

**ICANN Transcription
GNSO Next-Gen RDS PDP Working Group
Tuesday, 06 December 2016 at 1700 UTC**

Note: The following is the output of transcribing from an audio recording of GNSO Next-Gen RDS PDP Working Group call on the Tuesday, 06 December 2016 at 17:00 UTC. 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 may be also found at:

<https://community.icann.org/x/nJfDAw>

The audio is also available at:

<http://audio.icann.org/gnso/gnso-nextgen-rds-pdp-06dec16-en.mp3>

Coordinator: The recordings have started. You may proceed.

Michelle DeSmyter: Great. Thanks so much,. Well good morning, good afternoon and evening to all welcome to the Next Generation RDS PDP Working Group call on 6 December 2016 at 1700 UTC.

Interest of time today there will be no roll call as we have quite a few participants online. Attendance will be taken via the Adobe Connect room so if you're only on the audio bridge today could you please let yourself be known now? All right thank you. Also, as a reminder to all participants please state your name before speaking for transcription purposes and keep your phone and microphones on mute when not speaking to avoid any background noise.

With this, I will turn the call back over to Chuck Gomes.

Chuck Gomes: Thanks, Michelle. And welcome everyone to our call today. It's an important one because we're going to lay the groundwork for our ongoing deliberation and spend most of our time talking about the proposed adjustments to our deliberation as we've been talking about the last few weeks.

Let me start off by asking if anyone has a statement of interest update? Okay, not hearing or seeing anyone let's go ahead and get started. Let me warn you in advance I'm going to do a lot of the leading and talking today but throughout the meeting I welcome all of you to participate, to share your comments, to ask your questions and so forth. And we will be taking additional comments on list through the end of the week so those who are not on the call or have to be off on part of it will be able to continue to participate in the discussion and give us comments through this coming Friday.

The first thing we're going to do is take a look at the poll results. Hopefully all of you are aware that we sent out a one question poll, although most of you didn't participate in that. So you can see the results on the screen there. And basically we were just asking the question, "How strongly do you agree or disagree that we need to agree upon some key concepts before we start deliberating on our long list of requirements?"

As you can see by the results there were only 18 people who responded to the poll. And I must admit, I was disappointed in not but I'm assuming if you didn't respond you maybe didn't have strong feelings one way or the other and that's okay if that's the case. I would like to point out though, as we get into deliberation again that we started in Hyderabad, it's going to be really critical that all of you try to participate in a timely manner in the polls that we do. We are using the polling technique to try to facilitate work in between meetings because if we don't get a lot done in between meetings it's going to take us forever to get the task done in front of us.

So the polls will be typically designed to be fairly short and easy to respond to. But please try to participate in those in a timely manner because we will

not be stretching those polls over multiple meetings in most cases so that we can keep the progress going. That's going to be very, very critical. And it's not going to work if a couple months down the road people come back and say well, I wasn't able to provide input and so I want to provide this now. That will slow us down tremendously so I'm going to ask all of you to please be responsible.

I know there will be exceptions when you're unable to do something. And that's okay if it's an exception but if that standard working procedure then we're going to get down the road, we're going to make some decisions and we're going to have to backtrack and we probably won't do that. So do your best to participate in the polls that we do.

As you can see on the results on the poll in front of you, the support - and let me qualify what I'm going to say. We understand that this is a terribly small sample and not enough to make any decisions on based on the results here. But as you can see, for the 18 people that responded there was quite strong support for making some adjustments in terms of the methodology that we tested starting in Hyderabad and a few weeks after that.

So, in fact as it works out there were only three people out of the 18 that marked their level of agreement below the neutral level. And so that was like 17% below, 2/3 were at eight or higher. Now again, this is not a big enough sample to make it definitive but the leadership team does believe that that's pretty strong support from the small sample we got to make some adjustments.

So I want - and at this point share that I've been trying to get as much input from the working group as possible with regard to process. But what we found is that we spend so much time on process and have difficulty getting feedback from working group members but that's not working very well.

Now ideally in a bottom-up, multistakeholder environment you want to make as much of it bottom-up as possible and you don't want the leaders of the group to be overly directive. But we've come to the conclusion, we being the leadership team, that we're going to have to -- it's going to work a lot better if we were a little bit more directive.

Now understanding that, that doesn't mean we're not going to listen to the working group. But spending weeks and weeks on process without - hasn't really been very productive. And we have to get more productive or we're just going to not have success.

So when the working group does have feedback where there seems to be pretty strong agreement, we're going to listen and we'll make adjustments. And that's what we're doing today. We're going to propose some adjustments in terms of how we continue our deliberation. We want your feedback on that but we're not going to spend weeks talking about it and trying to refine it.

So if anybody has any big concerns on that, please feel free to communicate them but I want you - I want to set the context for where we're headed. So I'll pause right now and see if there are any questions or comments on the results from the 18 people and the poll itself and then we'll go ahead and proceed.

And I'll let you know, there were a few people added some comments in the comment space and they were good and we appreciated those and we read all of those, okay?

Okay, not seeing any hands raised or anybody speaking up. Let's go ahead and go to our main part of the agenda, Agenda Item 2. And what I'm going to do is to go through the proposed adjustments to our deliberation method that we will be using the next few weeks. And again, the purpose of this meeting is not only to introduce you to this, and it will be sent - the document will be sent to the list so that you'll have a hard copy.

In fact, that may have already happened. Let me jump over to my email just a moment and see if - I don't see it in my email yet but I - my understanding is that will be - the document will be sent to the list shortly. We didn't get it done enough to give a lot of advance notice because we were working on finalizing it still yesterday.

But so the - oh, Lisa, in the chat notice that Lisa has put a link to the key concepts approach that we're going to go over. And that will be sent to the list as well. So everybody will have a hard copy. Certainly feel free to bring that up if you find it helpful. We're going to post it on the screen and I'd appreciate it if that is brought up now so that we can proceed on that.

Okay, and since I'm going to be going through it I will direct where - the scrolling on it and not controlling it myself necessarily but moving forward along this. But if you - can we give everyone the ability to control the readability of it, there we go, good. Thank you. And it looks like you have control but I suggest you - and that's fine of the scrolling but please, you know, try to stay with me as we go through it.

Now, I'm - I welcome questions as I'm going so please raise your hand if you have a question while I go through this. Now keep in mind that we're focusing in our deliberations on three questions, the users and purposes question; the data elements questions; and the privacy data protection questions.

So what you see in front of you right now is from our mind map, okay, the sub questions have been reordered a little bit to correspond to this document but they're all the same other than that. So the first area is going to be the users and purposes. Now we're going to still do our rotation thing and just like we planned in the last few weeks so don't worry about that. But I'm going to go through the users and purposes one first.

And note that we used the EWG report, which some people recommended in our last call. And which is recommended in our charter, in fact, we're told in our charter to use that as a starting point. But please understand that we are using the EWG report as a starting point and we're not accepting anything as fact from that. We are going to deliberate on that as well as other things that will be brought up. So I want to make sure everybody understands that from the beginning.

So the first question, highlighted in yellow there, under users and purposes, is "Should gTLD registration data be accessible for any purpose or only for specific purposes?" What the leadership team proposes is that we deliberate on that question first. Okay?

And then from Page 5 of the EWG report, you can see that the EWG unanimously recommends abandoning today's Whois model of giving every user the same entirely anonymous public access. And so that's a recommendation of the EWG. Now we'll deliberate on that when we deliberate on this question starting next week.

The EWG instead then recommends a paradigm shift, and all of you hopefully have read that report so you remember that. So that a next generation RDS will collect, validate and disclose gTLD registration data for permissible purposes only. And while basic data will remain publicly available, the rest would be accessible only to accredited requestors who identify themselves, state their purpose and agree to be held accountable for appropriate use.

Now we're not accepting any of those recommendations as fact from the EWG report, but we're starting there. And we'll start discussing this first question in light of their recommendations and in light of the inputs that the rest of you have.

Now, we may find, as we're doing our deliberations, that we would have better continuity if we cover all the questions for users and purposes first, but

we're not planning on doing that. We're going to follow what we agreed to several weeks ago and so we're going to cover this first question, deliberate on it and come to some decisions on it. And then we will go to a data element question. As you recall, I rolled some dice or a die several times to figure out randomly what orders and users and purposes can up first.

Now what I'm going to do next is, and again, please raise your hands if you have any questions while I'm going through this. What I'm going to do now so I'm going to scroll down. You'll see that each of the three areas, users, purposes, data elements and privacy data protection, are - follow a similar pattern.

I'm going to go down - I'm going to scroll down to the first question under data elements. Which in just a second I'll give you that page number. You'll see, okay so if you scroll down to looks like Page 6, you'll see the excerpt from the mind map again and the one for data elements. And it has the - the questions are in gray and the orange-ish red box of course is something that we'll mostly relate to Phases 2 and 3.

So if you scroll down to Page 6 you'll see, again, we took some excerpts from the EWG report and notice the first question. "Do existing TLD registration data elements sufficiently meet the needs of purposes identified as permissible?"

Now to fully grasp that question and it's helpful to look at the excerpts from Page 10 and so on from the EWG report. And I won't read through all of those. You can do that on your own time or while you're listening to me.

The - but those excerpts will be the starting point of our deliberation on this question. And this will be the second question that we deliberate on in the next few weeks. We're not anticipating that our deliberation will be quick and easy but rather we think it'll take some time and it will be hard, but that's

where our collaboration together will be critical. So this will be the second question that we deliberate on.

And then without - you can scroll down and just glance through that. You'll see it follows the same pattern. There's a table there from the EWG report that talks about some purposes that the EWG thought were legitimate purposes. Again, we will deliberate on that and decide whether we agree or decide whether we would suggest changing them. And you'll see in yellow some additional questions under data elements, if you scroll down. That will be - that we will deliberate on.

If you go down to Page - I'm having a little trouble with controlling my thing here. It's - well let's see, bear with me here while I get - it looks like it's Page 6, you will come to - oh I'm sorry, I went back to where I was. Forgive me here, having trouble controlling my screen here. Okay going down to Page 11 you'll see the privacy part of our diagram. And it was the fifth question in our charter, that's why the Number 5 is there. And again, you'll see four sub questions there in gray that we need to address.

And what the - and then you'll see a question there, the first one in yellow says, "Do existing gTLD registration directory services policies sufficiently address compliance with applicable data protection, privacy and free speech laws within each jurisdiction?" That's the first question that we will cover under privacy. And we will use that as - that will be the third question that we deliberate on on this proposed approach.

Now it is the - before I go to Greg, so the leadership team made the decision that we thought that covering these questions will cover the key concepts that will then allow us to more readily take a look at the very specific possible requirements in our long list of 1000 or so. In fact, we're optimistic that after deliberating extensively on these key concepts, which are the questions from our charter and the design that we've been looking at, will greatly facilitate

our deliberation on the very specific requirements. And it will overlap some of those, we understand that.

So let me stop there because I've kind of covered the gist of this. We will get down to the end of the document. But let me stop and let Greg speak. Greg Shatan.

Greg Shatan: Thanks, Chuck. Greg Shatan for the record. First, I definitely do support this approach. I think we've got far too granular and now pulling back up a bit will enable us to see the - and deal with the major issues appropriately. However, you know, one of the overall issues is kind of the interconnectedness of different questions and what questions need to be answered before others and - or maybe it's an iterative process as well.

And particularly kind of a little concerned with the question on Page 6 which we say will be the second question we address, "Do existing gTLD registration data elements sufficiently meet the needs of purposes identified as permissible?" The only question you've answered before that in this go-around is, you know, more - does not define which uses would be - or purposes rather would be identified as permissible.

So I don't think it's possible to answer this question about the elements until you know what the purposes are. You know, depending on the purposes, the purposes in essence drive the elements. I know these questions may have been randomly ordered, but, you know, the answer to this has to be somewhat unanswerable without knowing what are the permissible purposes are. So I'm not sure how we square that circle. Thanks.

Chuck Gomes: Thanks, Greg. This is Chuck again. And you used two keywords in my opinion, iterative and flexible. We fully understand that we're going to have to be flexible as we go through this. We're not going to treat this plan rigidly and to the extent that there - if there's no strong objection from the working group we will make ongoing adjustments and we will be flexible.

And if we need to go over and look at some further, for example, like you said, and I'm not saying this is what will happen, but if we find out when we get to that second question on the - that deals with data elements, we may find that we have to go back and look at something else under purposes before we can adequately address that.

If we do, we'll do that, if that - at the same time, we're not going to spend a lot of time being so precise because whatever order we do we're going to find out there are going to be differing opinions as we've already found out in our work. So your point is well taken. We will look at these things iteratively. We will not be rigid about them. We will do what we need to do to do full deliberation on the questions.

And if we have to move to another question before we cover one, we can do that, that's okay. Stephanie, your turn.

Stephanie Perrin: Thanks, Chuck. And I apologize for the echo, if you're getting one. I'm limping along with Adobe not working as usual, although astonishingly you got a hand up for me raising my hand.

I just wanted to point out that the legitimacy of the purpose for collecting, using and disclosing our different under data protection law, the registrars may have a legitimate need to collect. That does not mean that there's a legitimate need to disclose. So I think - I don't want to keep raising my hand and pointing this out as we go along, but the only problem with this sort of iterative approach is immediately when we go to users and purposes are we talking all users, all purposes, one user, one purpose? It begs the question because the answer in terms of data protection is different depending on the circumstances. Thanks.

Chuck Gomes: Thank you, Stephanie. And you know this as well or better than most because you were on the EWG that since we're using that as a starting point

in our discussions that that report doesn't assume that it's going to be the same for everyone, and in fact they say it's not. We have to make decisions on that. But you're absolutely right.

And again, similar to what I said for - in response to Greg, the, you know, to the extent that we have to jump ahead or jump back to make sure that people understand that, but your points are exactly right. And we will deal with them and make adjustments and move around to the extent possible while at the same time trying to make steady progress. So thanks, Stephanie, that's appreciated.

Okay, so - and I'm assuming if - that you - that's your old hand, you don't want to follow up, Stephanie, is that correct? Good, okay thanks. Just wanted to make sure.

Stephanie Perrin: Pay no attention to my hand, it's...

Chuck Gomes: That's okay.

Stephanie Perrin: ...totally random whether it comes or goes.

Chuck Gomes: Yes, well I'm glad to see that much is working today. That's good. And I'm sorry that you've had such a hassle with Adobe, that's really unfortunate. So okay so now I'm going to scroll down, okay, and then we'll back up again. But I want to scroll down now. If you scroll down you'll see that there are multiple questions under privacy and data protection.

You'll even see on Page 13 you'll see that there's excerpted from the EWG report some data protection principles, some law enforcement action principles that came out of the EWG report and there's a chart there that shows some things. Well the chart actually comes back to our overall plan of attack on the first five questions.

So if you'll look at Page 14 you'll see a little chart there that kind of helps us keep the big picture involved in terms of our deliberations. Okay remember there's a fundamental question we have to ask - answer. And that in addition to the five questions. And so keep that in mind. I noticed in one of the comments on the survey that somebody pointed out well these things don't cover the fundamental question of do we need a new RDS or can we modify the other one. That's correct because we're first supposed to deliberate on the first five questions.

Now, as the earlier part of this document just covered three questions. Okay, the users and purposes question, the data elements questions and the privacy questions. Okay? After we deliberate on those we will get to the gated access and data accuracy questions. And then we will get to our fundamental question and make a decision on that.

So what we have - so and you can see on Page 14 there that the - from the - from our charter, again, keeping in mind where we're going and we're going to need to do this throughout, during Phase 1 we have to reach a consensus recommendation regarding that key - that fundamental question that you see there in the first bullet on Page 14 where underneath during Phase 1.

And if new policy framework and the next generation RDS is needed, then we have to go through the other six questions in our charter and deliberate on those and either as - for a new system or for a modification to the existing system. And so that end of this document is just kind of to help us remember where we're headed. It's going to take us quite a while to get there. But keep in mind that's where we're headed.

And now myself, you don't have to do this but I'm going to scroll back up to the top, and - of the document for my own use here. I won't - the - what I'm - I'm going to pause right now for questions and comments, and then we'll just skim through the yellow highlighted questions that will be deliberated on under each of these things. So let me pause and I'm sorry, because I'm doing

so much talking I'm doing a terrible job of watching the chat. So if anybody on the leadership team can help me manage that I would appreciate that.

So, Michele, go ahead.

Michele Neylon: Thanks, Chuck. Actually it's more to draw people's attention to a question that Michael Palage has put in the chat which would be helpful to have people think about. Now full disclosure, Mr. Palage and I did discuss this very briefly in person, I think in Hyderabad, could be wrong. Can't remember. I know I spoke to him about it somewhere.

And the question he has is, well I mean, succinctly, what happens if a registry wants to disclose more data? Now by more data let's just say hypothetically okay let's take a - say you were to have oh I don't know, dotAutomobile and you wanted to include as a field in there, I don't know, the registration plate of the car or something like that. I mean, and to Stephanie's point, more data doesn't necessarily mean it's got anything to do with data privacy. It could be something that's already in the public domain.

So for example, if I wanted to include the folio number of my house, the folio number is in the public domain already. I don't - Mike Palage can probably give more examples but he just admittedly he doesn't have audio. The question he's asking is more within this kind of reframing of direct - of domain registration directly services, if that's going to pose a problem. And I know what Stephanie is going to say so I'll let her say it.

Chuck Gomes: Okay thanks, Michele, for doing that. And thanks, Michael, for the input. And actually some of the questions - we have questions that we'll be deliberating on. I don't remember exactly where it's coming in, that actually asks us to deliberate on that specific issue, can a registrar collect more than what is disclosed or what is covered by the RDS. And so we will actually get to that very specifically. Stephanie, go ahead.

Stephanie Perrin: Stephanie Perrin for the record. Thanks, Chuck. Yes, Michele is correct. I am going to object to this. First of all in general, the fact that something is on the public record does not necessarily mean in many data protection laws that you have the right to publish it and that you have the right to insist on receiving it. Birth announcements, for instance, that means that the exact date and weight of Michele's birth is well known.

That doesn't mean that I have the right to publish it, you know? That comes under constitutional rights for freedom of speech and it's very complicated and most data protection laws have complex provisions on what they do about information that's in the public domain. But there's no blanket, oh once it's in the public domain it's gone.

Secondly, there was a presentation in Hyderabad on the subject of shadow regulation led by Mitch Stoltz. It didn't go over particularly well. He got vigorous pushback. But I would like to say right here that there are implications of ICANN working through the RDS to do what they're referring to at EFF as shadow regulation.

In other words, exactly what does ICANN have the mandate to put into contracts, enforce through contract on new registries? Some of this might be to the advantage of the folks that have the new registries that might make their life simpler, but you still have to look at it from a regulatory impact assessment perspective. And we can't have provisions being forced through ICANN Compliance that would not pass under a legislature. Censorship being of course the one that EFF is most worried about but there are many others. Thanks. Bye.

Chuck Gomes: So, Stephanie, I have a question for you. This is Chuck. So I'm not clear on what you said you would - that you're objecting to.

Stephanie Perrin: Stephanie Perrin for the record. Basically objecting to the concept that a registry can all by itself decide that it has the authority to collect more personal information...

Chuck Gomes: Okay.

Stephanie Perrin: ...and that it has the authority to publish it.

Chuck Gomes: Okay thanks, Stephanie. So I don't think, and Michele is the next one in the queue, but I don't think Michele was saying that that's a fact. All we're throwing out right now are these are things that we have to deliberate on, which means we're going to have to consider data protection law and its variations around the world and so forth.

So I don't think anybody is suggesting any decisions at this point. These are issues we will have to deliberate on and make some recommendations on. So you will - we will come to a point where you will have the opportunity to object to possible recommendations. But at this point all we're saying is these are things that we're going to deliberate on. And so I'll stop there and turn it over to Michele.

Stephanie Perrin: Okay, just one word, Chuck. I was responding to Mike Palage's comment.

Chuck Gomes: Oh okay. Thanks. Thanks, Stephanie. This is Chuck again. And in the chat there's actually some deliberation going on. That's okay but keep in mind we will get to these points specifically and make - have to try and come to decisions about recommendations in regard to them as we get into the deliberation that we will be doing. So I don't mind people sharing their opinions now, but notice how it throws people off; they start wanting to argue and disagree and so forth. We're going to get there folks, and we're going to have a lot of that. So just keep that in mind, okay?

Michele, go ahead.

Michele Neylon: Thanks. I find that having Stephanie on these calls is very helpful at times. I have grown to have an appreciation of her voice on some of these subjects. I don't always agree with her of course that's neither here nor there.

Okay, I mean, sure, if somebody was to start publishing something that they shouldn't be publishing under any circumstances, the fact that the public domain correct, yes, fine. But what the examples that both myself and Mike Palage gave were just random examples. I honestly don't know what data specifically we're talking about here. I mean, this is a hypothetical.

But the point being though that if I'm - if I say to you, and maybe you as the registrant of the domain actually want that information to be public, you know, the question really is, is there, you know, is there anything stopping a registry from doing that?

So I don't know, I'm trying to think of something that you might actually want to put out there very publicly like, I don't know, I don't know, let's say for example if you were a - under say the dotMicrosoft - if Microsoft started giving out domain names to Microsoft certified partners then maybe the Microsoft partner ID or something. I mean, again this is, you know, completely choice and you'd actually want to do it. Not a question of trying to get into anything where there's any kind of issues around privacy, more to do with the technicalities of allowing to do it.

I have to disagree with your entire thing around the content regulation. I mean, ultimately nobody is forcing you to register a domain in a specific TLD with - which has got specific weird policies. I mean, generally speaking the TLDs with the really, really weird policies aren't mainstream anyway so who cares? Thanks.

Chuck Gomes: Thanks, Michele. Again, we're getting into deliberation a little bit and we're going to have to control ourselves a little bit on that because we'll constantly

come up with things that we can debate and agree and disagree and so forth. We're going to have to - for the most part - accept where it actually is determinant in terms of the issue we're looking at to manage ourselves, otherwise we will be all over the place. We're going to have to cover all of these things and I think all of you know that. But we can't cover them all simultaneously accept as they're related to the subject at hand.

Greg, you're next.

Greg Shatan: Thanks. Greg Shatan for the record. And I think the conversation we've just had is a perfect example of why we need the key concepts approach and why the job of the chair is going to be particularly important and to some extent difficult. I think - the way I view this there are concepts and then below there are sub concepts and sub-sub concepts and you go down and get more granular, specialized exceptional as you go along. I think we probably got down about three or four levels already in 10 minutes without proceeding, you know, at the top - staying at the top level.

And we weren't of course supposed to be deliberating at all but, you know, it's either feast or famine on working group calls. Either you're talking to a bunch of mannequins or people want to talk about, you know, whatever catches their fancy and, you know, hopefully it's what's also supposed to be what's talked about at the time and talked about.

So I think this, you know, we need to think about - we may need to part these kind of sub and sub-sub issues but we shouldn't - we should try to avoid, you know, plumbing the depths of anything before we kind of really have at least a first go around on each of the key concepts. And I think it's more important to look for interrelationships at the key concept level such as the interrelationship between data elements and purposes than it is to go down.

Ultimately we will go down and I think the 1000-layer pancake that we tried to pick apart of purposes is an example of how far you can ultimately get down.

But I think that if we define ourselves level by level when we get down to the lowest level things are going to fall into place much more quickly than if we try to, you know, build a sand castle by looking at a grain of sand.

So I of course can't help myself entirely, so I will say that I think the shadow regulation concept is a canard; I think the poor reception that Mitch Stoltz got was entirely deserved, that cloaking this in censorship is a bogeyman approach to looking at the issues and that, you know, if registries and registrars want to ask for particular information and get the consent of the person whose information it is, you know, that tends to solve a lot of problems.

And finally, that, you know, data protection and privacy laws are not monolithic either in, you know, by jurisdiction or by whom they apply to. For instance, a lot of them don't apply at all to commercial actors or to entities as opposed to individuals and in greater or lesser part. So I think we need to be very careful before we start, you know, throwing up data protection or privacy law blanket all over everything because in that case the issues are more granular. Certainly, you know, need to be looked at but not looked at as some sort of big beautiful wall but rather something a bit more nuanced. Thanks.

Chuck Gomes: Thank you, Greg. Again, we're jumping ahead quite a bit and we may be going down more than three or four layers. So but we're going to get to all of these things. We have to, everyone. And to the extent that we can use some self-control and make sure that our comments are relevant to what we're deliberating on at the moment, and I know we're not deliberating now, but when we actually get into the deliberations starting next week it's going to be important that we try to stay focused because we can't deliberate on everything at once.

We're going to have to look at interrelationships, we're going to have to deal with interrelationship. But I ask everyone to please try and limit getting ahead

of the game and getting down to levels until we get to those. We will get to them.

Now, I have very much appreciated, and I probably should say this is Chuck speaking for the transcript etcetera, but I have very much appreciated all the contributions so far. So what I'm going to say is not to discourage those inputs, but I want to say that there are a lot of you that are not as vocal as the people who have spoken so far. And maybe you haven't been around the game and been through PDPs like they have. They're all veterans in that, the ones who have spoken so far, including Michael who can't - is not on audio. And that's great; they'll be great assets for us.

But I want to encourage the rest of you not to feel intimidated by the Micheles and the Michael Palages and Stephanies and Gregs. They're going to contribute a lot but please don't be intimidated by that and please feel free to ask your questions and to share your thoughts so that we get a broad participation in the working group. We know in working groups that there is always a very active group and those who are kind of in the background. But please don't hesitate to share comments yourselves. And I really want to encourage that.

In fact, what I'd like to do right now is just pause and see if there's anybody who hasn't participated in the discussion, if there's a question or comment you would like to make at this point. So I'm going to not call on any hands of the people who have already spoken but I will absolutely call on those who haven't. So let me just pause and see if there are any questions or comments from some of the rest of you.

And a comment to Mike Palage, Mike, the diversion wasn't bad. We're going to have to try and minimize those going forward, but I think it helped us understand how we can, going forward, be more efficient in terms of our deliberation. So I'm not worried about that and don't look at it as a diversion.

It's going to be more important that we try to avoid diversions when we actually get into the deliberations.

Okay, not seeing any hands. The - I'm going to just kind of scroll through the questions. And I'm back up to the users and purposes. And all I'm going to do is just call your attention to the questions. We're not going to debate them right now. The second - and so the plan right now after we cover the first question in each of the three areas, then after we do that, including making any adjustments like Greg was talking about earlier, we'll then go to a question on the second question on data elements followed by the second question on privacy and then we'll come back to users and purposes.

Now unless we decide that we really need to change that order and there's pretty good agreement in the group, we'll do that if we need to. But let me just go through the questions. So the users and purposes question, the second one, which is on Page 1 still. "For what specific purposes should gTLD registration data be collected, maintained and made accessible? Who should be permitted to use gTLD registration data for those purposes? That'll be a big one to cover. I don't need to explain that to anybody I'm sure.

The next question after that, which is all the way down to I think to Page 3 is, "What should the overarching purpose be of collecting, maintaining and providing access to gTLD registration data?" Okay, again this is one of the core questions that you - that's in the gray areas in our mind map for users and purposes.

The next question under users and purposes is on Page 5, "What are the guiding principles that should be used to determine permissible users and purposes today and in the future?" Now this is a good example of the key concepts approach that we're taking now and that Greg talked about a little bit in that once we agree on the key principles that hopefully will make it easier then to get down to the nitty gritty and a lot of the specific possible requirements that we'll be looking at.

Again, this will take a while to get through those just starting with the EWG report, you can see that there are at least seven there. And we may add to that.

Then going to the data elements area, we already covered the first question. And the second question under data elements is on Page 7, "Should any gTLD registration data elements be removed, revised and/or added to meet those needs?" Okay.

Going on then to Page - I think it's Page 9, let's see here. Oops, hold on a second. It's hard to control what page - it looks like it's Page 9. "Should gTLD registration data collection and access be based on permissible purposes, jurisdiction, applicable laws, registrant type or other criteria?" Big question. We'll get to that one in data elements.

There's a second one on that same page, Page 9, "What are the guiding principles that should be applied to all data elements to determine whether they are mandatory, optional to collect public, nonpublic, to access, etcetera." These are really key concepts that will take us some time to deal with.

And then we get to the privacy questions, we already covered the first one on Page 11. On Page 12 there are at least three more. "Do existing TLD registration directory services policies sufficiently address the overall privacy needs of registrants and other stakeholders?"

The next question is, "What new or enhanced privacy approaches or levels should be used to overcome identified barriers to protection of gTLD registration data and registrant privacy and why?"

And then a shorter question on that same page, "What are the guiding principles that should be applied?" You'll notice in each case we're ending with the guiding principles which will really provide us a strong basis to - once

we get those I think our work will be a lot easier. Now it won't be easy agreeing on those. I'm not being naïve there or trying not to be.

So that's the approach that the leadership team is proposing we start next week - in our meeting next Tuesday. And we'll talk about our subsequent meetings at the end of our agenda today.

So that's what we're proposing. Feel free to look at that in more detail. More comments and questions are welcome in this meeting. And up to the end of the day on Friday, whatever that end of the day is for you, at that point the leadership team will take your comments into consideration and communicate any suggestions we have with regard to this, any changes that we might make in this approach early on, keeping in mind that we're going to be making them throughout so that we are always trying to be most effective and flexible and iterative, those two words that Greg used and that we've been using for quite a while.

So any other questions or comments on this approach? Basically, we're taking these questions as the key concepts. We're not going to debate a lot whether they cover all the key concepts. But we will, if there's some concepts that anybody thinks is key that are not covered by these, we can add those to the list before we actually go back and look at all of those lists of requirements that we've created from all of the source documents.

I see that I'm in the wrong place in the chat. No wonder I hadn't seen anything new. Shrieking is hard on the ears so I appreciate you not doing that. The - okay just more specific comments and Holly's name is seasonally appropriate; we appreciate that, Holly. At least it's appropriate for us in the Western world. I don't know if it is for everybody else.

So thanks for bearing with me and listening to me talk way too much today. I appreciate that very much. And please feel free to share additional comments on the list and between now and the end of the week - end of the work week

into Friday, okay. That'll give the - those of us on the leadership team a chance to stay abreast of those and then in our planning call on Monday of next week we'll finalize any things on this approach and start on - resume our deliberation using this approach on the 13th and the 21st.

Okay, so next Tuesday, will be our normal meeting time. Then on the 21st, and we know that's getting close to a holiday, okay, but on the 21st will be our alternate time. And then we're going to take a break. So we debated this yesterday and we think that it's probably wisest to not have our working group meeting on the 27th or on the 3rd of January. And we'll resume our meetings then on the 10th of January at our normal time. And then the meeting after that will be at the alternate time again.

So the - so please note that. And this will be communicated on the list. We will have the meeting next week when we start using this approach starting with Question 1 in the users and purposes. And we'll work on that one until we get some resolution there one way or another. And then on the 21st we will continue that process. Probably still be working on that first question on purposes and users at that point. I mean, I would - it'd be fine with me if we've moved on by then. I'm not expecting that.

And so please take a look at this document more thoroughly. See if you have anything to add to it this week and we'll get moving on the actual deliberation again next Tuesday. Any questions or comments? And let me ask those on the leadership team if I have missed anything, if you want to add anything. And anybody in the working group that would like to add anything, please do so right now, okay?

Okay, thanks for the positive comments on the approach. And next week we can start disagreeing with each other, which Michele will really like. He likes to disagree especially with me so. So all right, well I think we're - we can dismiss early today. This will probably be the last time in one of our meetings that we can end this early. But look forward to any feedback that we get, any

questions this week. And for those that listen to the - for those that aren't on the call, I hope they will listen - I can't speak to them now but this recording hopefully will be helpful to listen to to set it up for next week.

With that let me adjourn the call today and thank all of you for your participation, look forward to the comments and look forward to getting back to specific deliberation on key concepts starting next week in our working group meeting. Meeting adjourned.

Woman: Thank you. Bye.

Michelle DeSmyter: Thank you so much. Again, the meeting has been adjourned. Operator, please stop the recordings and disconnect all remaining lines. Everyone, enjoy the remainder of you day. Good-bye.

END