

**ICANN Transcription
Data & Metrics for Policy Making Working Group
Tuesday 06 October 2015 at 21:00 UTC**

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The audio is also available at:

<http://audio.icann.org/gnso/gnso-dmpm-06oct15-en.mp3>

On page:

<http://gnso.icann.org/en/group-activities/calendar#oct>

Attendees:

Pam Little - RySG
Sara Bockey - RrSG
Graeme Bunton – RrSG
Marinel Rosca – Individual
Cheryl Langdon-Orr - At-Large
Jonathan Zuck – IPC
Tony Onorato – Individual
Janvier Ngnoulaye – Afrinic

Apologies:

Steve Chan

ICANN staff:

Berry Cobb
Terri Agnew

Coordinator: The recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Data and Metrics for Policy Making Working Group call on the 6th of October, 2015.

On the call today we have Sara Bockey, Pam Little, Tony Onorato, Jonathan Zuck and Cheryl Langdon-Orr. Joining us a little later in the call will be Graeme Bunton.

We have apologies from Steve Chan. From staff we have Berry Cobb and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking for transcription purposes.

Thank you very much and back over to you, Jonathan.

Jonathan Zuck: Thanks a lot. Jonathan Zuck for the transcript. I guess I should just ask if anyone has any updates to their statements of interest. All right, pretty stable group. I'm going to immediately just hand it back over to Berry to go through - pick up where we left off on a report of public comments. Take it away Berry.

Berry Cobb: Thank you, Jonathan. Thank you, Jonathan. Berry Cobb for the transcript. So our agenda is pretty thin or not so thin but we should be able to move through it pretty rapidly today. Hopefully this will be our last DMPM call before we submit the final report to the GNSO Council this Friday. But we will run through just couple of highlights on the public comment review tool. Then we will kick it over to review through the latest changes to the draft final report.

I did have on the agenda to review through the draft motion, however that's not prepared yet so I'll make sure that that is sent out to the list by tomorrow. It should be pretty straightforward. And then lastly we'll just quickly talk about submitting the report to the GNSO Council.

So in reviewing the public comment review tool there there's just really two things that I'd like to highlight for you. Up to this point I haven't received any edits on the draft working group responses or any of the content as it related to actions but during our last call I wanted to - or we basically ran through real quick what the general process would be.

As you'll recall we read through each of the specific comments by each of the submitters. We tagged that particular comment as whether it was an agreement or it offered up any new idea. We write the working group responds based on the deliberations about that particular comment. We took note of what the potential action would be taken specifically if there were any changes to the final report and then lastly just to ensure the continuity here I've also put in kind of a reminder as to whether that action was completed or not.

After the call last week we reviewed - I basically went through and made all the proposed changes to the final report with the exception of two. The first one being here which again is from (Martin Boderman) from PIR. And that is highlighted in the report so we won't get into specifics here but I just wanted to highlight that this is one of the outstanding ones that needs completion.

And then there is one a couple of pages down that was a little bit more vague about what the action would be which was a comment from I believe Google in particular they were calling out the use of qualitative data and that the group should also consider that. And I think in general the group's response was that pretty much the current PDP process is mostly constituted by qualitative data when you look at all of the various actions or activities that occur through the policy process.

And it was reiterated that more of our charter was focused around the quantitative aspects and the use of the quantitative aspects in policy making process. So there was a small action taken - or defined here that there wasn't going to be any changes to our recommendations but that maybe there was a potential to update some of the working group's observations within Section 5. And I really couldn't find a clear place for that.

So outside of that those are the only two that were left open in terms of reviewing through the particular comments and making updates. But you'll

note that where I was able to complete the action it was noted as completed and what was specially done to the report.

So the last thing I'll close with before we move over to the final report is I'm hopeful that we can take care of these two outstanding items and that staff can publish this report back up onto the public comment forum by close of business tomorrow. So again I ask working group members if you have any issues with how staff has summarized the working group response or any of the actions taken please send those to the list so I can make those changes and get that published. We are a little bit overdue in terms of getting that posted online.

Any questions about the public comment review tool before I go to the final report? Hearing and seeing none, I shall bring up the final report now. And if you'll indulge me I'm going to go ahead and continue driving through the Adobe Connect room to highlight the changes that were made to the report.

This was sent out to the list in both PDF and Word form if you want to follow along separately. But basically I'm just going to run through top to bottom, I'm going to highlight the major changes to the content of the report from the previous initial report version to the final. If you have any questions or comments about what was being changed please raise your hand and we'll debate it or deliberate on it at that particular point in time and move on until we get to the bottom.

Okay so starting on the cover page, these are all pretty much standard changes of converting the initial report into the final report. Nothing substantive here has changed. We'll move on in to the table of contents which will be one of the last items that we update to the report once we have completed all the other edits. And I'll just ensure that we have the appropriate page numbers that are aligned.

And that'll take us into the executive summary. I'll stop here for just a second. There were kind of two actions going on here. The first is similar to the table of contents; we usually reserve the final updates to the executive summary after all of the body has been completed. For the most part at this point it doesn't look like any of the actual recommendations themselves that the wording had changed so I don't expect hardly any changes to the executive summary.

Secondarily I believe from the public comment review tool the ALAC had submitted one particular comment in the early outreach. There was some discussion about the use of open data and there was deliberations amongst the group about how that could be kind of a loaded term.

So staff did search through the document in of itself to ensure that that didn't exist which again is referenced back on - let me look - which is referenced back in the PCRT tool that we completed that search throughout the document.

And so again the slight edits that you see here is just to remove the terms that were used at the initial report stage. And you'll all pretty much recall that any of the recommendations were around charter Questions D through H. One belonging under D, E and F, and then the remaining six under Charter Questions Gulf and Hotel.

Right, and then finally conclusions and next steps, which is basically just a summary of the very last section of the overall document. All that's being noted here is that it's going to be submitted to the GNSO Council for review and should the Council approve the recommendations and staff will be told to implement the recommendations.

Because these recommendations in of themselves don't have any policy impacts or changes to bylaws that govern the GNSO these recommendations

will only be implemented by GNSO staff and thus won't be forwarded directly to the board unlike formal policy development processes.

Objectives, again, pretty straightforward, just modifying the language to prepare from the final report from the initial report. And then background is all the same with the exception there was a new paragraph added or Section 3.3 which is just a brief summary of the - this working group creating its initial report and creating a link to the public comments. Trying to keep it pretty simple here for sake of links.

Okay moving on to Section 4 which is just a inventory of the attendance for the group. This, like the executive summary this will be updated tomorrow to reflect the most recent attendance records. And this being our last call so I think we'll be at a total of 28 meetings and then those redlines will be incremented by one or two based on when we last updated this table. But since then there have been no other members have joined nor have stated that they left the group.

Okay moving on to the heart of the matter, Section 5. So basically as we mentioned in the executive summary there were working group's observations that were documented for each of the charter questions but up until, again, we get to Delta and Echo we don't actually have any recommendations for these charter questions up to this point I don't believe anything has changed within the particular wording of those observations other than just to note, again, that we've removed the use of preliminary to make it final recommendations and the like.

I will go ahead and point out here each one of these higher level sections for the charter questions did contain a section for level of consensus. Unless there's any objections it appears that there's full consensus with these recommendations as we're submitting them back to the Council and so that particular section will state as such if there is a corresponding recommendation to that charter question.

Okay moving right along I think we'll be in 5.3 which is Charter Question C. Again the observations were pretty much the same and that the working group didn't make any particular recommendations on that charter question.

And then moving into Delta Echo and Foxtrot which is where we start some of our actions, as we had defined in the review of public comments. So the first one here which was the general comment Number 8 and based on the group's deliberations we had I think there was agreement that some of these principles that were originally created in terms of contracted parties were really applicable to all types of data that may be used either by the GNSO in the early stages of the policy process or by working groups.

So the actual action there was just to make a note that this wasn't just applicable to contracted parties and so that's what was attempted here by the red text at the bottom of Page 17. And there was some slight modifications to each of the bullets, just in terms of a continuity perspective using the use of the word "should" clearly state should be anonymized, should be nondiscriminatory, basically using action type - or calls for action of the comments.

There were two bullets that were added towards the end of this list which was in response to the Registrar Stakeholder Group's comments. There was - there were some slight edits that were in line with the previous action to make the two bullets more generalized and not specifically with contracted parties but I guess in a more detailed fashion the last bullet is likely to only be focused around contracted parties.

But I tried to make it generalized that should there be any request where there are no contractual obligations data source owners should have the unilateral right - to have a unilateral opt-out if they determined that the data is sensitive and then I put in brackets, most applicable to contracted parties.

So I hope that the group finds that these slight changes were acceptable based off of what Graeme had submitted to us last week. Hearing and seeing no objections so we'll go ahead and move forward.

Again, the Recommendation 1 here, which centers around the small pilot effort. It wasn't - I believe it was determined or that there was pretty much full support from the comments that were submitted to the group that they did support the pilot effort in of itself. But there was one small suggested change which again there were two comments I believe, one from Google and the other one I can't remember who the other requestor was but two separate comments did make a notion about how ICANN should have dedicated staff to assist in the collection and reporting of data and metrics.

And more importantly I think to assist in acquiring data and metrics at this tactical layer that we've been discussing, that here are some ongoing relationships between ICANN and these third party providers. So this particular edit was an attempt to respond to that action which just basically states where ICANN should identify and/or retain dedicated staff to assist with the collection and reporting of data and metrics additionally it's recommended that ICANN establish ongoing relationships with third party providers to enable fast track access to data.

As an example where subscriptions or retainers can be made with data providers will allow groups seeking and using data more readily. So I do welcome any suggested edits to that particular section. And I'll note, just a quick sidestep here that when we conclude our call today and we review through these changes we have up until Friday to submit the report to the GNSO Council which will allow us a few days to get a maker and a seconder of the motion that will be submitted so the group - I will be asking at the end of the call that group members here take one quick pass through and help with any language adjustments that may make this a little bit more clear in terms of the edits that were made.

Any objections or questions with regards to this last edit about dedicated staff? And I guess I should point out here I think it would have been kind of difficult to make this an actual recommendation or standalone recommendation in itself but you will note that this part of the section is kind of an addendum to Recommendation Number 1.

And these recommendation details are intended to be front and center to not only the GNSO Council when they're reviewing to approve this particular recommendation but more importantly as well there's visibility to some of the feedback that the group received from the community especially the staff when going to implement these should these be approved.

Okay moving right along, as I mentioned, again, we're listing down as full consensus. And expected impact was still left intact from the initial report. Okay moving on to Charter Questions G and H observations remained the same. And then we move into the recommendations themselves. The first one being the early working group outreach.

I believe that this one remained intact and that there was support. Basically again just as a reminder this was the initial or proposed edits to the Working Group Guidelines as there is an existing section that notes to - that notes to working groups about this early working group outreach. And that we proposed the following words that are - the following content that is underlined here.

And I see in the chat Pam saying, "Should the word "reach" be changed to outreach in the Recommendation 2?" Yes it is, thank you very much. Just a second and I'll highlight that change. Done. Thank you, Pam.

All right, so no real changes here. Moving on to Recommendation 3. This is the general kind of staff create work product templates which are basically going to be the issue report, the final report from a working group and the

charter. It wasn't listed here but as an FYI staff will also be creating a PCRT template as well that will complement this.

Pardon me for just a second. Okay and the recommendation details, again, did not change. Essentially this was what was redlined and included in the draft version of the Working Group Guidelines that would be updated. As I mentioned, these new work product templates, they will as soon as they create created should these recommendations be approved, staff will post these on the GNSO Website and there will be links within the Working Group Guidelines that will point to the raw templates themselves.

And then a secondary update again was to update the existing work product examples. Most of the - there were several of those links that were broken and in terms of trying to maintain a sense of continuity we tried leveraging the existing examples with IRTP part D.

I should point out to the group that this in the future will be updated. So when staff goes to implement these we will have the brand new work product templates. However, these examples will not be loaded into that new style of template. So as most of you are probably aware there is a decent pipeline of PDPs coming along in 2016 or the end of this year but mostly 2016.

At the conclusion of those something that's similar to IRTP Part D staff will come back and maybe try to piggyback on any other edits to the Working Group Guidelines and we'll update these work product examples so they reflect the use of these new templates.

And this takes us into - I'm seeing a comment by Jonathan, "How will they survive in an environment of seven reviews? Might be review pilot." Jonathan, I'm not sure I get the exact premise to your comment.

Jonathan Zuck: Sorry. It's Jonathan Zuck for the record. It just occurs to me that the PDPs in the near term are going to have trouble getting oxygen in an environment in

which we have so many reviews coming up in the same 12- month period, that's all. So we won't be able to rely too much on incoming PDPs as I think they will lack volunteers and sustained effort with so much else going on. I could be wrong about it but that's what seemed to have been the case during the CCWG process.

Berry Cobb: Understood. Thank you, Jonathan. Yes, that bandwidth will certainly be an issue that the GNSO and certainly the Council will have to tackle. It's kind of I think my understanding it's been an ongoing issue in terms of bandwidth availability. I believe staff is working on some sort of data set to try to put some numbers around some of the prior and current efforts to help get a better picture about what the workload, demands and bandwidth might be like.

I'm not sure what the details of that effort are yet. I just heard that that's ongoing. But certainly there is awareness, you know, because it's going to be the subsequent round PDP, the Whois review team PDPs, the rights protection mechanism PDP and I'm sure I'm missing one or two more. But definitely duly noted.

Okay so moving on to a kind of a intermediary between Recommendation 3 and 4, and this refers back to (Martin Boderman)'s comment. So in the public comment review tool it was basically suggested that or, you know, he basically made the notion that when reviewing the effectiveness of policy I think he made a point that it seemed that this particular initial report was focusing more on just the positive results of a policy outcome; we didn't really address or touch upon possible negative results of a particular policy outcome.

So in terms of trying to execute against that action it seemed to make more sense to include this notion which is really more a working group observation that is documented here. But I didn't really see a way of trying to incorporate that within our - basically our template recommendation to, you know, make a

determination whether the policy implemented was effective or met the policy intent or not. And so that's one of the outstanding actions that I had listed here.

I guess the group needs to help make a decision is it sufficient enough to document this within the deliberations or is it worthy of trying to expand or modify recommendations basically 4 and 5 that should take note of, you know, of a potential negative outcome?

You know, I think that Recommendation 4 itself is, you know, that it's making note that any further working group recommendations include this original recommendation to measure whether the policy change produced the intended effect. At least in my mind that seemed to touch upon whether there were possible positive or negative consequences. If I've misinterpreted that please speak up or maybe we could offer some better clarity into the recommendation itself.

Hearing and seeing none, so unless I hear or see an objection I guess - and again we still have a couple of days after today's meeting - but most certainly take a look at this Recommendations 4 and 5 and reference back to (Martin Boderman)'s comment to see if there needs to be any adjustment here.

Okay moving on to Recommendation 6, which is just basically creating an introductory paragraph within the Working Group Guidelines that will introduce the metrics request decision tree in form. I'll note that there are a couple more changes to those actual work products down in the annexes that we'll get to in a minute. But any of those changes themselves didn't really seem to affect the current language of the recommendations as we have listed here.

Again so Recommendation 6 is to create the introduction within the Working Group Guidelines and then Recommendation 7 is to import the working group form and the decision tree being a little bulky that it is there will be links to

that as its posted on the GNSO Website. But in essence it's still a part of the Working Group Guidelines.

Hearing and seeing no comments so I believe that takes us through Section 5. There was an additional subsection included. Again which is just a short statement because part of the primary part of this section is to document the working group's deliberations. Our review of the public comments was a significant part of those deliberations and hence why it was included. And it does have a link to the public comments page where users can see the PCRT as well.

And then moving right along to conclusions and next steps, basically the introductory paragraph was the same, working group suggested a number of recommendations. This graphic just highlights where the policy process could be affected by these particular recommendations so that didn't change. There was some secondary language here again just documenting that this report is going to be submitted to the Council. And should they be approved staff will be instructed for implementation.

And then that moves us into Annex A, the charter template. So there were two sections that the working group had suggested edits to. The first was key metrics considerations. And there were a few comments within the PCRT that basically was - it either asked about creating a source of publicly available sources of data and/or metrics as well as some other hints and tips.

Some of that content is lengthy and it didn't really seem like it would fit within these particular templates or it would be too much of a distraction in terms of forcing or focusing a drafting team, you know, to consider metrics in themselves and when they're actually filling out this particular template.

So what the suggestion here is that a hints and tips page will be created on the GNSO Website and that whether it is within the working group charter template or the initial report or final report template there will be these links to

this hints and tips page which we'll review down here at the bottom in just a little bit.

So based on the particular comments I think there was in General Comment Number 6 again was to include the publicly available sources and so this was the only updated change to this section of the charter template, again, which is just going to be a link to this future GNSO Website page.

And there were basically two changes to the second section and this particular area of the charter template again refers back to the template recommendation for basically an impact analysis to measure the effectiveness of the policy change. And there were two suggested changes from the PCRT 2.

The first which was from the charter and final report template section, Comment Number 1 which was asking that baselines be calculated somehow to help understand what the current state of the policy is as well as that that working group that's offering up any suggested policy changes that some sort of benchmarking be identified that would help define success or failure of that policy implementation.

So in terms of creating this action we added a fifth bullet here which you'll see and then again we updated the sixth bullet that will also again kind of refer to that kind of hints and tips page that I was just mentioning.

Okay and moving right along that'll take us out of the charter. And we'll move over to the decision tree. And there was basically there were two comments that were reference to a kind of an assessment tips and logic about the data that's being requested. I believe Amr was one and I can't remember who the other commenter was.

But basically their concern was that any use of metrics wouldn't go through some sort of an assessment evaluation to determine if there was bias or flaw

- some sort of flaw in the metrics or the data gathering exercise and/or the metrics production aspect of that. And so there were suggestions of a couple of high level questions that should be considered when assessing that particular data as well as noting that the actual decision tree itself didn't include that step in the process.

So what is Page 36 of this redline this is our old version of the decision tree. And I'll draw your attention down to the bottom right that I'll note that it's difficult to see here in Adobe Connect room. But basically depending on the path that was chosen the data would be acquired and then it would be compiled and then it just went straight into the use by the working group.

Whereas the updated decision tree now includes a step that is down at the bottom right and the - I'll zoom in here so that you can read this - which is this particular task which is to assess the source compilation and results of the data and metric exercise in a transparent manner to avoid bias. And then particularly move into the use of that.

What I didn't include here, which I guess could be up to the working group is applying a decision box, you know, should the data be used, yes or no? If no then it should either go back to some point in the process or to end. And then of course if it were yes then you would construct the metrics for issue development and working group use.

So I guess really the question here to the group is it really necessary to put in kind of a fairly obvious decision, should some negative aspect or some bias be applied during this part of the process. If so I can easily add the decision box else I think it's kind of pretty straightforward that if there's some kind of issue that it probably shouldn't be used.

Okay I'm hearing and seeing none so I'm taking that ah the group is okay with this. Again, we do have a couple of days so should you change your mind and require that change to the decision tree we can make that update.

Going to zoom back out for a little bit which will take us to the metrics request form and the final part of the suggested edits. So per Recommendation 7, which was to import the request form into the Working Group Guidelines, again here is our form template. Right under the title of the form will be this link to the hints and tips again, that is just below this so that was kind of the only change to the form itself.

And as I had mentioned with the charter work - charter template work product, it seemed kind of - that there was almost too much information to concretely provide all of this information in a small simple kind of throwaway aspect. Again, that was the rationale for creating this hints and tips page.

So this point from the table up above on down in the hints and tips section is kind of broken out into three areas. First is kind of subsection is the principles which is just a copy and paste from the principles that were discussed back up in - earlier in Section 5. And the reason for including that here is those particular principles weren't embedded into any one of the group's recommendations.

And if felt like that could have gotten lost in some method without it being implemented. So it made sense to include it in the hints and tips section so it is there front and center when future groups are going to request any types of metrics and data.

The secondary I guess kind of smaller section is kind of like some assessment tips. And this is certainly not an exhaustive list. In fact this is what Amr had provided in his comments to the group. And they were included here as well. And certainly, you know, I think that this particular hints and tips page will evolve over time which is kind of another benefit for it not being embedded in any one of the templates or the Working Group Guidelines.

Is that as we come across new data sources or new assessment types of ideas or should another principle perhaps be discovered it'll be easier to make edits to this page without having to go through any kind of formal approval process that is certainly - or that is currently required for any updates to Working Group Guidelines.

Then the third section, again, is just possible data and metric sources. I think we got one or two comments back on some additional sources. What I wound up doing here was just kind of running through my old bookmarks folder and anything that looked remotely close to data and metrics type material whether it be ICANN operations or new gTLDs or contractual compliance, IANA type sources and third party sources that basically kind of just made up the entire list.

And as I mentioned, you know, I'm sure that there is dozens more that I've forgotten about here so we can make those edits down the road as we come across those. So that's it for the suggested changes to the final report. Any questions or comments on that aspect?

All right hearing and seeing none I'm going to go ahead and move quickly on to the next agenda item which is slightly varied from the agenda you see in the right. All this is is just a quick review of the PowerPoint presentation that Jonathan will be presenting to the GNSO at the Saturday session in Dublin. This is not too much different from the PowerPoint that was used at the Buenos Aires meeting.

But essentially it just runs through the background of how we got here, task of the DMPM, basically what it is that we've done, we touch on the public comment which, you know, just basically, you know, we received nine comments and we reviewed through those. The opportunities here is an older slide but is still applicable. And then of course our typical definitions of data and metrics.

Then a single slide that consolidates these seven recommendations into six bullet points, all of which haven't changed. And then lastly just what our status is and what we're doing which of course (unintelligible) to the GNSO Council by Friday and the deadline. This will be on the Wednesday GNSO Council session in Dublin.

And I believe just about everyone here is aware that two Council meetings ago Jonathan was invited as a guest to also review through these same recommendations. The intent there was to prepare the Council should they have any early questions or have any other last minute instructions for the group before this is submitted as a motion but mostly to prepare Council members so that when this does come up for a vote that it's pretty fairly straightforward to move through to adoption.

So I think that that still stands, at least from everything that I've seen and heard especially in our review of the public comments so I don't expect too much friction in this passing at the Dublin meeting.

So the draft motion, as I said, my apologies, I did not get that done in time. I will make sure that that is sent out as a draft to the list tomorrow as well as I'll be preparing a draft letter from Jonathan as chair of the group to submit the report to the GNSO Council, which again I think we want to try to submit this early morning Friday probably like around 14 or 15 UTC. This will allow not only the receipt of the document - or the final report from the group but it will allow Council members to define who the maker and the seconder of the particular motion is.

Plus it'll give us a little breathing room should there be any last minute edits to the draft motion. The motion itself is going to be pretty straightforward. The whereas statements are basically just kind of a timeline reiteration of how we got here, what we did and what we produced.

And then the resolution statements themselves or the resolve clauses will probably be simple and very - and much more complex type of PDPs, the recommendations themselves were stated in the actual motion and many cases because some of those particular recommendations did not have full consensus or there was some other - some other rationale for including the - I guess mostly the complexity of some of the recommendations.

I think ours are pretty much straightforward and there does appear to be full consensus on these recommendations so the resolve statements will basically be very simple in that, you know, that the Council thanks the working group for their efforts and that the Council approves the recommendations as outlined in its final report so that way it's pretty straightforward. And of course during the review of that motion at the Council meeting, staff will have up on the screen, you know, the kind of a more detailed list of what those recommendations are.

So that's all that I have for today. And with that I guess, Jonathan, I'll turn it over to you for any closing comments or steps or anything else. Thank you.

Jonathan Zuck: Thank you for carrying the weight of the meeting here and we all really appreciate it. And I think all of the adjustments you've made made sense and so I just didn't have too many comments along the way. Like I said my biggest issue is probably with the pilot and have bandwidth to - for people to make use of it but maybe there'll be some opportunity to use some of it in the context of some of the reviews as well.

But I think this looks great. And as Berry said there's just a couple of days if you have some other issues, do one more pass through this to make sure you agree with all the changes. And let us know in the next couple of days if you have any updates. Otherwise we'll get this turned in and hopefully get it through the Council in Dublin.

Thanks, everyone.

Cheryl Langdon-Orr: Thanks Berry. Thanks, Jonathan. Thanks a lot, guys.

((Crosstalk))

Berry Cobb: Safe travels if you're going to Dublin. Take care.

Cheryl Langdon-Orr: See you then. Bye.

Terri Agnew: Once again the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines. (David) if you can please stop all recordings. Have a wonderful rest of your day.

END