just assigned an email address that is direct link to another email address. I know some services will randomly regen a random stream and associate it with the email so that it's constantly being refreshed.

That's one possible way to address this problem and maybe further push this down the end of the pseudonymised spectrum. But again, these are all implementation changes and things like that. And I think it's really important that we think of how this plays out for the customer who is essentially enlisting this service and paying for this service for the purposes of having this additional layer of privacy. And I would caution us against taking a broad approach to dilute the value of that privacy service.

Because honestly, what it will do is it will just set a - or incentivize I think additional layers of proxy for those folks who technology do want to protect their privacy.

So I don't know if that helps but I just want to put things a little bit more abstractly about this when we consider all of the services that could be impacted. Thanks.

Kurt Pritz: So, James, or anybody, understanding that, you know, writing this policy in a certain way might not address (Alex Deacon's) concern 100%. Is there a way to fashion the policy so it addresses that issue 80% of the time? So, I'm getting at different models that Registrar's have implemented or may implement in the future and some of those models, you know, might contain personal data in some way because of the different shades here. So, is there a way to fashion this so that, you know, that information, that indication that it's a proxy to privacy or some other service is returned 80% of the time and to help him with that issue? Is that, you know, that the Registrar will return all non-personal data or something like that?

James Bladel: Kurt, this is James, did you want to respond? Sorry, I can get back in the queue.

Kurt Pritz: No, a response would be great.

James Bladel: It's James speaking again. And I think the answer is is that similar to the Temporary Spec and the currently work in progress, PPSAI policy, what they do is they essentially require that each of these services, first off, identify themselves and then also provide some mechanism for, you know, legitimate and you know, lawful folks to request the underlining contact information. So, I think, you know, if we can build a process here that captures what the 80% of the case is and then those individual services are required to disclose - I mean, to publish a process for catching, you know, maybe not the remaining 20 but let's say the remaining 18%, you know, I think that marginalizes those scenarios where there's absolutely too many hoops to jump through.

And I understand that - I mean, to (Alex's) point, it's like, you know, you get to the end of the map and you kind of have to start over at the beginning and I would say while I would hope it's not exactly the beginning it's just a different process in a much more expedited one-on-one communication. So, that's just

my thought and it is already required as part of the Temporary Specification in the 2013 RAA.

Woman 1: Yes, exactly.

(Martha): Kurt, if you're speaking you may be on mute?

Kurt Pritz: Sorry, (Martha). I unmuted myself and then muted myself again, so. For the third time, thank you very much for that James. I'll think about that. We should think about taking your comment and beating up this recommendation somehow. Marc, go ahead.

Marc Anderson: Marc here. (Unintelligible) queue because I wanted to make a similar comment to what you were making Kurt about, you know, what is the station of privacy proxy just the name of the, you know, the legal person services that's providing this. By the end I wind up with just plus one to (unintelligible) plus one, thank you very much for explaining that the station. I now understood why these two things were lumped together now into plus one for acknowledging that the topic of whether or not pseudonymization might email turns into personal data and under which circumstances. Thank you for understanding the other point of view. And plus, one again, thank you for recognizing where this exists within the (unintelligible) and being open to developing additional language to beat this up for the (present) case. So, thank you. That's it.

Kurt Pritz: All right. (Chris), welcome. Please go ahead.

(Chris): Thank you Kurt. (Chris) for the record. You know, I just wanted to highlight on one of the points around the pseudonymization of the emails. So, you know, under GDPR a lot of it is about reducing the data or the likelihood of, you know, to identify that individual which, you know, it's a lot of examples by some medical records and you know, putting people in age brackets. And I think really the way that a lot of the privacy proxy email address allocations

work are a lot stronger than the pseudonymization methods that GDPR touches upon.

So, from a risk point of view I think, you know, methods that have been undertaken them as James said that you know, some do it on a domain bases and some do it on per Registrant bases. So, you know, I think the risk is just that slightly level lower with the methods undertaken by privacy proxy at the moment. So, I just think it's worth taking into account. Thank you.

Kurt Pritz: Thanks very much (Chris). Amr, please go ahead. Do you have a recommendation for us?

Amr Elsadr: Thanks Kurt. No, this is Amr I don't have a recommendation but I raised my hand before James spoke and I think he covered most of what I wanted to say. You know, not to take away any of the positions put forward on this, on you know, pseudo emails and whether or not they contribute to making a registered name holder or more identifiable or not but like as James said we need to remember that, you know, these services, privacy proxy services exist to serve a specific purpose and I don't believe that, you know, that what we're trying to do with them here is actually contributing to us replacing the Temp Spec with a more permanent replacement, you know, with a limitation in scope in mind to just make it, you know, GDPR compliant.

I'm concerned that we might be, you know, alerting the nature of the service itself and that is something that not only should we not want to do right now but I don't believe is in the agreement of (unintelligible) TDP. This is something that would need to be taken onboard by the GNSO Council and the ICANN community at large and other discussions. You know, people use privacy proxy services because they don't want to be contacted directly by third parties. They want third parties to go through these service providers and you know, publishing a pseudonymization email that permits direct contact is not something I think we should be entertaining at this point.

I think James made the point a lot better than I did so I'll just stop now and see where we can go from here. Thanks.

Kurt Pritz: Thanks Amr. Hi, Holly, welcome.

Holly Raiche: Thank you. I'd also like to thank James for the distinction but point out that actually privacy and proxy services are two very different things and if you go back to the 2012 report you'll understand that they can be used as a substitute for agency or actually a service that provides privacy and that means that they're actually implemented quite differently. So, when we have a discussion about privacy proxy, let's actually recognize that they're very different things and they're actually addressed very differently.

I also take the point that in terms of privacy proxy services, the privacy aspect of is - actually we had a lot of discussion at the time about how to protect the privacy of the individual and I think that's been done and into discussion that's just been held. The email address is the one contact point and it's just that. It's just a contact point and it's usually very well protected. So, that's just a little bit more of a debate. Thank you.

Kurt Pritz: Thanks Holly. So, you know, I'm probably the worst position to recommend alternate language here but is it okay to say at a policy level that the Registrar, you know, should publish or maybe it's a must publish the non-personal data associated with the privacy or proxy registration and so that would give an indication and that would give the Registrar that there's implementation questions to be answered there. As James says there could be worked out but that would provide the mechanism by which the Registrar could choose to indicate to the query that it's a proxy or privacy or whatever type of registration. Is that possible? So, that's question one.

And question two will demonstrate how far out of my depth I am but you know, question two has to do with mail and contacting the Registrant and is that addressed someone in Recommendation 10 which is about email or, you

know, or is there - you know, I'm channeling Alan Greenberg here but he's not in the meeting. You know, is there some obligation on the part of the Registrar to provide some sort of (conduent) through ten? So, I guess those are my two questions. Could this recommendation be rewritten to create an obligation where the Registrar publishes, you know, the non-personal data that is part of this registration so that would naturally include privacy registrations, proxy registrations -- those data elements which are not personal data? And second, is there a way out of this debate about pseudonymization -- I can't say that word -- email?

Any comments to that? First any comments about whether those sorts of things would address the issues and second do you know why that's an inadequate or not acceptable to do that? Okay, I just got pinged, "silence is agreement." I'm using my (unintelligible) ESP capabilities to detect it's not. If my questions were poor, are there any suggestions for a way out of that? (Alex), please go ahead.

(Alex): Thanks Kurt. It's (Alex). Yes, just want to respond to Amr because I think either I'm not understanding or something else is going on. The ask is not that we're asking to change the nature of privacy services it's simply that there's an indication without having to go through a reasonable disclosure process -- which I know is always an option that a privacy proxy is being used in the case. For example, where one can determine a privacy proxy is being used for a large Registrar, we would not waste time in asking for disclosure would simply use the established process, you know, by the service provider to, you know, to request access for information or communicate with the Registrant behind the proxy.

So, again, it's a pragmatic ask. If there's a way to know that there's a privacy proxy being used it would be great to know it so we could avoid, you know, jumping through the feasible disclosure hoops to end up in a spot where we would just find out that it's a proxy and we need to use a different process all together. So, we're not at all -- or I'm not at all -- arguing that we change the

nature of privacy proxy. And I do think this is within the scope of the EPDP because essentially, we're talking about who is data (RDS) data? And an indication of, you know, whether this is a privacy proxy or not, I think would help all of us. Thanks.

Kurt Pritz: Thanks (Alex). So, I'll torcher us for a couple more minutes. So, James you referred to the Temp Spec, so what this recommendation does in these two forms here is essentially replace the Temp Spec. The first recommendation posted here it probably merge the temps back and the second one changes it. So, in your discussion what were you recommending with regard to the Temp Spec where you said we have the Temp Spec? Okay, thanks. And what does that state? Sorry to put you on the spot. James, thanks.

James Bladel: Thanks Kurt. James speaking. So, you're going to test my memory here a little bit. I hope this won't be on the quiz. It says essentially that privacy proxy services that are affiliated with an ICANN Registrar have to identify themselves, have to publish a point of contact for abuse and for law enforcement and have to also have a process for folks to ask them to disclose the information for their customer. And the point of this was in the 2013 RAA -- and I'll throw ICANN Staff under the bus a little bit because I think everybody that worked on this might be gone -- but the point of this was they kind of came to use with a (unintelligible) policy and we were saying, "look this probably needs to be a broader community discussion in the consensus policy."

So, we put this temporary policy in place with the idea that it would be a placeholder until we could develop a full consensus policy and that full policy is the privacy proxy accreditation or it's PPSAI. And so that is now complete. It's not yet implemented. So, the Temporary Spec is still the standing that's still in place. And so, when the privacy proxy PPSAI goes into effect then this Temporary Specification temporary policy that exists in the 2013 RAA will expire and that will take place. So, that's kind of when I said Temporary Spec, I wasn't referring to the one that we adopted last year. I'm referring to the one

that's part of the 2013 RAA and has been renewed a whole bunch of times and probably just needs to be ride off into the sunset and be replaced by PPSAI. Thanks.

Kurt Pritz: Yes, I'm reading the Chat. So, yes, so I'm here and I'm looking at this and I'm sorry I'm not as quick on my feet as I should. But is there, you know, from the contracted parties, is there any support to what I suggested? I see some words from (unintelligible) going on here that's improving the language but I don't know if the base idea is acceptable. That not, you know, and any who is querying on personal data be returned which I think would indicate whether there's a privacy proxy registration and also, you know, comply with GDPR, right.

And so, Alan to your question, I think that's why it's left up to each Registrar to figure out the easiest way to do that. Marc?

Marc Anderson: Hey Kurt, it's Marc Anderson. Yes, I was going to type this but yes, it's easier to say it, yes. It's not always known to the Registrar if privacy proxy service is being used. I think maybe generally privacy services are offered by Registrar's but proxy services are not so they might not always know. Last time we discussed this topic we had also discussed language to the effect of, you know, in cases where it's known that a privacy proxy service is used or something to that effect. It's been awhile since we had that discussion. But I believe we need some kind of qualifier there like maybe I defer to the Registrar on what makes sense but, you know, there were some edits we put in here. Last time we discussed it the (unintelligible) seemed to be carrying through to this conversation.

Kurt Pritz: Thanks, that's a great point. In a way I think this sort of wording addresses that because it's an outside proxy service. Say it's my attorney that's registering the name and the name of his law firm or whatever would be personal data too so I think it naturally would address that issue but I also

think that we could add a notation to make that certain. (Alex) and then Margie.

(Alex): Thanks Kurt. Yes, I was going to suggest doing exactly that and somewhere buried in the email thread on this topic I suggested that, you know, to avoid a situation or the debate where we discuss who is and who is not a privacy proxy service provider and the whole issue with regarding lawyers or mothers that or, you know, children that may register domains on behalf of their elderly parents or what have you, that we simply restrict it to, you know, affiliated privacy proxy services, you know, those that are known to the Registrar.

So, for example, I would assume GoDaddy knows when, you know, their privacy proxy services is being used and then would be able to simply without any doubt know and publish accordingly. And I assume another Registrar's would be able to do the same thing. And to think Margie, you know, there's language in the privacy proxy policy, PPSAI policy, that we could leverage. I think there's even language in the this temp privacy proxy spec in the 2013 RAA that we could leverage and I think that's what Margie may have mentioned at some point.

But anyway, again, the goal here isn't to complicate things or be difficult. It's simply to find a solution where when possible it's known by, you know, a simple RDDS query that a privacy proxy is used and that gives folks an indication of what path they need to walk down. Thanks.

Kurt Pritz: Thanks, go ahead Margie.

Margie Milam: Yes, I put it in the Chat. (Alex) is right. We already kind of negotiated that at the time of the 2013 RAA so it seems like we should just stick with the language there. I put it in the Chat if you can take a look at it. But that's how it's defined in the 2013 RAA.

Kurt Pritz: Thanks very much Margie. So, I'm looking at (Sara's) - before is scrolls up everybody looks fast. All right, so I think (Sara's) language around this needs to strike that balance. You know, just using the word affiliated. So, I see Margie's comment about the 2013 RAA but I also remember James comment is that we were looking forward to dumping that language with the onset of - or the finalization of PPSAI and I'm (chuffed) that - I'm, you know, making the addition of affiliated is the replacement of affiliated into (Sara's) language gives me hope.

Is there - and then with regard to the email issue, you know, I'm very sensitive to that too. Is there a way of having that discussion in the context of Recommendation 10 where we talk about how to contact the Registrant's? So, I think, you know, it's sort of a known privacy proxy service. It's sort of already on the, you know, on the (owns) of the Registrar to accept emails to some address and then find a way to contact the Registrant. So, and you know, have the recommendation here as Marika has typed it with that one small change and then have that email discussion in a way of contacting the Registrant under Recommendation 10. Is that possible?

You know, and so what - no I probably can't say that again because if I didn't say it well the first time it'll just go down. I started out real slow and then petered out altogether. So, but, you know, I see Alan's email and I understand the issues too with Web Form contact but that's a way that works. I'm kind of agreeing with Stephanie also. I see a lot of plus one Stephanie's but I see, you know, how can we have this - I think these are separable discussions. One is about the return of the return of this information in a way that alerts the seeker of the information to - the seeker of this information to identify whether it's a privacy proxy registration. So, I think that satisfies the goal that (Alex) has.

And I think that, you know, to the extent this recommendation talks about this pseudonymized email -- this pseudonymization email -- that you know, it addresses a concern that depending on how Registrar's implement that it

may or may not lead to personal data. So, for the purpose of this recommendation I think we've satisfied the (Alex's) need is to show the work. And then I think we have to have the conversation about contacting the Registrant under a different mechanism. I don't know if that's Recommendation 10 or it's something else. But it's something, you know, if Web Form is a way, I understand the issues with not getting a return that the email actually went through or didn't but I think we should have that discussion in a different setting.

So, I guess I want to hear from, you know, - so, I'm going to let this discussion go. Yes, so, (Margery), I think that this wording satisfies that last need that you (unintelligible). You know, we had quite a discussion (about it now) and Toronto so I think the words (unintelligible) on the Chat list we're diving into next steps. So, you know, Marika, if you could capture that wording. What we're going to do now is take a short break and we'll put that wording up at the start when we resume and say, you know, this is the wording you're going to see in your email coming forward so you can get prepared for that and possible acceptance of that.

So, does anybody have any more comments they want to make orally? (Unintelligible) I think that (must not) include any information which could reasonably lead to identify identification would match our person. I think that's sort of a definition of personal data. All right, so let's take a break. See you guys at up of the hour, okay. And then let's talk about one or two more things and then head for home. So, thanks very much for this discussion. I think we've got somewhere, that was good. I'll see you soon.

Hi everyone, welcome back.

Terri Stumme: Kurt, this is Terri Stumme. I heard you say something briefly and then nothing else after that. Just checking on your audio.

Kurt Pritz: I said welcome back and then I paused. Yes, thanks. I said welcome back.

Terri Stumme: Oh, okay.

Kurt Pritz: And then I was giving everyone just a minute to get seated. So, the next topic on the agenda is reasonable access. It's really important (unintelligible) to some sort of agreement here. My reading on the email list is centered around the possible inclusion of updates response time. I think that's the primary issue. So, I'd like to hear either from, you know -- I'm certain you all read all the emails -- but I'd like to hear either from someone that proposed that we include a response time in the reasonable access, some sort of number that what the hoped for outcome is this sort of, you know, a minimal hopeful outcome or from the side of the contracted parties or others that would state, you know, what they might be willing to live with for that response time. So, I think that's the prime remaining issue there but if there are other issues with regard to that, I'd appreciate somebody (take off) the issue. Where's the current wording and see if that wording is acceptable to all? Marika, go ahead.

Marika Konings: Yes, thanks Kurt. This is Marika. Just to clarify what you see on the screen. So, what you see on the screen is the original language that was circulated by Kurt I believe last Friday would you say? Or maybe Thursday. Sorry. I don't know exactly when and the edits and (that) line are those that were suggested by (Alex) on the list yesterday -- which I think some of those are just clarifications and I think one of them is adding a specific example that you see at the bottom of Page 2. So, I think that's where, you know, language currently stands.

I think (Aiden) responded on the list. I know (unintelligible) that (Aiden) (unintelligible) drop off and will be back shortly. We think he indicated that. He at least (unintelligible) it at a (unintelligible) now that we have concerns about any further edits or changes. But I believe that's at least all the input I think I've seen so far and that is what is reflected on this screen.

Kurt Pritz: Thanks for that Marika. I'm really sorry I (unintelligible) you again. So, I'm seeing the comments typed in by (Christina) and Amr. I wonder if either of those would be willing to elaborate on your comments a bit?

(Christina): Amr, why don't you go ahead. Mine are I think not as significant as yours.

Amr Elsadr: Sure. Thanks (Christina) and Kurt. Not sure how significant mine are by I'll take a stab anyway. This is Amr. I'm just wondering if, you know, from an implementation perspective, whether the issue of, you know, responding to the (unintelligible) lists in the same timeframe that would be provided to data subjects. I'm wondering if this would work, if it could practically work or not.

You know, third party disclosure requests require a lot more work in terms of, you know, determining to what extent the disclosure request is reasonable and you know, whether it's lawful or not. You know, these things I'm guessing would take time. I'm not an expert on how long that would take or what's involved and you know, it might depend on multiple factors such as, you know, the volume of disclosure of requests being processed by a single provider at one point. So, I'm just wondering if from a practical perspective this would or would not work. If it does, I have no issue with it. If it doesn't, I just thought it may be something we might want to consider. Thank you.

Kurt Pritz: Amr, could you please elaborate on what Article 12 (BPR) timeframe states?

Amr Elsadr: Let me look it up Kurt.

Kurt Pritz: My question might be off but if you would like your (unintelligible) standard by reference.

Amr Elsadr: (Unintelligible).

Kurt Pritz: Yes, go ahead. I'm sorry.

Amr Elsadr: I'm sorry. The reference was in the document that you circulated Kurt, so that's why I put it in the Chat. And if I'm not mistake then Article 12 timeframe was 30 days or a month. I need to find it but I recall that being the case. So, yes, you know, the timeframe is similar to a data subject request was referenced in the document that was circulated. That's why I brought it up and then raised the question on. Thanks.

Kurt Pritz: All right and I think (Sara's) cut and paste is really helpful. Margie, go ahead.

Margie Milam: I'm looking at the language and trying to understand how it fits into our purposes since it doesn't reference any of our purposes. And there are disclosure requests that could be under purposes beyond purpose 2. So, for example, the dispute 1 is the one that comes to mind. And that's - and so I'm just, you know, is there some way that we, I guess, perhaps in the request for reasonable disclosure, minimum information we reference the purpose that we're sticking the information under because that may factor into the analysis for disclosure?

Kurt Pritz: Yes, I understand the wisdom in what you're asking. You know, if everybody else would think about Margie's comment and how that might be meaningfully included. You know, I thought it was included in the second bullet here but maybe you want it to be more specific.

Margie Milam: Right because...

Kurt Pritz: I see that - oh sorry, go ahead.

Margie Milam: Yes, sorry. Just, you know, we've obviously done a lot of work on the purposes and so it seems like they should be linked in some way so that there's, you know, you can easily reference whichever purpose you think is applicable to the request that you're making.

Kurt Pritz: Yes. So, I think that would be you know, pretty easy. Okay, (Christina) go ahead.

(Christina): Yes, I - you know, my comments are more I think forms driven and I was trying to come at this from the perspective of someone who's never read it before. And I think there are a couple things that we need to fix because I think they're going to be really confusing. For example, we kind of bounce all over the place among reasonable access request, reasonable disclosure request, reasonable request for lawful disclosure of non-public registration data and then a reasonable request for lawful disclosure is how we identify the criteria. And I - you know, I'm having it put suggested red line to the list but I think that's really confusing in using different terminology to refer to what I think are supposed to be the same thing.

And there are a couple points in here that I think need greater clarity. For example, you know, what I think under the timeline the logging of request instead of requirement for logging or is it supposed to be a timeline by which the request are logged? You know, I just think that there's a lot of places here where we could really tighten it up to eliminate any kind of confusion and frankly speed up the work of the implementation team. Thanks.

Kurt Pritz: Well I'm certainly willing to take you up on your offer to do that. So, thank you very much. And yes, I don't disagree. I think consistency is really important in language and specificity too. So, thanks very much. Margie, go ahead.

Margie Milam: Sure. I'm really trying to understand the language here. What does it mean when we say, "90 days, the must provide such reasonable access for the 90 days of the date ICANN publishes such guidance?" I don't understand where that came from and it seems like 90 days could mean, people could miss read it to mean, you know, responding to a request in 90 days which I don't think that's what we're trying to get at here. Is it something we deal with on the implementation side or what's the thinking behind that language?

Kurt Pritz: I'm reading it. Better find the beginning of the sentence.

Margie Milam: Sure, and (Christina), if you're saying that's from the Temp Specs and I think I have the comment in another place as well I don't think the timelines carry over to us given that the Temp Specs already in existence and you actually need that, you know, when the Temp Spec was adopted. I think, you know, the whole transition concept is something that I think is wrapped up in the work that James and the Registrar's are doing at the fair with us. And so, it came up also in another recommendation and I sent something to the list about it but that's, you know, when we're talking about implementation date from the Temp Spec, I think those need to be replaced by the overall implementation they need, you know, we're going to agree on shortly.

Kurt Pritz: I'm just reading through the initial paragraph. (Alex) please go - Margie we'll have to think about your question and others do too. (Alex), please go ahead.

(Alex): Thanks Kurt. Yes, another point I raised on the list that I just wanted to do again now is there seems to be some inconsistency -- oh geez -- in the Temp Spec language and the new recommendation language. Specifically, the Temp Spec language as quoted above seems to indicate that this reasonable access is only pursuant to Article 61F but then in the body of the text the statement is made that contracted parties will consider each request on its merits with regard to GDPR legal bases which seems to indicate that any legal bases is applicable here.

So, I just wanted to restate what I said in my email which is we need to somehow make those two consistent. Is this just 61F reasonable access or can it be used where applicable for other legal bases. So, just wanted to raise that point. Thanks.

Kurt Pritz: Okay, thanks (Alex). That's a, you know, data can be disclosed for any of the legal bases in Article 6. I wonder if from a policy standpoint whether we should leave that open for any legal bases. I agree with Diane's language

here. So, you know, I think that I like the - Stephanie you're back tracking here. So, I like Amr's first recommendation and would incorporate (unintelligible) would that (Sara) pasted into the Chat right into the recommendation we have. So, to use that exact language and then, you know, I like Diane's idea of making the first paragraph a lot more clear. So, when it is clear we'll have an answer to Margie's question because even I read that paragraph a couple times in the last few minutes and couldn't answer her exactly.

So, I would do that because, (unintelligible), you know, you volunteered to take some of this clarification on to be the (unintelligible) one. You know, I'm happy to work with you on it or members of the support team or however you want to take a first stab at that. If you want to do that that's terrific. And then, you know, for maybe take that first stab at it that's terrific and then for items you'd like one of us or if somebody else to look at in addition to the work you're doing to help you out with the management of your time, we'd be happy to do that.

So, with that incorporation on Amr's suggestion, I don't know if - yes, we don't have time to word snip this here. It's too complicated. So, is there sort of a general agreement in the room that that would provide sufficient detail and reasonable access under, you know, at this stage of the game understanding that we have, you know, implementation to go through and then I think the access discussion too is going - when we develop - when a universal access model is developed then, you know, the other forms of access that will be provided will have to be considered too. So, I'm hopeful that this provides the right amount of specificity and if it does to your all satisfaction then I think it's a significant achievement.

I like the way - you know, it's really good the way everybody thanks people for doing work, you know, because there is - well I was going to say shit load but I won't but there's a lot of work going on with the data workbooks and this. So, that's - just letting you know that you've - it's never lost on me.

So, let's talk about there is some - we're going to go onto another topic and that would be additional purposes. So, there's been some movement on the email list about that. And we'll just pause for a second to see how it comes up. We got a recommendation from (Aiden) on this so we'll bring this up. And I think (Aiden) is going to come back in the next few minutes, but. So long (Sara), thank you.

So, I think in, you know, Alan's not on this call either so that's kind of sad but I think Benedict on too? So, that's kind of unfortunate. All the key players aren't here but I think, you know, it's kind of a sort of - well I'll just say difficult situation that champions on this team that supported the creation of a use for research purposes, you know, haven't found support for that by expressions by the ICANN Staff. And so, - but I'm really - I don't, you know, in the conversations I have, I don't yet disagree with the need for such a purpose despite those writings and so I think what, you know, I think what we want to leave open here is that if there is such a need that it can be addressed. So, at least lay the ground work so that if there's a future need then - well that can be addressed too so then we pretty much (unintelligible).

So, I think (Aiden's) insertion here is a good one and that he has identified a specific requirement and I wonder if then we have some other way of opening the door to future requirements. Alan, thanks for rescuing me. Please go.

Alan Woods: I don't think I'll be rescuing you in this one. If we say something for future requirements, you know I'm straight away going to get my (unintelligible) up on this because we cannot - we're talking about the way that data is currently being used. If a future requirement is to be developed, a future requirement needs to have data protection and (unintelligible) as (unintelligible) in all of this and it needs to be (courageous) at that point. I'm still in (unintelligible) with they don't currently need data. I think (Aiden) made some very good points but, you know, maybe talk about (unintelligible) to data but again, if we start talking about future moves then we have failed straight away. We're now

talking about the current use of data not future. So, I just want to really make sure we're clear on what we're doing here.

Kurt Pritz: And I don't - yes, so again, I'm sloppy with my word usage. So, when I think about this stuff I think about, you know, in our recommendations we're (spec) a current data processing steps and we're identifying where they're GDPR compliant and where they're not and what steps we'll take to make them GDPR compliant. And that can happen on a routinized bases and what I'm thinking about this research purpose is that, you know, at the time the request for data is made it's not automatically granted because we have a purpose here but, you know, that research purpose has to be evaluated against GDPR and the legal bases.

So, is, you know, is it a legitimate interest? Is this study a legitimate interest? Is the data not only tailored to the purpose for which it's being process so the principles of minimization? So, we wouldn't be creating a policy that says if (unintelligible) or any other part of ICANN needs data for some purpose then that's okay and we're going to grant it but rather that -- and I think I'm saying the same thing as you're saying when you're saying data impact analysis -- you know, that balancing has to be done so that we know that disclosure is GDPR compliant. And so, you know, and again, I'm channeling Alan -- I think -- by saying that, you know, if we state that somehow here, you know, we'll be able to expedite that consideration some more.

So, yes, I agree with you totally on how we can't speculate on future uses and then just give them a blanket permission to access data or have data disclosed to them but rather we would do that analysis to make sure it's GDPR compliant. So, I hope we're - I think we're in agreement. I hope you agree with that. Margie, go ahead.

Margie Milam: Sure. This is Margie. About the cross out of the - none of the good accuracy recording systems, I believe that that was related to the fact that we were lumping it into the compliance revision purpose - I forgot which one it is in our

purpose. But my recommendation is that in order to assure that it doesn't get lost that we reference that in the purpose section, you know. So, that it's not see as though there's no place for the accuracy recording system but merely note that the purpose is intended to include accuracy reporting system. So, with that I think that would make this - that, you know, cross out - that's the goal.

And then the other issue I raised on the list was the issue of - I think it's - and you talked about it just now. You know, access for basically threat response and maybe that's not this. This is something else but, you know, I don't know if we, you know, really captured or identified where that would be for ICANN. I'm not talking about third party access I'm talking about in this case ICANN. And so, I think that's something we should talk about.

Kurt Pritz: Okay, thanks Margie. Yes, so in fact you're right. And I don't know where this email exchange occurred but there was one that involved Alan Greenberg and I don't - and the team that is reworking the data elements workbooks. The processing steps for the ARS, supporting ARS, is being included in that, the element workbook as the affirmative disclosure of data for that one purpose under compliance. So, that's that and you know, I think - so, anyway go ahead Hadia.

Hadia Elminiawi: Okay, so, quick point and maybe Margie covered some of this. And so, we have (TSE) accuracy reporting system and has been used for purpose 5 which talks about compliance. And we just need to make sure that this happens and also mention by the end of purposes here. And then another thing, when we were discussing the research purpose in Toronto, we actually referred to the security stability and resiliency of (DMS) and that being a mission, an ICANN mission, and we discussed that this might require research and this is why actually we thought about including the research purpose (unintelligible).

Benedict, when we first introduced this (unintelligible) he was thinking of mitigating with (unintelligible) threats as the (unintelligible). And rightfully this is an ICANN purpose. How ICANN (unintelligible) this mission is another issue. And maybe we are not very clear on that. And that's maybe also why we need to make sure that we include the research purpose.

(Unintelligible) information and investigation on how ICANN would carry on its research or it's another ICANN would actually need this purpose for maintaining the security on stability of the Internet and mitigating the threats and risks for the (DMS). What's being said that this is not happening now and we don't need to think about the future, well as a fact of the matter is that now the security and stability of the (DMS) and mitigating the risk and threats (unintelligible) ICANN purpose and is an ICANN mission. It does make sense that this (unintelligible) some kind of need for some kind of historical data.

So, we are not talking about actually think that might come up in the future and that's why we need to take it into consideration now. We actually don't have enough information to decide on whether ICANN will need historical data or not. And that's why it's good to have this purpose. We are not saying that we are going to actually act upon it. We are just saying we are considering this. We need further information and a little guidance and the information from ICANN and let's investigate this further in phase 2.

So, yes, I would keep this. And I think it's important to just refer to the Amr's response but I don't know why we need to put the paragraphs that are in Amr's which says of this data does not require personal data. It's enough to just (unintelligible) response and not to put all of this in the recommendation. I don't think that this is a place for that. So, yes, so thank you.

Marika Konings: Kurt, you may be on mute.

Kurt Pritz: Thanks. I always say my best thoughts when I'm on mute. So, if I understand your statement Hadia, you're in support of the recommendation which is on

the second page of this document. Especially, you know, continuing to pursue this during phase 2 because my personal opinion is that we need to flush out this discussion with ICANN and its need or lack of need for data some more. So, I think the specificity that in (Aiden) has given it is good.

And then just to be sure, you know, everything on the first page is not recommendation. It's sort of information that we did. Its proposed language for the final report but this is like the introductory information that led to the recommendation. So, I don't think it's harmful to say that, you know, the team reached out to ICANN and asked for this input. So, that kind of gives the reason why we're putting this off to phase 2 is that it lets us - gives us time to kind of figure this conundrum out. Margie, go ahead.

Margie Milam: Sure. I just was going to highlight some of the things that (unintelligible) talking about. It sounds like Alan doesn't think that it's part of the compliance purpose for the ARF so I think we probably need to reinsert that - cross that language if that's the case. Obviously, this is all stuff that needs to be discussed in you know, phase 2.

And one of the (unintelligible) recommendation I made on the list last night -- I know it was late -- was to say, should be considered to facilitate research or prevent response carried out by ICANN's office and the (CTO). And again, this is not making the recommendation that it (unintelligible) it's just a recommendation that it be considered in phase 2 and we can get further with ICANN as to, you know, what their needs or what they have used the data for in the past. I know they said on the list and I know that Alan mentioned that since, you know, since they've said they haven't used it now that it may not be necessary but we have to really take into account what happens if we were (unintelligible) not just what the current standards because the information is not available. So, that would be my recommendation just to have it be considered and then we can explore those issues further in phase 2.

- Kurt Pritz: When you said, Alan, were you talking about (Alan Woods) or Alan Greenberg?
- Margie Milam: Yes, Alan Woods. He was mentioning about, you know, he was talking about the (Octo) answer and you know, and they're answer that they say they don't use it now which is true because they don't have the data but I think it's something that we should explore further in phase 2.
- Kurt Pritz: Right. And I don't think anybody disagrees with that and we need to have a better discussion with (Octo) if they were, you know, my reading of what they said is that we don't need personal data. So, I guess that response could be interpreted as they and we need to flush that out. I don't have a problem with adding the language you stated which had to do with threats to the (DNS). I don't know exactly that but I think we're exactly where we, you know, I think this is what the current recommendation does - we could add facilitate research including research having to do with -- and whatever Margie said about threats or threats to the (DNS) or however that is -- if you wanted to put that language in Chat that would be great. (Pharsine) go ahead.
- (Pharsine): Yes, hi. I just wanted to object to any addition to this (unintelligible). It is only limited to what's up to (unintelligible) and (unintelligible) has clearly said that it does not need personal information. Now if they need personal information in the future that is very speculative and the group - and I believe Register's Registrar's have also said that if (unintelligible) and they do not want something that is speculative that should be mentioned or to be considered. If they need some data in the future then as (unintelligible) the group has to decide if they want to do something about it.
- And I don't think the group has consensus and if the group also wants to use this purpose to later on just add to the laundry list of all sorts of issues that can get you access to personal information of domain name registrant's than no that's risky and should not happen and it should be kept limited. As to (Octo's) operation, it has been about that and I don't know what is not clear

about (Octo) saying that they don't need personal information. It's not about they don't have access to it. It's about they do not need personal information in their work.

So, I think that we have to just be clear in this purpose that we do not need access to personal information. We can discuss later on in phase 2 whether we want to like consider other things but it has to be limited to (Octo's) operation. And that's it and I will object to even having the purpose now if we just want to (unintelligible) later on there will be like issues be added to it and be broad and (unintelligible) then be used up personal information in domain registrants.

Kurt Pritz: Thanks (Pharsine). I have a comment on that and to Margie's comment too but I want to go through the queue. Alan Woods?

Alan Woods: Thank you very much. I'm a bit confused. I didn't actually say that ARF wasn't involved in the compliance purpose. I actually think that ARF would be for the purposes but is jointly the joint and shared purposes or should we just say the shared purposes between the contractual parties and ICANN. ARF can be used as compliance too. I never said that. So, apologies (unintelligible) and clear in the text of that.

Just in relation to (Octo) never saying or saying that they don't use the (unintelligible) EPDP - or since the -- oh good lord -- (unintelligible) back up. That is just simply incorrect because we specifically ask them, what did you use personal data for prior to (unintelligible). And they're response in October 22 does say that the only thing they used before was to give training to people on how to make queries. How to identify the Registrant's technical data. Clearly, they do not need to do that anymore because this is the point of GDPR saying, you know, identification of the Registrant should be on a need to know bases and (unintelligible).

So, their research purposes - no. They never - they quite clearly (unintelligible) to only one instant. An instant not training. They didn't say that they needed to (unintelligible) but we're completely way off point here. The fact of the matter is that Stephanie is going to get (unintelligible) blue in the face from saying it in the Chat in the moment that (Octo), the research, this is ICANN's purpose alone and if ICANN wanted to have a purpose, let them make the purpose and they can justify it and figure it out.

Like Margie's talking about, you know, but they don't have the data. Again, this is something that they need to deal with but the EPDP is not the way to create this brand-new purpose out of nothing. And it is, a brand-new purpose out of nothing. If ICANN wished to establish a purpose as controller and then want to make that priority personal on the contracts with the contracted parties in order to transfer the data to them on a legal bases that they are going to justify it controller and us as processors, then so be it. Let them do it. Not the job the EPDP at this particular moment in time.

And I think we're wasting a whole lot of time doing this. Even pointing this to phase 2. I think it's a huge - if they want to use it for their purpose and their purpose alone, let's remember the research is for ICANN and ICANN only, nobody else, then you know, let them do it. They're the controllers. Let's see what they do. I mean, but I don't understand why we're wasting time here.

Kurt Pritz: Thanks Alan. Hadia go ahead.

Hadia Elminiawi: To (unintelligible) Alan's (unintelligible). We're not crediting ICANN's purposes we are just (unintelligible) and being (unintelligible) date. That's the purpose in the future. So, we are not creating any purposes. It's just if you remember this purpose was introduced, I think (unintelligible) 2 just before launching the initial report for (unintelligible) and there was (unintelligible) whether to discuss on this (unintelligible) form or require information that...

Kurt Pritz: Did we lose Hadia? So, I guess the gods of Adobe Connector telling us this discussion is done. So, let me just reiterate a couple of things. One is that, you know, there are people on this team that have worked with (Octo) in the past that are strongly of the opinion of that there's some data processing that needs to take place but, you know, I agree with - I don't disagree with Stephanie and Alan that ICANN really should be making this clear if they want that purpose.

And so, and I want to go to Margie's recommendation that we include threat response and then (Pharsine)'s response to that and say that research and threat response are two different things. The threat response is in one of many categories of research so, you know, I would be for either including threat response in this or even making it more general and instead of saying research by (Octo) say, you know, carried out - to facilitate the mission carried out by ICANN's office of Chief Technology Officer. So, you know, maybe we can make it more general.

But having said that, you know, there's - I don't think anybody said anything inaccurate or in this discussion. So, and to the - you know, we might find ourselves discussing this in phase 2 if we discover additional information or we might not. But I think it's important that we preserve the discussion. And so, you know, I'm for - you know, it seemed like with (Aiden's) edits to the top and bottom here that this isn't something that every one can't live with. There's a disagreement whether we should discuss it all in phase 2 or not but if some of us are strong proponents of it or not sure than it's better to preserve that and create a record that we had this discussion of that.

So, that's good to know (Octo) has mission. So, I would be for this, I would be for if facilitate carrying out the mission by ICANN's of Chief Technology Officer. I would be for making that change and taking the rest of the wording as is included in the red line and moving forward. It's the first plus one I've gotten since October. Yes, so, with that let's turn it over to the ICANN Support Team for actions and what's next.

Marika Konings: Thanks there Kurt. This is Marika. I'm just pulling up my notes here. So, I have a couple of action items that we've taken down but the first one is that the extension of the deadline to flag issues for further consideration following the review of the latest version of the (unintelligible) and that by the close of business today, Tuesday February 5. The second action item is for the contracted parties to share within a maximum of 24 to 48 hours the proposed approach in relation to the implementation of (bridge) options.

Action item three is (Christina) has to provide suggested edits added to the reasonable access recommendation to assure consistency in terminology and provide necessary clarification to facilitate implementation work. And then there's a fourth action item action for staff to make a note in the final report that (ARS) is considered covered as part of the purpose 5 and related updates have been made in the purpose 5 data element workbooks. And I think if I may add another action item for the group, one item that we didn't get to during today's meeting where we may need to come back to is the ICANN Org questions.

I think we did cover three of the topics that Staff had at least flagged for further consideration. I think three others on that list - I know that the contracted parties have done some further review as well. So, it'd be really helpful if any other issues that need to be further considered, if those can be flagged as soon as possible. And those can be added to the agendas for the upcoming meeting. And that's all I have.

Kurt Pritz: (Unintelligible). I don't know if I'll rise to the level of an action item but there's (Aiden) intervention on the privacy proxy discussion where he wanted to replace personal data with that longer description that included or it might lead to the disclosure unintended disclosure or personal data or something like that. You know, I think that applies to more than this that one recommendation. And I think we should write, you know, rather than a phrase more of a paragraph about that somewhere in the final report - in the initial

stages of the final report that this is one of our yard sticks or something like that.

And then finally, you know, I just want to note that the call tomorrow will be at 1400 UTC and I guess we'll, you know, I think to make it easier for one we'll have it for like a hour and 15 minutes or maybe an hour and half if the RYSG can put of their consideration of the (DP) in their agenda to do that and then we'll just call a halt to it because I know those guys have to get on that call and talk about the stuff we talked about today.

Is that it? Does anybody have any comments or questions? All right, terrific call everybody. Thanks so much. Talk to you soon. Hang in there.

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