ICANN Transcription

Registration Data Accuracy Scoping Team

Thursday, 31 March 2022 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. Attendance and recordings of the call are posted on agenda wiki page: https://community.icann.org/x/7hQiCw

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

TERRI AGNEW: Good morning, good afternoon, and good evening. And welcome to the Registration Data Accuracy Scoping Team call, taking place on Thursday, the 31st of March, 2022, at 14:00 UTC.

In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please identity yourselves now?

Hearing no one, we do have listed apologies from Lori Schulman, Steve Crocker, and Becky Burr.

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 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. Alternates not replacing a member are required to rename their lines by adding three Z's 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 list. To rename is 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 in 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 do take part in ICANN multi-stakeholder process are to comply with the expected standards of behavior.

With this, I'll turn it back over to our Chair, Michael Palage. Please begin.

MICHAEL PALAGE: Thank you, Terri. Hello, everyone. As usual, I'll start with a quick Chair update. The first thing I want to bring to everyone's attention is that the ability to register for ICANN74 is now up and available. It was posted to the ICANN website earlier today, although I just noticed … I was trying to complete the sign-up before the start of the call. And I said "no invitation letter," but it still asked me for the

details. So that may be a little bit of a glitch. Maybe if anyone else has experienced that …

But, yes, it would be helpful right now, perhaps … Could we maybe use a virtual show of hands? How many of the members are anticipating attending the meeting physically? And so if I could have a virtual show of hands.

All right. I see Sarah will be remote. Volker, Roger, Thomas, Kenneth, Beth. I myself will be there. Let me raise my hand. And, Becky, obviously, will be there as well. Okay, so this is good.

Marc Anderson, do you anticipate being there? Milena?

MARC ANDERSON: I don't know yet. It's too soon to answer.

MICHAEL PALAGE: Too soon to answer. Okay. And the reason I just asked this is, for those participants from individual stakeholder groups, I know the registries received a briefing yesterday regarding some of the changes in a, if you will, new hybrid environment, where it will be important for those physically attending to register in advance so they could accommodate the room size, cleaning, and all of the other safeguards that they're implementing.

So, hopefully, Marika, the virtual show of hands will provide some gauging or estimate to the number of participants. Could you take that back to the organizers, or is that something I could do to let

the group know how many of us will physically be in attendance and whether a physical room could be allocated for our meeting?

Marika, go ahead.

MARIKA KONINGS: Thanks, Michael. Yes, what may actually help—and I think it's something we've done previously as well for previous in-person meetings—is maybe send out a Doodle poll and basically ask who's planning to attend in person, who's planning to participate remotely, and who's not planning on either. So that will give us a good indication because, of course, remote participation is also possible. So at least it gives us a good idea of whether sufficient members of the group are able to participate, whether it's in-person or virtually, if we're going to a host session. At this stage, I think we do have, in the draft schedule, a session planned in, but of course, that is all still in flux. And all the meeting are being [collected], and space needs to be assigned.

But as I said, we've definitely penciled in the Accuracy Scoping Team, and we can maybe follow it up with Doodle poll so we get a more accurate assessment of who's at least planning to participate in such a meeting.

MICHAEL PALAGE: Thank you. I did not know that Doodle polls were done before because our group came into existence in a purely virtual environment. So if that's something that you could take that initiative on to get a little more clarity on the mix of participation to

feed that back to the ICANN Org planners, I would greatly appreciate that.

Beth, I see you have your hand up. You have the floor.

BETH BACON: I just forgot to put it down. Sorry, guys.

MICHAEL PALAGE: Okay, thank you. Excellent. I think one of the last other administrative things that I wanted to check up on … And, unfortunately, Becky was not able to join the call today.

Brian, could you give us some update on where ICANN Org is on that communication to the data protection authority? I know Becky gave us a really helpful briefing during—what is it?—ICANN73. Do you know where ICANN Org is in drafting that letter or what the current timeline is and whether we will or will not be able to be looped in or consulted before that is sent?

BRIAN GUTTERMAN: Sure. Hi, Michael and hi, everybody. So just as a recollection for everybody, as we discussed during ICANN73 and as stated then by Becky, the Org is planning to engage with the European date protection authorities regarding some potential next steps that could be taken around the registration data accuracy issues. And, again, the suggestion was made during the meeting that the Org—and this is something our legal team I know is working on as

EN

we speak … Still, together, we're going to be consulting with the Board.

So that's why it might be taking a little bit of time. So we're thinking about steps that can be taken, and we will be seeking guidance from data protection authorities the best we can in Europe concerning GDPR-related issues and these scenarios that we're coming up with. And we will be drawing upon things we've been thinking about in this group.

The plan is to reach out and follow up with the European Commission soon. In terms of the timing, Michael, I think I'm going to have more information actually even later this week, even later today or tomorrow. It's my understanding that the Board and the Org are going to be talking about this in one of their scheduled meetings: practical next steps.

But, again, we are working on this, and I'll continue to keep you all engaged, as will Becky, as to getting your input about these scenarios, too, that we're going to be asking them about. So we envision this being collaborative, at least in some respects.

So I hope that's helpful. I will be following up with more information maybe even by tomorrow if not before our next meeting.

MICHAEL PALAGE: Thank you, Brian. And apologies for putting you on the spot, but obviously Becky had a conflict. So—

BRIAN GUTTERMAN: No, no, no. I'm not on the spot. It's what I'm here for. So it's all good.

MICHAEL PALAGE: Excellent. And I think Stephanie Perrin and some others were … There was some stuff in the chat. So as I said, at least in my understanding, there continues to be an interest in members of this group again collaborating or helping out, where at all possible, in that endeavor because obviously predictability is something I think everyone wants regardless of what side you are on on any issue. Predictability is really the key. So thank you on that, Brian.

BRIAN GUTTERMAN: Sure. And to answer, thanks, Stephanie. Yeah, we will try and be much more precise and share with you what's being passed back and forth with this group.

MICHAEL PALAGE: Excellent.

BRIAN GUTTERMAN: So we'll try and be as transparent as we can.

MICHAEL PALAGE: Thank you, Brian.

So with that, I believe that is it as far as the, if you will, overall administrative updates go. We will now jump into our substantive

work here. And I'm just looking at … So I did notice that there were some additions to the descriptions that were made last minute. I think what we would like to do—and I do want to allocate time for that—is stick with the agenda, which is to go into the proposals and then loop back to the description. I did notice that there were some changes within the last 24 hours. So I appreciate those changes coming in prior to the meeting instead of discussing them on the fly.

Marika, do you think we stick with this agenda? Do we move 3 forward, or should we try to get through the gap analysis first and get to the definition or the description second? What do you think?

MARIKA KONINGS: Thanks, Michael. Some comments were made indeed right before this call. I doubt many people will have had a chance to review those. So it may be more productive to actually give members of it more time to review that and maybe especially encourage those groups that are in disagreement about certain changes to maybe work together and come back prior to the next meeting with hopefully a proposed path forward. Maybe that's the best use of time for this meeting.

MICHAEL PALAGE: All right. That sounds like a pretty compelling reason to stick with the originally-stated agenda.

So with that, let's open up the gap analysis document. And, Marika, do you want to tee this up on how you would like us to best facilitate this where we're at? I believe there are a couple of

proposals specifically with the registrar survey. How would you like to do this? Would you like [just] to summarize this? Do you think it would be best coming from the registrars? What do you believe is the best way for us to move forward with this as a group?

MARIKA KONINGS: So maybe I can introduce what we've done with this document as we discussed during the last meeting. We went over the proposals at a high-level during our previous meetings, but now it seems time to start deep-diving and really start working out the details of what these proposals would look like to also be able to assess the feasibility of these proposals and also the term and which ones to pursue. That's why we've developed a template to do that deep-dive.

As we also discussed, the focus for now is really on those proposals that do not require any access to personal data, or at least not at first sight. So the proposals that do depend on that are probably dependent on the feedback or an outcome of the conversation that Brian just spoke about with DPAs because of course that would give some better insight into what is and what is not possible.

So what we've done is basically we've created hyperlinks as well for those [inaudible] already done that so it make it easier to move around the document. So for each of the proposals, we basically pulled out the information that we already had and developed basically a new template that we hope to use to facilitate this conversation and get to the details that I think we need to get to.

So to show you, basically, the general concept—what is this about? … Again, this copied and pasted from the [inaudible] was provided previously by those that put these proposals forward. We documented as well as the upsides or the positive aspects of the proposal. Then we listed to the downsides and added a possible mitigation. Again, the group may want to discuss, are there ways in which these downsides can be mitigated? That should be considered. And then basically we're starting to drill down on possible next steps. As you may recall, I think, for each of the proposals, we identified some potential possible next steps, but of course now will be the time to talk about, okay, if this is indeed a next step that everyone agrees on, who's going to take that next step, what is a reasonable timeline to accept that next step to happen, and are there any other considerations or aspects that need to be considered as part of that next step?

So that's basically what we've done for each of the proposals that fall into the category of not needing personal information. And as I said, we hope that this is a useful way of continuing the conversations with the group and really starting to drill down on what it takes to further explore these proposals so that, at the end of the day, the group can basically make an assessment of which ones of these you would like to recommend to the council that should be taken forward and are likely to result in information that will help the group move forward in its conversations.

Of course, if we've missed anything, if there are any other aspects that people think need to be considered as part of this conversation, we've very much open to suggestions. This is just our attempt at trying to structure the conversation in a way to get

to something we can document and ultimately of course present or share as well with the council for its approval or review.

So I think I can leave at that and see if anyone has any questions or suggestions. And, if not, maybe we should just start diving in.

MICHAEL PALAGE: Any suggestions, comments, or concerns before we dive in?

Seeing none—no hands raised—I believe then the first proposal would be the survey of the registrar. Again, I think you've accurately said what you've done. You've synthesized what our discussions were. Again, I know this was made available and may have got lost in the things, but should we just try to do this on the fly to make the most efficient use of our time here on this call as far as filling out this matrix here? Marika? I'm just trying to figure out—

MARIKA KONINGS: Sorry, I wasn't sure that was a question for me. So, yes, I think that would be great. This document has already been out for quite some time. We haven't had many reactions or responses. So maybe having the conversation here … And of course, we can take notes and start filling out based on what we hear, although, of course, after the meeting members are also welcome to start filling this out. But I think indeed starting to discuss here what would be next in each of these proposals may be helpful to start better understanding whether or not this is a direction that will likely result in something tangible that will help the group forward and also better understand what is needed from whom to actually

make this happen because I think that's, for some, of course, a question mark because we may need to engage others in helping out with this. So I think it's also worth thinking through how to make that happen, whether it's possible for it to happen, and to also have a more realistic idea of which of these proposals stand a chance of getting information that, again, the group can use to help inform its deliberations.

MICHAEL PALAGE: Marc Anderson, you have your hand raised. You have the floor.

MARC ANDERSON: Thanks, Michael. I'm ready to dive in on this one, as you put it. So maybe I could start by giving my two cents.

On the downsides, I'm not sure of the extent to which these can be mitigated. I think these are essentially caveats for this approach. I do like the idea of doing a survey. I think there's some questions that are worth asking. And it would be good to ask registrars and see what they come up with.

But I think the caveat with the data is that this is likely to be voluntary, or this is going to be voluntary. And so I don't think we can compel registrars to respond. So ultimately this is going to be voluntary, which has the downside. It'll call into question the data. And I think it's fair to say we're likely to get certain good actors, as mentioned in the downsides, which is likely to slant the responses.

But, that said, I think there are still some questions that are worth asking. And even with these caveats, I think, if we just accept that

the data has to be caveated with maybe these asterisks, then there's still some value in asking them.

On the possible next steps, I think it makes sense to engage with the registrars and see if they're willing to accept this. I think this suggestion originally came from the registrar, and I think it was supported by registries. Or I think maybe registries also added that as a suggestion. But the fact that registrars suggested it, I think, implies a willingness to at least engage with their stakeholder group and try and get your stakeholder group to respond.

I could keep talking on these, but I'll try and limit my speaking time a little bit here. But I do think there is value. There are some questions that I would like to ask.

For example, around when there's a response or an indication of inaccurate data, and that ultimately ends in a domain being suspended, I think one of the things we've talked about but don't really have a clear picture of is, is how often do these suspensions result in the data being corrected and the domain being unsuspended. What I'm getting at here is, what percentage of those are honest mistakes, so to speak?—somebody moved, somebody typo-ed their data, somebody had an honest mistake in their data, and the data was corrected, versus what percentage of those suspended domains are never unsuspended because they were malicious and are never addressed? That might be interesting data to try and tease out of a survey.

So that's just an example of something that I'd be curious of trying to drill down to in a survey. I do think it's worth us pursuing this. I

think it's fairly low-hanging fruit. I think, if we accept the limitations of what a survey could provide us and agree on those limitations and what those limitations [proceed with], we may get some data that's useful and informative to us.

Just before I shut up here, I'll just note, from Sarah in chat, I'd also really like to hear from groups outside of the CPH. If it's registrars asking themselves questions, I don't think there's a lot of value in that. I think it really has to be driven by other groups.

So that's a lot of talking. I hope that's helpful and can help [us] start the conversation.

MICHAEL PALAGE: Thank you for kicking off the conversation there, Marc. I guess there's two follow-up questions that your intervention sparked inside of my head. Historically, when ICANN has done surveys, they generally tend to report in the aggregate: "This many respondents representing this number of domain names under management." So they aggregate stuff. I was wondering, would there be a good thing of keeping those aggregate numbers but then perhaps listing the registrars that responded instead of labeling good actors or bad actors? "Here are the registrars that voluntarily complied." I don't know if that's a good thing or a bad thing. And maybe Sarah, Roger, or Volker could say. Do you see a downside in listing the ICANN registrars that actually participate in it, acknowledging that they voluntarily participated in that survey? Is that good thing or a bad thing?

And I guess the second follow-up question that sparked my head is, in this table here, as far as possible next steps and by whom … Marc, I agree it would really be good to get help from the non-contracting parties regarding the usefulness of this survey. But if in fact we do decide to proceed forward, with the "by whom," to me it would be logical to engage the registrar members and allow them to engage with the Registrar Stakeholder Group directly. That, to me, would seem to be the most efficient.

So, Alan, you are next in the queue. And, Volker, hopefully you can answer some of those questions. I see you next. You will go after Alan. Alan Greenberg, you have the floor.

ALAN GREENBERG: Thank you very much. In terms of whether this is worth it, I think it will provide some interesting information, partly as a voyeur point of view, and partly just to understand the environment better. Whether it will provide us with enough information to make better recommendations I'm not at all convinced. So I don't know what the cost or difficulty would be. It may have some value.

I put my hand up, though, originally to respond to Marc, who gave an example. And I believe, by how he phrased it, he loaded the question. He said, "How many suspensions are corrected because it was an honest mistake, and how many are never unsuspended?" Those aren't the only options.

Anecdotally, I'll give you an example. A few years ago, there was a domain where the address was listed, which was a bakery in a small town in France. And the postal code given was one that

didn't exist in the French postal code system. It was changed. And it was changed to an address of an obscure company in Russia. So it was changed. It was unsuspended because the new address was potentially a valid address. But that doesn't mean it was an honest mistake.

So let's be careful as to how we phrase questions and what we interpret the results to be. Thank you.

MICHAEL PALAGE: Okay. Volker, I believe you're next in the queue.

VOLKER GRIEMANN: To your first point on whether the registrars that participated should be listed, I think that should be left to the registrars to opt in or out of that. The reasons for a registrar to participate or not participate might be varied. And it might just be that the registrar finds that digging out this data is too much work to be worth the effort and therefore they're not participating. Or a registrar might figure, "My data is so bad that I don't want to skew the data in a trend that I don't like." I'm not sure what bad actor that would be, but that will probably also happen. But I don't think that having a list of registrars who participated … That might invite certain parties to draw conclusions from that participation or non-participation. And those might be correct or not correct, depending on the motivation of the registrar to go either way.

I still think it would be valuable to have that data because registrars are the source closest to the data and they have the best experience with that data.

And I also agree with Alan, to a point, that there are no hard and fast rules of what the registrar must do when confronted with incorrect data. And some may just accept every data that they're giving unseen. And others, like us, for example, when we are presented with obviously false data or data that has been proven false, will go to a higher degree of research once they provide additional data [or changed] data.

In certain cases, the bakery might be an example that Alan brought of one that might be malicious, but it also might be someone who just provided data that they knew was accurate because they didn't want to provide their own data to be displayed for everyone in the world to see, which is understandable. And then we will have to talk to them and tell them, "Look, this is not the way that this works." And then they will provide their real data, and then we check that. But some registrars might not. There's absolutely not rules to that. And maybe that is also something we should look at at some point.

But at this point, I think having incorrect data—even obviously incorrect data or even willfully incorrect data—can be an indication for bad actors, but it does not necessarily point to that direction. I've seen either way. Thank you.

MICHAEL PALAGE: Thank you, Volker.

So what I think is going to be helpful here—again, I want to go back to Marc's comment about non-contracting parties' input …

Alan, I appreciate this. I can look to the BC, IPC, ISPs. Am I missing any others? I'm just going through the group here.

Could some of the non-contracting party representatives and maybe Manju … I don't see that Stephanie is on as well. It would really help if you can give us some insight on the fly here on if you see on this because, if you don't see value, it would really be helpful to know sooner as opposed to later. And if you do see value, perhaps opining on some of the questions or next steps would really be helpful because getting that feedback would then allow our ICANN Org colleagues to begin drafting what a survey may or may not look like. So, again, are there any non-contracting parties that would be able to speak to this proposal for A, our registrar survey?

Okay, Thomas, you have the floor.

THOMAS RICKERT: Thanks very much, Michael. And hi, everybody. Actually, I already made a statement in the chat. I think that a survey would be very useful. I think it's always good to get practical information from practitioners in the field. I think that maybe we need to work a little bit on the questions: whether they're granulated enough or whether we want more detail.

And also, I think it would be a good idea, as mentioned in the upsides column … Tracking information over time could be useful to actually understand the movements in the accuracy topic. I think that one aspect should probably be discussed by this group or at least considered, and that is whether the remit of the survey

should be limited to gTLDs—so whether we should ask registrars about their experiences across the board—because I think, at this stage, it would probably make sense to get as many data points as possible to inform next steps with respect to what shall happen, if at all, in the ICANN world. Thank you.

MICHAEL PALAGE: Having just participated in two days of CENTR meetings over the last two days, personally I always do find value in looking at the ccTLD side but I'm very mindful that this is the GNSO. I think that that perhaps may fall outside of our remit.

Roger, Sarah, or Volker, would you see any value in the survey asking for a registrar's feedback regarding their experience in the cc side of their business? Is that a good thing, a bad thing, or do we really need to have clear lines of demarcation between what goes in in the ccTLD space versus the gTLD space?

So I see Stephanie supporting Thomas. Sarah, you have the floor.

SARAH WYLD: Thank you. Hi. That's really something that I would need to think about more because, when we created these questions, we definitely focused on the gTLD world and on the WHOIS Accuracy Program and how that works to confirm accuracy of data. So I like the idea of leaving it open for the registrar responding to the survey to provide more information, but I think, if the idea here in the survey was to focus on what the outcomes of the verification process are, we're going to get more useful data if we narrowly tailor our questions.

So I do think also that we would need to work hard on editing or writing the questions for that survey to make sure that we're getting the information that we actually need. Thank you.

MICHAEL PALAGE: Thank you, Sarah. Again, Tucows has always been the gold standard as far as openness and transparency. If there is something that perhaps you could share, after discussing this internally, it really would be insightful to know whether registrars have different internal business practices or whether they try to standardize that. I think that would be helpful to look at that as a theme as to what is or is not possible. So that would be helpful.

Susan Kawaguchi, you have the floor.

SUSAN KAWAGUCHI: Thank you, Michael. So as the question of including ccTLD data, I wouldn't oppose that, but I don't see the reason for it, really. I agree with you, Michael. We're working on a GNSO policy group.

But if others see value, I wouldn't oppose it, but I would not want that data mingled with the gTLD data. I think the value to the survey will be to see what responses we get. And there's a lot of cc's that have a very strong requirement for accuracy and data, so I wouldn't want to see the data skewed and mixed in with the ccTLD data.

MICHAEL PALAGE:	Okay. But I guess, to that point there—again, you've been on the front lines in multiple capacities over the past 20 years that I've known you— I think it would be perhaps accurate to say that not all ccTLDs are th
	e same. There are some that may have different business practices. I would find value in looking at what the points of convergence or divergence [are and] whether there are best practices that are followed. To me, those are the types of data fact-finding where we can give the most value to the GNSO. The more data and facts that we can find, the more that just makes the GNSO Council's job that much easier if they decide to move forward in the policy development process.
	Volker, you have the floor. Or is that an old hand?
VOLKER GREIMANN:	No, that's a new hand, actually. I generally agree that ccTLDs are less valuable as data points, simply because of the fact that there's so many policies and rules and regulations involving ccTLDs. And the variety of modeling all the ccTLDs in would probably just result in a potpourri of data that has, in the end, no value.
	However, even if we do not look at the data, we don't have to always reinvent the wheel. And sometimes, some information from ccTLDs—some learnings, some information with regard to experiences the registrars have—might be useful down the road. So I wouldn't fully dismiss the possibility of having a look at ccTLD

data at some point, but not together and not split up and not in one pull with the gTLD data. Thank you.

MICHAEL PALAGE: Sarah, you have the floor.

SARAH WYLD: Thank you. And apologies for those who do follow the chat because I mostly want to repeat what I said there. But the more I think about this as we're discussing it, I think we really need to focus on what we are trying to understand from the survey and then really narrowly tailoring our questions. So if we're trying to measure accuracy rates in terms of validation and verification of gTLD data, especially in the context of the WHOIS Accuracy Program specification, I think adding ccTLD stuff would complicate it. More data is not necessarily always useful in this kind of a context.

I do appreciate Thomas' most recent comment suggesting that registrars might not be able to separate out the different TLDs. So maybe we should just keep that in mind or writing the questions and indicate that that's an option or a possibility. But we really need to focus it.

And, also, I've done many surveys, and if there are more than four of five questions, I leave. So I think we need to keep it short. Thank you.

MICHAEL PALAGE:	And I take your last point there, Sarah that, since this is voluntary, if it is overly complex, we will have people checking out without necessarily completing it.
	Sophie, I see you have your hand raised. You have the floor.
SOPHIE HEY:	Thanks, Michael. I just wanted to respond to one of Thomas' comments in chat about that maybe registrars only have aggregate data. Maybe it's worthwhile actually asking, "Do you collect this data? Yes/No. If you do, can you provide it?" So that way, we're actually finding it if you do collect it or, no, you don't. And we might get some more responses that way. And then, if we're lucky, we get some numbers as well. Just a suggestion of a way to maybe encourage some more participation and find out more about what's going on. Thanks.
MICHAEL PALAGE:	Okay. So, again, I think this one is … I don't want to say "fully baked," but I think we've had a good discussion on this first proposal here.
	I guess this is what I would propose to the group here. Do we feel … Or I guess it's to Marika. Marika, based upon the discussion and what you have heard today, how would you recommend perhaps starting a draft of what that survey would look like? Is that something that you feel that ICANN Org could take the lead on? Is that something that you feel the registrars should perhaps take a first draft on since they're the ones that are going to be responding? What do you believe would be the most efficient path

forward for getting a working draft together for the group to comment as a whole? Because there seems to be general support behind this. I believe the devil is in the details—what the questions are at the detailed level. So your thoughts or comments on, I guess, next steps?

MARIKA KONINGS: Thanks, Michael. So my suggestion would be to see if there's a small group of volunteers that will be willing to start working on a first draft. And I think definitely that registrar reps should be part of the team. But I would strongly encourage, as well, others from the non-contracted party side to participate in that because, again, this information is really intended to help inform discussions of the group. And registrars already understand very well what they're doing, but it's for the group to better understand what happens in practice and what kind of information may need lead to new insights that may help identify what gaps potentially exist or areas that may need further consideration. So I would really like to encourage a small group of interested people. And of course, we can assist there and either hold a panel or try to facilitate those conversations to try to move that forward.

I would like to note that, in the next steps, there are some other questions that we raised. The conversation, I think, now is largely focused on: is this useful and what questions might be needed? But there were also suggestions made that maybe there is a kind of incentive that could be provided for registrars to respond. That may be something the group wants to talk about as well.

And I think some suggestions as well is: what if a registrar reports on something that could be interpreted as not being in compliance? Is there a need to provide an amnesty of some kind?

There was also a suggestion that having it in multiple languages might broaden the outreach, but obviously there is a cost and an effort involved in doing that.

So, again, maybe those are also some of the questions that the small team could take into account as they look at the questions and also think about the best way to distribute that, to promote it, and to get people to respond, [and] the timeline for a response [and] is what is reasonable. So that would be my suggestion. Of course, we can also do that as part of collective conversations, but maybe the most efficient way would be for a couple of people that are willing to pick up the pen and put something together that then the rest of the group can have a look at.

MICHAEL PALAGE: And I see Marc concurring. So, Marc, I see your hand up. And, Sarah, I see yours. So, Sarah, you have the floor.

SARAH WYLD: Thank you. Yeah, I do agree with the idea of having a small team work on forming the questions, but I still think that, before we can do that, we need to confirm the goal of the survey. Is the goal what the registrars suggested, which is at the top of the page? The registrars [inaudible], like, three things, and just drop those— eh, four things. There's four things. Is that the goal?

And I don't have a clear sense that everybody else here agrees that this will be useful. I think Thomas has agreed, which I greatly appreciate. I think the registries agree. But I'd like to hear from others. Maybe we can just do a show of hands in the Zoom and see if the majority of the people in this team would accept the results of the survey as being informative for our report because, if it's not informative for our report, I don't think it's worth spending the time on. So that's one thought.

Another thought is we do need to consider where the data goes. And this goes back to the amnesty question. So if we can tell registrars that the survey is being conducted by the Registrar Stakeholder Group and they're going to provide their IANA ID in the response so that we can make sure that we're not getting multiple responses from the same person or registrar, and then their registrar name or IANA ID will be removed, and then the responses will be anonymized or aggregated as appropriate before sharing outside the stakeholder group, I think that's a good way to mitigate this concern. But I don't know if that would be acceptable to the group.

So I think we should answer all of those questions, go through the questions that are on the screen still in the next steps area and the downsides chart, and then we can know if we actually need to form the small team to do this more work. Thank you.

MICHAEL PALAGE: Personally, I would have no objection to the Registrar Stakeholder Group conducting it internally and then, if you will, anonymizing those results if that would … Keeping it internal to the group

instead of bringing out ICANN Org, who would then feel like compliant … Again, this is just me speaking personally. If that will increase the amount of participation, I would be inclined to do that. Again, this is just a survey. Non-mandatory. So anything to maximize participation would, I think, generally be a good thing. So that, I guess, was towards the end of your question.

Regarding whether it's only the four goals met up there, I don't know. I think perhaps, as the small team goes and looks at questions, maybe one gets added, one gets subtracted. I don't know, but I think what would happen here, Sarah, is … I believe there appears to be enough consensus or at least support to look at a small team, perhaps formulating what those questions would look like. And perhaps that would then answer your question of, was it just the four (or maybe five or three)? I don't know. That, I guess, would by my response as I'm trying to synthesize this on the fly.

Marc Anderson, you have the floor.

MARC ANDERSON: Thanks, Michael. I don't have a whole lot to add, other than to agree with what Sarah and Marika said. To Sarah's point, if the responses will not factor into our report, let's not waste our time doing it. I think that's maybe the key question when it comes to the survey.

To Marika's point, I think one way to decide if this is worth our time or not is to open up a small team and, if people join the small team and work on it, then that's a pretty clear indication that there's

interest in this idea. If we open up a small team and nobody joins or it's just registrars joining, then I think that's a pretty clear indication that this is not worth our time and we should move on to our other ideas.

MICHAEL PALAGE: I would agree, Marc.

Susan, you have the floor.

SUSAN KAWAGUCHI: Thank you. So to Sarah's point, where she wants a guarantee that this data will be accepted, I can't, on behalf of the BC, guarantee because I don't know what data we're going to see. But the BC will move into this process and contribute in good faith. But, if we receive data that doesn't make sense, there's no way that we can accept that wholesale and until you see the data. And I think I understand the concern. I've definitely felt like I've been on the other side of that in policy discussions. It's like, "Oh, I understand the data. I agree with the data. Makes sense to me," but then other groups didn't. So I don't think that should bar us from moving forward with this and working diligently on the questions or how this survey is done.

MICHAEL PALAGE: Okay. Thank you, Susan.

Sarah, you have the floor.

SARAH WYLD:	Thank you. I'm not sure that I understand Susan in this context. So if we do this survey, and the responses come back that most registrars … To answer #1—how many domains have data which is validated and verified?—if the overwhelming responses if that it's only 10% of domain names, number one, I would be shocked because this is a policy requirement that everyone should be following. But I wouldn't dispute the validity of the responses. I would trust that the information being provided is valid even though it's not what I expected and it's not what I wanted to hear.
	So I guess what I want is just confirmation that we will accept the responses as being reasonably truthful, even if they are not what we expect or what we would prefer the outcome to be, which I think is probably already the case. But I'm not really clear about that. So thank you.
MICHAEL PALAGE:	So I'm going to attempt to try to interpret on the fly, which is always dangerous, what I'm hearing from both Susan and yourself, Sarah. So I think, to your point, Sarah, I would agree with you. The first answer to that question should be, how many domain names have been validated and verified? Considering it's a requirement in the RAA, the answer should be 100% of all domain names under management by that registrar. That should be the answer that we're getting back. And I think you even alluded to that as well.
	I think the concern that I was hearing from Susan is that I would say there are a number of people that would look at that 100% statement that would have second thoughts or would second-

guess, I guess, the authoritativeness or the veracity of that 100% statement.

So how do we go about getting data which is good but then not having that data being used as a hammer to beat up or impede the concern of other groups that feel that more work can still be done? And this is one where, if Steve was here, I know he would probably have his hand raised and be providing some type of comments here.

I think that's what we're looking at here, Sarah. I would like to get the data, but the concern that I'm hearing from perhaps Susan and others—maybe they need to discuss this internally—is they don't want this data then to be used as a weapon against them for stuff that they have talked about trying to achieve: better steps in potentially Assignment 3 or 4.

Hopefully I synthesized that properly. If not, I apologize.

Alan, you have the floor.

ALAN GREENBERG: Thank you. I just wanted to point out that you said you had assumed that the answer to the first question is 100%. It would be very surprising to me if that number was 100%. The verification rule has only applied for registrars who are subject to the 2013 RAA, which may be as little as four years in some cases. And most registrars are going to have an install base that predates that. So I would be rather surprised if most registrars who are not brand new had a number that was 100%. I would question it.

| MICHAEL PALAGE: | Perhaps we could get some over/under action going on here. |
| | Sarah, you have the floor. |

SARAH WYLD:	Thank you. I just want to partially agree with Alan. I do agree it should not be 100% of domains that have registration data which is validated and verified, but I don't think that that's because there are old domains because the old domains should be caught through the annual WHOIS data reminder policy which would generate a bounce-back notice if the e-mail is invalid and thus trigger the verification requirements.
	So I think the old domains are captured, and I know that we have that open question with ICANN about how they're handling it. But the reason why it shouldn't be 100% is because there's new domains. So when a new domain is registered or a material change is made, then it needs to be verified again. And so some portion of new registrations are likely always going to be in the middle of the process. Thank you.
	And, also, I'm still not clear as to whether the responses would be accepted, so I'm still not convinced that we should even proceed with this. Thank you.

| MICHAEL PALAGE: | We are at the top of the hour. We have a half-hour left. I think we have done a deep dive on Proposal A. I would propose, unless |

there's anyone else that wants to discuss this further—okay, there we go. Always suggesting wanting to wrap up and closure will get a smattering of hands. So, Scott, you have the floor.

SCOTT AUSTIN: Thank you, Michael. Just briefly, I apologize I wasn't able to be at last week's meeting. My father-in-law passed away, so I was out of town and unavailable. But I want to applaud, first of all, the registrars and registries for the approach to this and the suggestion that they would provide some data because, from the beginning, we've heard it's the data—"Do you have data on this?"—with questions from, I know, Volker. And, Volker, by the way, your comment about an agency without authority I'll get back to you on because I have some real questions about it.

But my point is, I think it's a very good idea if we can get any information. Aggregate data? Fine. But I think it's very useful and I applaud those who have stood up to consider it. And I think that we should go forward with it because at least it gives us something to think about. And if there are problems with it, then obviously in this form it'll be checked and considered. But I think it's a welcome first step. And I would certainly like to see it. Thank you.

MICHAEL PALAGE: Marika, I will let you perhaps wrap this up and help us transition into Proposal B, if that's acceptable. You have the floor.

MARIKA KONINGS:	Yes, of course. Thanks, Michael. I just wanted to note that, as you've said before, this is not the only source of data we're looking at. So I understand the concern of some that this may be taken as gospel. Or I think we've already set out the caveats beforehand that there is no way to compel all registrars to respond to this, so it will always need to be accepted that this is what it is. It provides insight into the practices and information from those that have responded. And maybe that represents a significant number of registrars. Maybe it doesn't.
	But as I said, maybe the small team, if there's indeed agreements to form one, could also look at that and make sure that, as a proposal, it's clearly caveated in that way so that it's clear to those reviewing this and, in the end, saying, "Yes, let's move forward. Understand what the limitations are and what it can do and what it can't do,["] so that that's clear. And maybe that helps us transition to the conversation of others because, again, this information that comes out of such a survey may be complementary to the other pieces that we're looking at and information that may be gathered through other means and, as such, may be part of providing the piece of the puzzle that may provide a fuller insight into current practices and enforcement and as well how that is being adhered to.
MICHAEL PALAGE:	Excellent. So what I'm going to right is I say my proposal would be to move on to deep dive on Proposal B. I think that would be—are we there?—third-party assessment. Let me get to that on my document as well. So we don't have a lot on this just yet.

How would you propose for us to perhaps start fleshing this out here, Marika?

MARIKA KONINGS: So this one is, I think, split off from another proposal that's in the document. But that would focus on personal information. This one is really basically, I think, A but, instead of doing this in the form of a registrar survey, a third party would be hired/assigned to independently go and measure those fo[u]r data points or whatever the questions are and report back to those. So what had been indicated here could result in a more independent review and assessment of the information instead of it being more self-reported. And obviously as well that doesn't involve any registration data. So there's not the aspect of "Can it or can it not be disclosed to a third party?"

So it is possible well, for further conversation, if there's support for having a small team look at this, to also look at that variation. One way is indeed for registrars to respond to a survey that's sent out to them or whether there's more of a likelihood that it would trigger responses or feedback if you have a third party that would actually go out and talk to different parties and pull information out that way. Obviously, that is something as well where more effort and costs and resources are associated with it because you need to find a third party. They need to actually do the work. It's also of course a question of budget approvals that would need to be obtained if that's a path forward. And of course the question is, is that expected to generate more or better information than if you would take the survey approach, which is a lower effort kind of initiative?

So I think that's a bit of what is behind this proposal. As I said, indeed there's not a whole lot of input on it for now, but it can potentially be folded in with the consideration of Proposal A. As I said, at least as it was originally framed, it would really focus on those questions already identified as part of A but then indeed done by a third party.

MICHAEL PALAGE: Thank you, Marika. And I apologize for not seeing the linking back to A here on that one. Based on what I heard, I think a third-party assessment is just going to slow things down and cost more money. My reaction was I thought Sarah's proposal of taking the survey, going to the registrars, allowing them to participate, and they then could give us the aggregate data … To me, I feel like that probably maximizes the participation. That would be my goal.

So as far as a third-party assessment myself and what I heard from that previous discussion, I do not see a lot of merit in this. That's at least what I've heard. But I again would appreciate feedback of correction from the rest of the group.

Alan, you've had your hand raised. You have the floor.

ALAN GREENBERG: Thank you. At the very least, this is mislabeled because this is not a third-party assessment. Every registrar has their own data systems, and all the third party could do is go in and ask what these numbers are. They would still have to be extracted by the registrar and taken as fact because a third party is not going to have the ability to audit the actual data. That would be pushing the

audit requirements in the RAA too far, as far as I would see. So it may increase participation because it's going to be harder to avoid [and] put the person off and not give answers, but it's certainly not an assessment. It's, as you say, adding an intermediary that we have to pay to perhaps get slightly more data—or even slightly less because someone asking someone to do it on their time is different than asking them to respond to a person who's bugging them, essentially. So I don't see a lot of value in this one at all.

MICHAEL PALAGE: Thank you, Alan.

Stephanie, you have the floor. And I see your chat comment, so I hope you'll speak to that, please.

STEPHANIE PERRIN: Yes, I typed it in chat. In my opinion, you'd have better data uniformity if you hired an independent contractor who was familiar with quality measurement. Yes, obviously you are relying on the contracted party to give you the data, but the data gatherer can make some observations on the quality of the data and the different ways that the data is managed because I imagine that there are different ways, although I don't really know. But it's not as if this is a uniform system that we are getting data from.

And Sarah has raised the issue several times that the longer you make the survey, the harder it is to respond because people don't want … Five questions is fine. Ten is over the top. So if you have an actual data gatherer doing the work to gather the data, it can be easier. I take Alan's point about having somebody outside

coming in to bug you, but if this were agreed to by the contracted parties, the goal of hiring someone is to make it easier for contracted parties to provide the data. Thanks.

MICHAEL PALAGE: Excellent.

So, following up on Stephanie's question—not to put my registrar colleagues on the spot—could you, Sarah, Roger, or Volker, perhaps share any insight on whether you think there is uniformity? In your discussions with your registrar peers, do you think there is uniformity on what those terms mean? Or do you think there perhaps is different interpretations of what needs to be done or what needs to accounted for? Because any insight you can give us there I think would really be helpful in feeding back to concerns or comments that Stephanie had just raised there.

Sarah, you have the floor.

SARAH WYLD: Thank you. To answer Michael's question, I do think that there is uniformity in how verification and validation are understood because they are defined in the WHOIS accuracy specification to the RAA. So I expect that registrars just use those definitions. That's what they do.

I do not, however, expect there to be uniformity in how that information is stored and tracked, which makes it difficult to be reported on because registrars, to my understanding, operate their own systems that don't all work the same way.

And then, finally, in terms of having a third party do it, honestly, I think that that would drop the participation. I know that I myself would be more likely to respond to a survey held by the Registrar Stakeholder Group, especially because I know that I can call me and tell me to do it. Compared to some third-party guy I've never heard of trying to get information, I'm just not really inclined to put time into that.

So in terms of storing and tracking, to Stephanie's question, I don't know that we should expect there to be uniformity. Thank you.

MICHAEL PALAGE: So I would agree with all three points that you just raised there, Sarah. But if we could go back to that second point about the uniformity of the tracking or reporting, I'm agreeing with you on that: that there's probably not. Would that be a potential area where a survey might be able to elicit some best practices that would then be helpful to this group on potential recommendations in connection with our work? Because if we see a grouping or consensus that this is really good and this allows us to report and track, that would be good to document and perhaps even share that with our registrars that could say, "Hey, wow. I never thought of that." On that Point #2, do you think that would be fair game as an objective or goal of the survey?

Sarah? Sorry, you have the floor.

SARAH WYLD: Sorry, I wasn't sure if I was supposed to just talk. Best practices for what? What is the intent of the survey? If the goal is to

EN

understand WHOIS verification and validation rates, then I don't think that gathering information about internal processes to track verification and validation statuses would really help us. There's no requirement for registrars to track this information in a reportable manner. So best practices for how to do that seem to be a little bit tangential to what we're trying to do, which is to figure out the rates of it being done.

MICHAEL PALAGE: So let me give you my initial response, and then I'll see if there are any other members that feel this way. And if not, we could just close it and move on. So I guess here's my response to why I think why I think asking that would be helpful. So what I heard from you is there is 100% unanimity within the registrars on what the definition of accuracy is according to the 2013 RAA. Okay, great, we know what the answer to that question is going to be. Clearly, I think that the reason that we as a group exist is that that opinion or definition is probably not universally accepted within the entire ICANN community because, if we agreed with the definition and there wasn't a problem, we probably would not be here.

So the reason that I think asking that question about best practices would be helpful is to see: are there good actors that have in place in mechanisms that could be acknowledged, documented, and shared with the broader stakeholder community that could perhaps filter down and be used [by] the non-good actors? That, to me, I think is part of the information-gathering that is within the remit of what we're trying to do. That's my opinion. If the group says, "No, Mike, that's way out of bounds," okay. I'm

just trying to synthesize what I'm hearing from different people. So there we go.

Any hands on that?

Okay. So, just mindful of where we're at here, right now, Marika, I'm not feeling a lot of love for Proposal B from just everything that I've heard here.

So maybe, mindful that we have 14 minutes, if we can move down to deep dive on Proposal C or D, what we're looking at here is a dedication of the next registrar audit function. I think ICANN Compliance was just briefing … I think they're already in the loop right now regarding what they are doing this 2022 audit season. So my comment here would be that, at best, this is something that would likely be put into the 2023 and would probably not be reported out until likely the annual meeting—so sometime Q3 or Q4 2023.

So, with that mindful, I guess my question here to the group is that this does not seem like a request that will produce immediate information to drive our near-term work. This seems to be something that is perhaps over-the-horizon Assignment 3 or Assignment 4 work. That is my initial reaction.

Thoughts, comments, or questions from the group?

And Alan is referring, "What happened to C?" I believe, if we go back up to the top of the document—I can do that as well—Proposal C—

MARIKA KONINGS: Yeah—

MICHAEL PALAGE: Go ahead, Marika.

MARIKA KONINGS: I can answer that question. So C is the third party but with access to personal information. So we've taken that for now until we have more information on in which circumstances a third party or ICANN Org is able to access personal information for these purposes.

MICHAEL PALAGE: Thank you. I was scrolling up to the top, but, yes, thank you. So, yes, Alan, I would say, since 3 also talks about a third-party assessment just involving PII, there wasn't a lot of love with the third-party assessment non-PII. I don't see there being any or a [diminished] amount once you involve PII. So I would say that's why we largely skipped over C. But thank you for noting that.

So, again, back to Proposal D here, which is the ICANN Org registrar audit, I gave my initial thoughts on this. I would welcome any other comments or thoughts from the group.

Marc Anderson for the record. You have the floor.

MARC ANDERSON: Does Alan have his hand up? I don't know if he's ahead of me in the queue.

MICHAEL PALAGE: Oh, okay. Alan, I apologize. There you go. Alan Greenberg, you have the floor.

ALAN GREEBERG: Thank you. Just to be clear, my understanding of what I heard Marika say is we deferred C because it involves things that we're not sure that can happen and a bunch of other ifs and buts. And it's certainly not going to happen quickly. And I know I'm one of the ones who proposed that, and I wasn't looking at this to inform us. This is a long-term thing that I believe we should be doing. We discarded the third-party assessment in B because it wasn't really an assessment. It was just accepting data blindly. C is talking about actually accessing data and making your own assessment. So they're quite different. Thank you.

MICHAEL PALAGE: And thank you for pointing out that distinction. And I apologize for blurring the two together. And to be fair, as I had just stated here, part of this, I would say, gap analysis is what can be done for our Assignments 1 and 2 and whether some of this other gap analysis is more appropriate towards Assignments 3 and 4, looking out over the, if you will, long-term prospective. So thank you, Alan, for making that point of clarification.

Marc Anderson, you have the floor.

MARC ANDERSON: Thanks, Michael. Yeah, Michael, you make some good points about the audit. If results of such an audit are not going to be available to us in a 2022 timeframe, then it's likely not valuable to us as far as answering Assignment #2. So that seems like a limiting factor or perhaps a dealbreaker.

I think, though, to your point, it may be something that's useful for Assignments 3 and 4, so I wouldn't want to discard it altogether. And maybe I'd want to explore it a little bit more with ICANN Org. Maybe it would be worth getting confirmation that it is or is not something that would be viable in 2022.

But I'm also not clear that it's something that would be viable at all. It's an idea we've discussed within this group, but I'm not sure of the extent to which ICANN Org and Compliance are willing or able to do such an audit. I'm not really familiar with the provisions of registrars audits and what can and cannot be audited.

So I don't know that this is a viable option altogether. I think it's an intriguing idea that I'd like to explore further. So I think I would like to hear a little bit more from ICANN Org: is it even something that should be on the table?

But, that said, I think your initial point about the timeliness of it is pretty important. If it's not something that can happen in a 2022 timeframe, then it's probably not a viable option for Assignment #2.

MICHAEL PALAGE: All right.

EN

Marika, I see you have your hand raised. Go ahead. You have the floor.

MARIKA KONINGS: Thanks, Michael. So I've actually highlighted in the documented because what Marc just said is exactly what I think we have identified as a potential next step here: to indeed ask our Org colleagues in the first place what information could be audited based on the existing accuracy requirements. And if there is information that can be audited, in what kind of timeframe would it be possible to do that? And, again, having that information may indeed provide further insight into whether or not pursuing this avenue is useful either in the short term or in the long run.

So as I said, we identified it already as a next step, and that might be … And I see Brian is in the queue, so he may be able to help with this one.

MICHAEL PALAGE: Brian, you have the floor. And thank you for raising your hand because I was going to call on you next. So thank you.

BRIAN GUTTERMAN: I just wanted to confirm. I've heard Marc's suggestion. So we can certainly engage with the audit team/Compliance colleagues on this to see what could be possible—timeline (this year versus next year) and questions like that. So I could take the initiative and reach out to them about that.

MICHAEL PALAGE: Okay. I'll put it this way, Brian. Before you do that—I think that's a great idea—I want to just again see if there is anyone in the group that believes that having Brian reach out today or in between/intercessionally to engage ICANN Compliance is a bad thing.

Okay. So, seeing no hands, it seems that we do have consensus. So, Brian, I would greatly appreciate if you could undertake that initiative. Reporting back to the group with that data would be greatly appreciated.

Okay. So with that, I think we have five minutes left. I think this is probably a good time to wrap up. I think we had a very good dialogue on the fly. While it would be helpful to have some of this perhaps synthesized on the e-mail list, I think we made most use of our in-person time. So thank you.

With regard to the decision of the small team, I want to probably relisten to this recording, and I will follow up on the list within the e-mail about how that next step of the small team may or may not happen. Again, I just want to end on a positive note.

And with that, my proposal would be to end the meeting. Marika, you can have the last word.

MARIKA KONINGS: Thanks, Michael. Just as a reminder on Item 3, if I can really encourage everyone to look at the comments that are currently in the document and the suggestions that have been made. And I

know there are a couple of instances where I think especially Contracted Party House reps and the GAC reps are maybe not in agreement on what should happen. If those groups can maybe work together between this meeting and the next one to try and resolve or come to a position that they can both live with and propose language, I think that would be really helpful so we're able to wrap up a description and call that part at least complete for now.

MICHAEL PALAGE: Yes. And, again, I think it was best that we did leave that as Agenda Item 3. I think we were able to achieve some good work on the gap analysis.

Yes, everyone, just to follow up on Marika, please use the time intercessionally and the list to perhaps make further progress on that accuracy description.

So with that, Terri, you can stop the recording. And thank you very much, everyone.

[END OF TRANSCRIPTION]