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ICANN Transcription

Registration Data Accuracy Scoping Team

Thursday, 07 April 2022 at 14:00 UTC

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TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the Registration Data Accuracy Scoping Team taking place on Thursday, the 7th of April 2022 at 14:00 UTC.

In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom Room. We do have listed apologies for Marc Anderson and the alternate today will be Alan Woods.

Statements of Interest must be kept up to date. If anyone has any update to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance, please e-mail the GNSO secretariat.

All members will be promoted to panelists for today's call. Members, when using chat, please select everyone in order for all to see the chat. Observers will have view only to the chat access.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Alternates not replacing a member are required to rename their lines by adding three Zs at the beginning of your name and at the end in parentheses the word alternate, which means you're automatically pushed to the end of the queue. To rename in Zoom, hover over your name and click Rename. Alternates are not allowed to engage in chat apart from private chat or use any other Zoom Room functionalities such as raising hands, agreeing or disagreeing.

All documentation and information can be found on the wiki space. Recordings will be posted on the public wiki space shortly after the end of the call.

Please remember to state your name before speaking. As a reminder, those who take part in the ICANN multistakeholder process are to comply with the Expected Standard of Behavior. With this, I'll turn it back over to the chair, Michael Palage. Please begin.

MICHAEL PALAGE: Thank you, Terri. Good morning, good afternoon, good evening, everyone. Kicking off with an update, not a lot to discuss from an administrative side. The one item that on my side, I was unable to complete this week, which was discussed last week and perhaps I use that five-minute time here, there was talk about setting up a small team to look at a survey. I believe during last week's meeting, there appeared to be consensus that that was a good idea. What I would like to do here is just kick that off. Do people still believe that is a good idea? Are there potential volunteers that would be willing to serve on that small team? If so, if you could

raise your hands or indicate that now that will allow me to coordinate with our ICANN Org colleagues on how to go about setting up that meeting and identifying a time that will work for all of those small team members. Marika, I see you have your hand up.

MARIKA KONINGS: Thanks, Michael. We actually didn't discuss this earlier this week on our leadership call. But one thought I did have is that for this meeting, the only remaining proposal that we have is proposal E to run through and, of course, we have a description as well. But if we're able to wrap up those two items, one potential approach would be to use next week's meeting and build it as a small team meeting. So really make clear to the group that those who are willing to work on this are welcome to come. If people are not interested in working on the details, they don't need to show up to maybe use that the call time for that specific purpose. Because I think from at least a proposal review, I'm not sure if there's value in also going through the other proposals while we await further input on the question of legitimate interest in accessing personal data to undertake this research. So that might be a potential alternative approach to setting up a small team meeting and finding additional time to potentially use the time that we have already set aside to do this work, and hopefully people have already booked it in their calendars anyway. So that would just be a potential suggestion.

MICHAEL PALAGE:	So if I could summarize that, you're basically proposing a spring break for those working group members that choose not to participate in the small team activity, give them a little bit of a spring break. Is that fair to say? Okay. I think that is an interesting proposition there. No objections. I think that sounds well but—
MARIKA KONINGS:	I just want to follow up, if I may. It might be helpful to know who's interested in working on that. Because, of course, if no one's willing or interested and we just show up only staff next week, that's not very helpful. So maybe we can have an indication in the chat to see who will be joining for that conversation and who's willing and need to specifically work on this, because I think it would be good to have a bit of a mix of people. Of course, we definitely need Registrar representatives, I think, as part of that conversation, but as I said, if we can maybe have an indication of who would be willing and able. And just to note as well, next week's meeting, although in the agenda, it still says a 14:00 UTC. It will be at 15:00 UTC to avoid conflict with the Council meeting that week.
MICHAEL PALAGE:	Excellent. Just to wrap up this quick administrative update, and then move on to our gap analysis, does anyone have—Scott Austin?
SCOTT AUSTIN:	I didn't know if we were still raising our hands for interest in participating in the small team. That was over?

MICHAEL PALAGE: No. What I was going to do was see if there was any objection to proceeding as Marika had proposed. I think, to her point, it would be helpful if we could just perhaps have a show of hands for those that are in front of the computer, those that are not driving, that would be interested in showing up next week to collectively work on these issues. So if we could just have a show of hands. We have two, three, four. All right. So we have, as I'm looking at this here, Steve, Scott, Roger.

STEVE CROCKER: In the chat, Beth, she's a maybe.

MICHAEL PALAGE: Okay. Alan and—I just want to make sure we're inclusive of ALAC as well as the NCSG. Let's see. Do we have Stephanie Perrin? I see Manju. So what happens here, it seems like this is a possibility. So here's what we do. I think based upon the number of hands up right now, Marika, ICANN Org will not be alone during next week's call. Everybody can put their hands down. I am mindful that I do want to make sure that there is broad representative participation in the small team, and I just want to follow up with ALAC and the NCUC to make sure that they potentially have the ability to participate. I do not see Thomas on as well today.

So there will be the regularly scheduled accuracy call next week at 15:00 UTC, as Marika had noted, and the focus of that meeting next week will be on drilling down on the potential survey

questions as discussed. With that, Marika, if you could open up the gap document and if we could go—

MARIKA KONINGS: If I can say one more thing on that, because I noticed that a number of people indicated that they're not available next week. I think what we'll maybe do then is, in advance of that meeting, create a new Google Doc specifically for Proposal A, basically, include the questions that are already there, some of the items that were indicated as needing further discussion. So again, those that are interested in working on this, but may not be available next week, can provide their input through the Google Doc so the small team can at least take that into account as they work on Proposal A.

MICHAEL PALAGE: Excellent. I think we now could go to the page. Yeah, you're on page two. Is this where we left off?

MARIKA KONINGS: Yes. Actually, Berry, if you can go further down in the document to the detailed description, if you just click on the hyperlink or scroll down, that's okay, too. As you may recall, for those that might not have been on the call last week, for each of the proposals that we're currently reviewing that all those that do not involve access to personal information, we created a more detailed template to try to work through what would it take to carry out this proposal and what is it expected to give the group to help move forward on its deliberations.

So one of the suggestions and that is the last proposal that we're going to review, basically, in that category of not needing access to non-personal information is review of accuracy complaints. It was suggested that reviewing the number of accuracy and complaints, also in the context of the number of total registered domains, could give a better understanding of the relative volume of complaints and issues that might exist. It also noted that it would be worth looking at the resolution reason for each complaint and review of the WHOIS quality review outcomes to maybe get a better picture of the types of outcome occurring during these cases.

One of the downsides that was identified as part of the conversation was obviously this only gives a very partial picture of potential issues because it's solely focused on complaints that are received, and some have indicated as well that, of course, with data no longer being publicly available, it may not provide an accurate picture of the situation. But at the same time, there might be some information that can be gleaned from that data.

So what we identified here as possible next step is to start off with basically reviewing the information that Compliance has already made available and determine what is needed to further conduct such analysis. And of course, based on that, the question would need to go to ICANN Compliance if they're able to provide additional information if that is identified to the group so that the other group can look at that and see if indeed there any conclusions that can be drawn, again, recognizing that this, of course, is a very specific sample that you would be looking at. So I'll pause there and see if there's any reactions.

MICHAEL PALAGE: Anyone? Lori?

LORI SCHULMAN: My only comment is it seems very thorough, Marika. Thank you. I mean, I don't have a comment because I think you went through it very well. Perhaps that's why other people are silent, too.

MICHAEL PALAGE: So there you go, Marika. You want to move forward? Go ahead, Marika.

MARIKA KONINGS: Thanks. So I think for this one, the same that might apply as for Proposal A. Again, maybe it's something that the group wants to do collectively to look at the information that has already been provided, determine what information is needed or missing that may help inform that analysis. Basically, based on that, formulate a question to ICANN Org about what further information you would like to receive to be able to undertake that analysis. Again, I don't know if there are volunteers for that or whether we take the same approach. And as part of the conversation next week, if we make it through Proposal A, we could also start looking at what will be needed for this one going forward.

MICHAEL PALAGE: So I guess the only other comment, one of the things I recall from our questioning of ICANN Compliance when we submitted the

questions, I believe the issue was with reporting. If an accuracy complaint is submitted, but then the domain name is removed from the zone, that ticket is automatically closed out. I believe that was one of the things that ICANN Compliance had noted. So maybe this is something that we want do for further consideration, because there could be a situation where the registry takes action under their abuse policies to remove a domain name. So, we need to separate how a registry taking down the domain name as part of the abuse policy may potentially impact the reporting on an accuracy complaint associated with that underlying domain name. I believe that was one of the potential gaps that we identified in our discussions. So maybe that's under other considerations, just to make sure we have that full picture there. I don't know how we reflect that but that would just be my thoughts. But seeing no other questions or comments, Marika, you want to move to the next deep dive proposal?

MARIKA KONINGS: Yeah. We actually did the deep dive for all the proposals. We said that do not include non-personal data. We did ask a group to think about what we discussed last week for Proposals A, B, and D and provide any further thoughts or input. I see there—I don't know if someone entered that information or it just has a different color. Berry, can you see? Sarah provided some input on this specific proposal. Again, I don't know if anyone wants to speak to this. I think it's also something that the group did discuss as a question on the audit. I know that I think Brian, who sent his apologies for this call, has taken this question back, I think, to our ICANN Org

colleagues. So hopefully, further information on this will help inform those conversations.

As I said, I think with that, we covered all the proposals for which we wanted to do a deep dive. There is some further work that needs to be done in order to work out the details for the next steps to again have a better understanding of what it would take, what it would involve, and whether or not the group wants to recommend moving forward with this. Because at least from our perspective, I think that's where the group needs to go. The end of assignment two is to identify how far the data can be gathered and bring those proposals back to the Council for its review. Especially, of course, in those cases where additional resources might be needed, there will need to be an approval process to basically be able to request or direct that work to be undertaken. So in order to do so, it's really important for the group to have a good understanding of what each proposal involves, but probably also to make an assessment about how much information or how valuable is the information that it expects to receive from it, and as well, what is the expected timeframe to receive that information. Because I think as we noted, some of these efforts here will take some time to implement. It involves other parties that may need to cooperate. It may require further information that is provided or it depends on like in the case, for example, of audit, it may depend on a certain cycle that is planned. So again, having further insight into the details of each may allow the group from making a better assessment on what is reasonable to proceed with and what you would like to recommend to the Council.

As mentioned, there are a couple of proposals as well that are specifically focused on access to personal information. But unless the group thinks that there's value in discussing those now without having the answer to whether or not that is possible, at least from our side, we've parked those for now. But as I said, if the group thinks there is useful discussion to be had focusing on those specific proposals, we can of course go through the same process as we've done for those that do not require personal information.

MICHAEL PALAGE: Again, it does not appear that we have any. So is there anyone that has any comments/suggestions regarding what Marika said? I guess, if not, Marika, I believe we should just transition over to the description, or do you think there's anything else here? There does not seem to have been any markups in the gap document. We don't hear any comments during the call. I don't know what more we can do. We can randomly call on people. I don't know what we can do here as far as item number two. Do you have any? Or should we just move on to item three, the description?

MARIKA KONINGS: No. I agree. If people don't have any further suggestions or ideas, and it seems that the heavy lifting will need to get done in the small team setting. So I would like to encourage everyone to come prepared and come up with ideas and thoughts for next week's conversation.

MICHAEL PALAGE: Okay. On the screen, we have the proposed description with some various edits. Marika, I know you made some of these changes. How would you like to walk through this with the group? What do you think is the most efficient way?

MARIKA KONINGS: Thanks, Michael. Maybe I can first explain what this represents, and hopefully that will enlighten everyone. And if people haven't had a chance, maybe we can give everyone two minutes to maybe look through, especially the clean version. I tried to explain as well in the e-mail what this represents. With the agenda on Tuesday, we send out as an attachment and the latest version of the document with a number of suggestions from the staff side with the objective to resolve some of the outstanding issues. As you may recall, there were some changes that were made that some liked, others didn't like. So we've tried to come to a bit of a middle ground or hopefully a position where everyone is able to live with what is here. Then we there were some additional suggestions that were made by the Contracted Party House to address a comment that was made by ICANN Compliance. So those are the changes that are highlighted here on the screen.

First noting the first strikeout language there, which was a kind of intro that was provided, it's not part of the description itself but it was part of the introductory paragraph. There were some concerns expressed about whether that belonged here, there was some editing done based on nothing original language there. What we would like to suggest here is basically remove that language from the description because it not even part of this description. It's really the introductory paragraph. But recognize

that if the statement in some way needs to be reflected in the report, this can be done in the write-up. I think it's also important for some of the other aspects that we may be discussing here where people may want to see something reflected or highlighted. This is really just the description of existing accuracy requirements and enforcement. In the write-up itself, there will be more context around your what the group discussed, the different viewpoints. Again, if groups want to add specific statements there, I think we're able to incorporate that in such a way that we can reflect that maybe some people thought this, others thought something else. So again, be able to provide the diversity of views that may exist on certain items. But again, this is really about describing what is currently enforced. So that's what we basically did with that first strikeout language. So I'll pause there, because I see a hand, before going to the next one.

MICHAEL PALAGE: Roger?

ROGER CARNEY: Thanks, Michael. Thanks, Marika. Very good. I think that CPH is okay with the strikeout here, though they do feel that Manju's comment is important to capture somewhere. So we'd like to see, as you mentioned, Marika, that live on somewhere. I thought it was good information and I thought it could be on a positive path. So, just comments. Thanks.

MICHAEL PALAGE: All right. I think we'll now move on to the second paragraph there, if you want to walk through the proposed edits there, Marika.

MARIKA KONINGS: Yes. The proposed edits that we made in this paragraph is there was a language that said "but not limited to," I think that was added by the GAC team and I think the Contracted Party House had concerns about adding that language. We looked at the rationale because I think the rationale that was provided in the ICANN Org response, they basically also provided what is currently reflected, I think, in the fifth paragraph that's kind of in addition, so there are basic requirements but there's also certain cases where additional work is expected or required.

So, from our perspective, we said, "Look, if you mention here, 'but not limited to,' it seems to imply that the other things that are not incorporated here in this description, while it actually is reflected further down below." That is why it doesn't seem to be necessary to include "but not limited to" because, again, it creates the impression that there is something that is part of the requirements that is not described here. And if that's so, it should just be included in the write-up and not hinted to something being not there, while again it seems that everything is captured here that currently applies and is required.

Then we also added—I think there was a comment from Alan that Sarah suggested, provided the suggestion due to make specific edits a registrant telephone number or e-mail address. So I think the question is, if that addresses that the comment, though, this seems to be an easy edit.

The other items here that are highlighted in yellow, and Roger maybe to speak to that, it also aligns with the other highlighted in yellow items are were incorporated, as I understand correctly, to address a comment that ICANN Org provided specifically on I think the fourth paragraph, where instead of talking about the operably accurate, that it might be better to speak about validation or valid and verified. I think that is the changes that Roger has suggested to capture that as well in other parts of the documents. But as I said, I think Roger is probably better positioned to speak about that. So I'll pause there.

MICHAEL PALAGE: Roger?

ROGER CARNEY: Thanks. I know Alan had his hand up, but I'll just jump in real quick. I don't think there's any rustle here. I think we just tried to be more accurate to what the contracts spell out. It doesn't talk about accuracy. It talks about validation and verification. So I think it matches much better. And I think it also helps answer Brian's comment on paragraph four as Marika mentioned. So thanks.

MICHAEL PALAGE: Alan, I apologize for not seeing your hand earlier. You have the floor.

ALAN GREENBERG: Thank you very much. No, I don't think the comment that Sarah made that's there now makes it better. I think, in fact, it makes it worse. The issue is—there's two things, partly the Temporary Spec, followed by the EPDP Phase 1 made a number of changes in fields. Well, certainly the EPDP did. So we are currently running in a world that is sort of nebulous, we've never implemented the Phase 1 recommendations. Therefore, there are still other fields that potentially have telephone numbers and addresses in them that the current RAA says you must take certain actions, certainly verify the format of. Even in the revised set of data fields, there's still a tech telephone number and e-mail address which must be verified. So adding registrant makes it worse. It doesn't match today's specification, which technically registrars are obliged to, and it doesn't even match the one after the implementation.

I'm not sure how important this is because we're not changing the operational specs. We're just trying to document what the RAA says. So I would certainly remove the term "registrant" and I would reflect what the actual recommendation, what the actual RAA says that you have to take certain action on all telephone numbers and all e-mail addresses, and it should just reflect that. That's all I was trying to point out. Because the document says, "Verification of the telephone number," and there are more than one, and the same with e-mail addresses. I can write an actual edit. I didn't think that was necessary but I'll be glad to provide an actual edit.

MICHAEL PALAGE: So, Alan, real quick. Your proposed edit would be to strike the word "registrant". That is what you're proposing, correct?

ALAN GREENBERG: Well, I would certainly strike the word registrant because that does not reflect the fields today.

MICHAEL PALAGE: Okay. All right.

ALAN GREENBERG: Remember, the registrant was added to try to fix the problem. So certainly, I would strike that. But it also needs a minor change. I'm just trying to make sure that we don't end up in a situation where someone looks at our document and says, "That's not what the RAA says." And the whole idea is to try to put into new language to reflect what the RAA says and somehow cover the situation that we have an RAA, which will be at one point modified by the Phase 1 EPDP but isn't yet.

MICHAEL PALAGE: Sarah, Volker, do you have any objections to striking the word registrant as proposed by Alan? Sarah, you have the floor.

SARAH WYLD: Thank you. Hi. Alan, thanks for that information. Certainly, my intent was not to make things worse, although sometimes that feels tempting, but not really my goal here. I don't have a strong objection to just removing the word registrant. But I honestly just don't understand where the disagreement comes from. I'm looking at the RAA and I'm looking at the WHOIS Accuracy Program

Specification, the section about verification, which is I think what we're in right here, verification of operability. And it says, "Verify the e-mail address of the registered name holder, and if different, the account holder, or the telephone number of the registered name holder, and if different, the account holder." So is your concern that we're missing the account holder? I mean, maybe I should just wait to see your suggested other text. If we're taking our registrant and that's the only change, I just really don't understand what I'm missing and I would like to understand that. Thank you.

ALAN GREENBERG: Michael, may I get back in?

MICHAEL PALAGE: You have the floor, Alan.

ALAN GREENBERG: To be quite honest, I've got to go look back at the original version I commented on, and either I made a mistake and it was, in fact, accurate, and I missed something or something else subtle has changed. At this point, I honestly don't remember the exact wording that I would have changed if I had made the change. So I would appreciate an opportunity to go back quietly and look at it, and either make a suggestion or withdraw the comment.

MICHAEL PALAGE:	I think that's fair and reasonable. Volker's hand is down. So what we are going to do, on this paragraph, we will just note, Marika, that Alan will do some follow-up. If we can move on to the next paragraph, Marika.

MARIKA KONINGS:	Yeah. Thanks, Michael. What we'll do, we'll go ahead and remove registrants because I think that at least seems to have caused more confusion, and then indeed assign an action item to Alan to review his original comment and see if he has further suggestions. Alan, just write information—at the bottom of this Google Doc is the original version with all the comments and original proposed edits. So at least it's all in one place.

In the next paragraph, it's again a change that Roger made on behalf of the Contracted Party House again, as I understood, from his input earlier to more accurately reflect what is actually in the RAA to refer to valid instead of accurate. So it aligns with the other updates that were made. So I don't know if there's any further comments or concerns about that.

MICHAEL PALAGE:	I see no hands, so move on to the next paragraph.

MARIKA KONINGS:	In the next paragraph, again, these updates were made in response to the ICANN Compliance comments below. Again, if there's any concern about this, it's changing or removing the operably accurate and replacing that with the other language. I

think it's partly as well shortening the sentence here. So I don't know if there are any further questions about this. As I said, I think these were mainly the suggestions from the Contracted Party House. So if there are questions, I need to refer to Roger to answer those.

MICHAEL PALAGE: I see no hands. Roger, do you believe it's self-explanatory? Would you like to walk through it, or you felt Marika knocked it out of the park?

ROGER CARNEY: Thanks, Michael. As always, Marika hit it on spot. So we're good.

MICHAEL PALAGE: All right. Let's go on to the last paragraph. It looks like people might be getting some extra time back in their day today.

MARIKA KONINGS: The one before last paragraph here, this was an example that was added, I think, during the last meeting or during the meeting about adding an example. There's some concern about whether an example belongs here. The staff suggestion is here because we have this conversation I think previously in relation to the last action where originally we had some examples of Registry Agreements listed. I think there was concern from the group that examples might not belong here. Again, we've suggested here removing the example.

Of course, it does not change the requirements that are in place. This is also information that was included in the ICANN Org response, which will also be referenced, obviously, in the write-up. So it is information that is available. So again, our suggestion would be to not include examples in the description of the current requirements and enforcement. But if people think examples are helpful, maybe find another place in the write-up or refer to the ICANN Compliance a detailed answer for that information. So I'll pause there.

MICHAEL PALAGE: Susan, you have the floor.

SUSAN KAWAGUCHI: Thanks, Michael. If I had put this example in this document, I would agree with you completely that it should not be included. But I think it holds a different weight because it was ICANN Compliance. I do not want to lose that reference here. I think it's extremely critical that ICANN is saying, "Wait. Yeah, you have to validate, verify." But if you have additional information and they provided an example so that it's easily understood, so I would be concerned if we remove this. I'm looking at your chat right now.

MARIKA KONINGS: Just for the record, ICANN Compliance didn't suggest that it would be included here. They provided this example in response to the questions that the group posed that captured a number of different aspects. So I just wanted to make sure that that was clear.

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MICHAEL PALAGE: So, Marika, I think in the exchange, I would agree with your assessment. This is one of the questions that was proposed to the group, ICANN Compliance responded, and I believe their response said that if it was patently false. And then in responding to our question—I guess, I don't want to have a description on what constitutes patently false—but they cited this as an example of being patently false or patently inaccurate. Is that correct?

MARIKA KONINGS: Yes. I'm actually looking up the information. But indeed, I think that is correct, that they provided indeed. I can paste the language in the chat. Again, that's part of their response to the questions that the group posed, and the thing that was also a question about the original description that the Registrar team had and their reaction to that. I think this was one of the items they identified and that also resulted in this paragraph explaining that. In addition to the first two parts, there's also additional requirements that apply in certain circumstances.

MICHAEL PALAGE: Okay. I remember one of our previous calls, I think the way I described it then was the 2013 with the syntactical and operational requirements provided a very black and white definition of accuracy. And I believe that there was some element of gray that ICANN Compliance acknowledged that goes beyond that. So you could have data that passed the syntactical and operational but still would not rise to accuracy. There was some gray, and I

believe that gray was in this patently false as well as other complaints or other information. I think the concern, what I was hearing from Susan, is that they don't want to lose that acknowledgement of that gray area in the current definition. At least that's what I'm hearing. Melina, you have the floor.

MELINA ASIMINA STROUNGI: Thank you, Michael. Hi, everyone. First of all, thanks, everyone, for this constructive discussion and comments. I'm feeling like that we are making some progress, which is very positive. I fully appreciate Roger's input on bringing the wording closer to the actual RAA's wording. I think this is good. I also understand the concerns about our wording, that information should include but not limited to. I understand that the way it was phrased, maybe indeed it gave the impression that something further needs to be there.

I fully agree that we have to be as exhaustive as possible because this assignment aims at capturing exactly what is there, both contractually and at an enforcement level. So in the context of this exhaustive task, to have the complete overview of what is currently today there, also in matters how ICANN Compliance enforces things, I believe that it is very important to include ICANN Compliance input. We cannot ignore this input. I mean, it says that, but also we have been instructed by the GNSO explicitly to take into account ICANN Compliance input.

It's fine if you don't want to have it as an example because maybe linguistically it does not flow very well. But I think it should be in. I don't understand why there would be an objection to including it

because it's what actually happens. It is stated also in ICANN's website, also confirmed during the ICANN week, also confirmed in the Q&A that, okay, we have this validation and verification requirements in the contracts. But we have some cases where, when there is patently inaccurate identity or a complaint about identity, then further information has to be asked, etc. Maybe these cases are extreme, maybe these cases are few, but I think it has to be documented for the sake of full completeness, and we're quite firm on this. I hope the group understands this, and if not, maybe we need a pretty good explanation of why we wouldn't take into account this ICANN's input unless you say that what they state is not true. Thank you.

MICHAEL PALAGE: Thank you, Melina. Alan, you have the floor.

ALAN GREENBERG: Thank you. I can understand the desire to remove the parenthetical example. I would prefer to keep it, but I can understand the desire. I have no idea why one would want to strike the sentence prior to the parenthetical example, however. I think that is important and does add a perhaps not-so-subtle or perhaps subtle insight into the fact that satisfying the syntactic forms is not necessarily sufficient. So I would ask the question of contracted parties and also Susan, if we just struck the parenthetical, is that a reasonable compromise?

MICHAEL PALAGE: To me, that sounds like a reasonable compromise. But again, I'm just a chair. So let's ask Lori. Lori, does the proposed compromise that Alan just said about keeping the first part of the sentence, but is patently inaccurate, period, keeping that but then striking the Mickey Mouse or the Disney reference, would that potentially be a suitable compromise in your opinion? Or do you feel that—yes?

LORI SCHULMAN: In my opinion, yes, I think that will be a suitable compromise. But I did want to address the point Susan made and Sarah made. Sarah made a comment in the chat about potentially just referring to the Compliance Q&A doc. Susan, of course, referenced why she felt it was important to keep it in. So I thought I might even have a compromise on that piece. And why don't we just footnote it? Put a footnote after hold, and then just put the example in a footnote. So it's not breaking up the flow but it gets retained as a point of information, which people agree we'd like to have at some point, whether it's reference to the Q&A doc as a doc or whether it's up and front when people can see it. So I would footnote it and note it as an example. Take it out of the main text and let people read it if they want.

MICHAEL PALAGE: Okay.

LORI SCHULMAN: Sarah is agreeing with me so I'm so happy.

MICHAEL PALAGE:	There we go. Okay, Lori. I see Volker. Volker, you have your hand up.

VOLKER GREIMANN:	Thank you. The entire Mickey Mouse thing is something that is basically a strawman that is paraded out at every ICANN meeting when it comes to registrants providing false information. I've never seen a case like that. It must have must have existed at least once so I'm not doubting that. But I think it's just something that has been used and abused for so much that I don't think it adds any value of adding it. To the contrary, it distracts from the main point that we're trying to make. With regard to the compromise, I'm not fundamentally opposed to it. But the question is what does it add to leave the language in? Because basically, it just reiterates what the sentence right before that states. If a registered name holder willfully provides inaccurate or unreliable registration data information and so on, it's basically the same what that sentence without the parenthesis states anyway, so I think we can remove the entire thing for duplication and lose nothing. Thank you.

MICHAEL PALAGE:	Lori, is that an old hand? Yes, it is. Melina, is that an old hand? Or would you like to speak?

MELINA ASIMINA STROUNGI:	I'm sorry. I couldn't find the unmute button. I would like to speak. I do believe that's something because currently the way the text is phrased is focused on contact information. What I understand from ICANN Compliance is that they may have some,

okay, maybe edge cases, extreme cases or very rare cases, where there is an issue specifically on identity. This, I believe, should be captured. We can always add that according to contracted parties, these cases are rare or something, but I believe it is important to be captured.

I will just copy-paste in the chat. This is come coming from ICANN's website. So, the way I understand it, as a compromise, we could, for example, lose the wording example because I understand that people do not like the flow, and I appreciate that. But we could add that whenever a complaint is about identity or whenever information such as registrant's name is patently inaccurate, further steps need to be taken, and then there's a footnote, the Mickey Mouse example. That could be also a fine way to approach. Thank you.

MICHAEL PALAGE: Okay. Thank you, Melina. Alan, you have the floor.

ALAN GREENBERG: Thank you. Two points. First of all, Sarah and Lori were not agreeing. Lori suggested putting the parenthetical, the address, in a footnote. Sarah suggested putting a pointer to the external document, the responses in a footnote. Those are two very different things. A footnote which contains information may well be read by someone. A footnote which says you go point to another document, and then find out where within the document you're talking about, will probably not be followed. So they are two very different things.

There's something we haven't talked about at all in this discussion, and that is there's a clause in the RAA which says you must do cross-field consistency checks. That has never been implemented to my knowledge because registrars have said that is difficult and there's various ifs, buts, and ands associated with it. The example that's given by Compliance could well be construed as a consistent check. You know, 1234 Main Street may well exist, assuming they had put the right postal code in, of course, but it's not consistent that someone lives there. So it could be construed that the example fits the cross-field consistency requirement but we've never implemented that and that's accepted by most parties that we have. And we've never mentioned it in this discussion, although the words are in the RAA, to a large extent, they are treated as non-existence. Most registrars, as far as I know, don't do it, and Compliance doesn't call you on it. So I think the sentence patently inaccurate is a very important concept, especially since we've never made reference to the cross-field consistency issue here. I think putting the actual address in a footnote to give an example of it is a reasonable thing to do. Just putting a reference to an external document, probably without even a page and paragraph pointer just isn't practical because people don't tend to follow it, we're losing the information. The text sentence before the parenthetical is critical, in my mind. Thank you.

MICHAEL PALAGE: Okay. Scott Austin, you have the floor.

SCOTT AUSTIN: I agree with Alan regarding the text sentence. I guess in terms of those who are offended by the edge case or by the Mickey Mouse, then what would be an acceptable real world example if we have one and if we can provide one? Because this, to me, for the first time opens the door from ICANN Org that at least there is an extreme end of a continuum of what appears to be willfully fraudulent and sufficiently willfully inaccurate or unreliable data sufficient for a registrar to act upon. I think we need something. If this is an unacceptable example, then provide one that is.

MICHAEL PALAGE: Volker?

VOLKER GREIMANN: I think the main reason why many people want to keep the language in there is because of the patently. Maybe we can just amend the sentence in front of that putting the patently before the inaccurate in brackets and have that sentence included that way, because I don't see anything specifically added otherwise that the previous sentence doesn't state.

As for examples, I think we can have examples as many as we want in the add-on documentation and refer to that, but I don't think we need examples in the text unless we have a very good reason to provide such examples and not others. Yeah, I don't see a reason for that, basically, other than that.

MICHAEL PALAGE:	Okay, Scott, is that an old hand? Yes, it is. Beth, you have the floor.

BETH BACON:	Thanks, team. I just put this in the chat but I just want to note, it sounded like we were on the way to a solution. So instead of still nitpicking over the text itself, why don't we pivot back to the discussion of a footnote and how that might be constructed, and what that might contain so that we can resolve this? Now we're just chatting about the text itself, but I felt like we were leaning towards some progress there with the footnote. So I just thought maybe we lean back to that and talk about a footnote, see how that can be constructed in a way that it gets to everyone's needs, nods to the concern and issues, but maybe doesn't live right there in the paragraph. Thanks.

MICHAEL PALAGE:	Melina?

MELINA ASIMINA STROUNGI:	Yes. Thank you. I don't want to make things difficult but I just wanted to be very clear. From our side, I think we are trying to already accept all the other edits that have been made to original proposals. But this is a point where we would insist. I wouldn't agree with putting the whole thing in a footnote. I just want to be clear on that. So the substance, when you have patently false identity, should be captured in some way in the text. The wording is up to the group to decide how, but it should be captured. Then the thing we could put in the footnote is the specific Mickey Mouse

example. But the substance of the enforcement, that reality as confirmed by ICANN Compliance, should be captured in the text, because after all, it is a description of the current state of play. If you do not want to write in the text that these requirements entail but are not limited to, then we should indeed be exhaustive and include this as well in the overview. Thank you.

MICHAEL PALAGE: Thank you. So just perhaps a quick break here. I know, Sarah, I know people are going back and forth. I'm trying to keep track of both the chat as well. Marika, I'm going to turn it over to you. I also want to note that I have to drop off in the next two minutes for a 15-minute other obligation. I should be back on at 11:15. So with that, I would ask Marika—well, Olga, if she is still on, if she could just temporarily take over for chairing for those 15 minutes. I think we're really close here. We're literally down to a sentence and a footnote as best said. The rest of the document, I think we move forward with. So, Marika, I am going to give you the floor. I will be dropping off and coming back in 15 minutes. Okay?

MARIKA KONINGS: Thanks, Michael. I think based on what I heard or what seems to be a potential compromise, and I understand that some may need to think or talk about it, is to add patently to the sentence that's not highlighted in yellow. I think that's what Volker suggested to provide, so if a registered name holder willfully provides patently inaccurate or unreliable registration data information. And then to add a footnote to that patently, that would then include for

example or such as registrant name, Mickey Mouse, so that would appear in the footnote.

I don't know if that is something that people are willing and able to live with. That does capture the patently part, it does provide as well in the example even though it may be an edge case. I think Susan actually just provided an example where it does happen. So I don't know if everyone wants to just think a couple of minutes about that. I'm happy to make the edits in the document so people can see it, if that is helpful. I'll just pause there. I'll make that update and then people can look at it and maybe come back and see if that's something they're willing to live with.

So just to note that I've made the updates as suggested. Olga, are you in a position to manage the queue, or would you like me to do so?

OLGA CAVALLI: If you can help me because I had to move from my office to the street. So if you can help me with that, that'd be great. Thank you for that.

MARIKA KONINGS: Great. We have Lori with her hand up.

LORI SCHULMAN: Hi, Marika. Thank you. I like how the footnote looks in terms of the flow. I was going to suggest another compromise which I think would go to Sarah's suggestion that in that footnote as well, you

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could see also Compliance's response to working group questions or however you want to phrase it. But put the link to the entire Q&A section, which would go to what Sarah had suggested as well, and I think that way, maybe we all get what we want.

MARIKA KONINGS: Thank you.

OLGA CAVALLI: Thank you, Lori. I don't see other hands up, Marika. Can you see that? I'll check in one moment.

MARIKA KONINGS: That's correct. I don't know if people are still reflecting, if they need another minute, or silence is agreement. So maybe we give everyone one more second.

OLGA CAVALLI: We have a hand up from Susan Kawaguchi.

SUSAN KAWAGUCHI: Thank you. Maybe I'm confused and not reading this on the fly well. Why are we taking out, deleting, for example, if the registered name holder in the footnote? I will agree to the footnote. I don't like it. I think we should not mess with ICANN Compliance language. But if the group goes to the footnote, I won't object too strongly at least. But if we're going to put it in as a footnote, then why aren't we using, for example, if the registered

name holder provided registrant data that passes format validation? I agree with Alan on that. It provides a critical example. Am I missing it? I don't know. Marika, I'll let you clarify it for me.

MARIKA KONINGS: Thanks, Susan. I thought I heard Volker say that it's duplicative from what is in the sentence previously, but if it's moving to a footnote, and everyone's happy to repeat it there. Again, we don't really have a specific view on this. But I'm happy to add that sentence to the footnote if that addresses the concern and everyone's happy with that approach.

SUSAN KAWAGUCHI: I think the language is not duplicative. I think it just reinforces and makes it more easily read and understandable. That's my viewpoint.

OLGA CAVALLI: We have a hand up from Sarah and then Alan. Sarah, go ahead.

SARAH WYLD: Hi. Thank you. I liked taking out that sentence, for example, I don't think it's necessary because we have the preceding sentence if the registered name holder willfully provides patently inaccurate. That's what we're talking about. And then the further sentence, for example, is explaining what patently inaccurate means. I think we're actually making the text more readable and understandable by sort of shortening how we're saying it, reducing the amount of

words, putting patently inaccurate where it belongs. In that earlier sentence, footnoting with only the example—yeah, there you go. Thank you. And just to the chat conversation, yeah, that's the current policy. The domain gets suspended but it is allowed to continue to be renewed. I can't quite understand why someone would pay for many years of a domain that's suspended. But that's how the policy is. Thank you.

OLGA CAVALLI: We have a hand up from Alan. Alan, go ahead.

ALAN GREENBERG: Thank you very much. The part that's missing, if you don't put the whole sentence in, is the word "but". But is a really critical word or conjunction, I think, in English because it really implies not. It has a negative connotation. That is, it's saying it meets the technical qualifications but is patently [inaudible]. That again refers to the consistency thing which again we're omitting. But the whole concept of consistency means, yes, the fields pass the tests but they don't make sense together, and that's the critical thing here. So putting the whole sentence into the footnote, as Marika now has, I think, is a reasonable compromise. Leave the word patently up above as it's there with the footnote pointing to the whole sentence.

With regard to the pointer to the wiki document, you've got to add a sub point to that saying which item number or something. That's pointing to a nine-page document. No one is going to read carefully through a nine-page document to find out what the

footnote is talking about unless they're a lawyer trying to prove a case in court. So if you add a pointer to where in that document we're talking about, I think that pointer is useful. Without it, I think it's simply adding characters to the document with no value. But to summarize, the version that we have right now is not optimal for me, but is acceptable. Removing the "but" makes it completely unacceptable. Thank you.

OLGA CAVALLI: Thank you, Alan. Any other comments about this footnote and the way it's presented in screen? Melina, your hand is up. Go ahead.

MELINA ASIMINA STROUNGI: I completely agree with Alan that deleting the "but" and the whole context wouldn't be acceptable, because precisely the point here is not only about information that is patently inaccurate but information that passes the validation and is patently inaccurate. Well, indeed, for us, it could be much better to be in the text. But if we decided to keep patently in the main text and then have the whole example as a footnote, I assume it wouldn't be catastrophic. So I think we could live with it.

What I want to double check again with the group is whether you think that we should also include in the text this passage from ICANN, what happens when there is a complaint about identity because it's also part of what happens now. So would you think that we should also include this?

OLGA CAVALLI: You're suggesting to add additional text, Melina, to this footnote?

MELINA ASIMINA STROUNGI: Yes, but it could not be—I mean, not necessarily the footnote. It could be also following after the end of the sentence. So if a registered name holder willfully provides patently inaccurate or unreliable data information, the registrar will take additional action to terminate, suspend, or place registration on hold, and then add it there in the main text. This way, I think we have really the whole exhaustive description of reality and we don't need to use the word "limited to" and then we have everything in one page.

OLGA CAVALLI: Did you capture that, Marika? I'm not at a desk in this moment. The suggested text by Melina. I have now a hand up from Beth. Beth, the floor is yours. Go ahead.

BETH BACON: Thank you. I guess my hesitation at adding more text is we now have resolved almost I think all of the edits and we were on the same heads and compromise and some agreement. So I hesitate to add more text as something where we've now got tentative agreement, which is exciting.

Then also, the text that is proposed by Melina is I think getting away from the baseline requirements that we are trying to capture in the RAA and talking more about compliance and procedure. There are certainly things where Compliance provides extra

information about their process and context for processing complaints and addressing complaints that are not necessarily in the requirements of the RAA. If there is something that we may want to add as a requirement later when we dig into things, sure, but right now I think this is meant to capture the streamlined base understanding of where we are. This is in the RAA. And while valid and certainly accurate, the proposed language is for Compliance process and more context around what they do in order to work on the requirements that we're trying to capture in this baseline description. So that's my concern. I feel like we're pretty much there and I hate to lose our tentative consensus that we have here. Thanks.

OLGA CAVALLI:
Thank you, Beth. Marika, you want to react to that or I give the floor to Roger?

MARIKA KONINGS:
I just want to remind the group that this is just one part of the write-up about assignment one, which is about existing requirements and enforcement. So if there are other parts where the group wants to talk more about how enforcement takes place and the processes and procedures that are used, there is definitely a place to do that. This is really about existing requirements and how those are enforced. Some of the other how complaints are being dealt with, maybe that is something that can be captured in the document. I think the Q&A provides already a lot of information as well about high compliance goes about that. So I just want to remind the group that the write-up, this is not the

only thing that the group is going to share and publish, there is more where some of the additional context can be provided.

OLGA CAVALLI: Thank you, Marika. Roger, you're next. The floor is yours.

ROGER CARNEY: Thanks, Olga. I didn't mean to raise my hand to agree with Beth or not, but I do agree with Beth. I actually raised my hand. I want to speak to I think something that's missing in this paragraph. Again, it looks like ICANN Compliance missed it as well in their response to the working group. But the statement here is not quite factual in that if there's willfully provides inaccurate—patently is not part of it but something different—inaccurate or unreliable registration data, it says then you have to terminate, suspend, or place on hold. And that's not exactly correct. In the RAA, it actually says that there's a 15-day window of communication between registrar and registrant that can occur to correct the data first. Just because there is willful or inaccurate or whatever here is, it doesn't mean terminate, suspend, or hold. There's also a 15-day window of ability for it to be updated. Again, it's in the RAA and Compliance didn't put it in their response, and we're taking what their response is and putting it here. So I think there's a little discrepancy there that we need to work out. Again, I think once we get to there, we obviously had to take that look again. Just my thoughts. Thanks.

OLGA CAVALLI: Thank you very much, Roger. Now I have a hand up from Alan. Alan, go ahead.

ALAN GREENBERG: Thank you very much. After thinking the meeting is going to end early, we seem to be filling it up. We're not drafting a new text for a formal contract that is going to be enforced. What we're trying to do here I thought is put a document in more of a non-contractual language so that someone reading our report will understand what the situation is.

As an example, the point Roger brought up is technically true but doesn't matter. You're not going to be called on the fact that you didn't suspend it because our document implies you should have. The RAA is still the document that's operational for enforcement of the contract. That is the contract. I think we're trying to write different language that is mapping exactly to the contract, to what the RAA says, instead of trying to give people a feeling for what the issue is. If we're trying to map exactly to the RAA, let's just put the RAA in there, insert it. Cut and paste. I think what we're trying to do is give the idea of what it is with relation to accuracy, which is what we're supposed to be scoping.

I think what is on the screen right now is adequate. I don't think it's inaccurate. It gives people more of a flavor of how this is supposed to be working according to Compliance who is enforcing the contract. I think it provides a good basis for going forward. I guess I'd like to know how we get out of this conundrum. We seem to be going back and forth continually. If we're trying to just echo the RAA verbatim, just put the RAA in. I think it's a useless endeavor. Thank you.

OLGA CAVALLI:	Thank you very much, Alan. Marika, your hand is up.

MARIKA KONINGS: Thanks. Alan actually inspired me to maybe suggest what if we just draw a line underneath it and keep it as it is now? Basically, move this into the write-up which, as I said, also covers other aspects of the group's deliberations of the input that have reviewed, input that was provided by others. And maybe in that context, the group is able to better assess is there still something that hasn't been said or hasn't been called out that does need to be reflected in the report as something that is shared with the community. And if we still need to come back to this specific aspect, we can still do that. But as I said, this is not the only thing that the group is going to produce. So maybe that will provide at least a path forward, leave this now as is but recognize that maybe there are certain things that either will need to be reflected elsewhere in the document or that may still need to be reflected here if the group feels that it is necessary to make it part of this part of the write-up.

OLGA CAVALLI: Thank you, Marika. There seems to be some support in the chat to your comments. A general comment, "Can we live with this text so we can move forward?" I see some good reactions. Plus one, sounds good, support Marika. Okay. Any other hands up? Focus as well on [inaudible]. Sounds good, Manju. Okay. Marika, should we move on with the text? Are we done with this part?

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MARIKA KONINGS: Yes, I believe so. That was the last agenda item for today. As I said before, we already have a draft write-up, although it's based, I think, on the work that the group did up to a certain point. So we'll go back through that, incorporate where we landed on today with the language that you just saw on the screen. And then, as I said, the write-up will be then the next opportunity for the group to feel of all the information that we've reflected there based on the conversations that group has had. Of course, there's still a part of the proposals that the group is working on. So I think we'll need to see how to create an appropriate placeholder for that so we can feed that into the document once the one type of group has had a chance to work out the details of those proposals and decides which ones they would like to include in the report. I think that's where we've landed. I hope that aligns with everyone's expectations. There is more opportunity to review and make sure that everyone's points are captured.

OLGA CAVALLI: Thank you very much, Marika. I'm checking the chat. Okay. Thanks [inaudible] to react in the chat, and I see no hands up. So the agenda is complete. The meeting is over, Marika, or do we have something else? Okay.

MARIKA KONINGS: Olga, nothing else from our side. Just to remind the group that for next week's meeting, we'll start working out the details of Proposals A and E and maybe some of the other ones, depending on where things are at. For those that are interested to work on that, we'll make available a Google Doc in advance of the meeting

so people can provide their input on those specific items that needs to be worked out. So, again, those who are not able to attend have an opportunity to do so. That's all I have.

OLGA CAVALLI: Excellent. Remember next meeting, Thursday, 14th of April at 15:00 UTC. I hope you have a nice rest of the day and a nice weekend, it's coming soon. Let's keep in touch. Bye-bye.

TERRI AGNEW: Thank you everyone. Once again, the meeting has been adjourned. I will stop the recording and disconnect all remaining lines.

[END OF TRANSCRIPTION]