
ICANN Transcription
GNSO Temp Spec gTLD RD EPDP – Phase 2A
Thursday, 05 August 2021 at 14:00 UTC

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TERRI AGNEW:

Good morning, good afternoon, and good evening. And welcome to the EPDP P2A Team Call taking place on the 5th of August 2021 at 14:00 UTC.

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

Hearing no one, we have listed apologies from Matthew Shears, Marc Anderson, Melina Stroungi, James Bladel, and Mark Svancarek. They have formally assigned León Sanchez, Beth Bacon, Owen Smigelski, and Steve DelBianco as their alternates for this call and any remaining days of absence.

All members and alternates will be promoted to panelists for today's meeting. Members and alternates replacing members, when using chat, please select Everyone or All Panelists and Attendees in order for everyone to see the chat. Attendees will not have chat access, only view to the chat.

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Alternates not replacing a member are required to rename their lines by adding three Z's to the beginning of your name, and at the end in parenthesis your affiliation "-Alternate" which means you are automatically pushed to the end of the queue. To rename in Zoom, hover over your name and click Rename.

Alternates are not allowed to engage in chat, apart from private chat, or use any other Zoom room functionalities such as raising hands, agreeing, or disagreeing.

As a reminder, the Alternate Assignment Form must be formalized by the way of the Google link. The link is available in all meeting invites towards the bottom.

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 documentation and information can be found on the EPDP Wiki space.

Please remember to state your name before speaking. Recordings will be posted on the public Wiki space shortly after the end of the call. As a reminder, those who take part in ICANN multistakeholder process are to comply with the Expected Standards of Behavior.

With this I'll turn it back over to our chair, Keith Drazek. Please begin.

KEITH DRAZEK:

Thank you very much, Terri. Good morning, good afternoon, good evening, everybody. Welcome to the 33rd meeting of the EPDP

Phase 2A working group. We're going to kick things off. I'm just going to do a brief intro and fairly quickly hand the mic over to Melissa Allgood to help give us an update on our facilitated conversation so far, noting that we still have one scheduled for later this afternoon. But I want to make sure that we have the benefit of hearing from Melissa as sort of a checkpoint from her. And then we'll look forward to next week getting a more full readout based on all the conversations.

But our main task for today is to go through the rest of the initial public report comments. We have two items on the agenda. And that's Question for Community Input #3 and Question for Community Input #4. You'll see on the agenda in front of you quite a number of bulletized items for discussion today. And in parentheses you'll see the groups that have submitted comments on the various points. And we will turn to those groups to give an update or to make some comments in support of their comments or acknowledging the comments that were submitted.

So I just want to note that there's a lot to get through today, so we're going to need people to be concise and brief to the extent possible. And really, the key here as we go through the Public Comment Review is looking for any new information, any new inputs, and any recommendations or suggestions that would help us find our path to consensus. So just keep that in the back of your mind, please, as we go through the discussion of the Public Comment Review. That's really what we're looking for.

And if the answer is that there's nothing new or there's nothing here in the comments that would actually give us some guidance

or give us some indication or recommendation for a path forward on consensus, then I think we can be even more brief.

So after we go through the Public Comment Review, we will focus on our proposed timeline for the final report. And I'll please refer everybody to the e-mail that I sent out earlier in the week that sort of reinforced the need for ... You know, we need indication now, essentially, by the end of this week if anybody thinks the Phase 2A Team is going to need more time to complete its work. Because we have to submit a project change request by Monday if we're going to do so.

I indicated in my note that my expectation here is that if we have a path to consensus and need a little bit more time to finalize things, then that would be a sufficient justification, I think, for submitting a Project Change Request. But absent that, I'm not sure that it makes any sense to do so; and that we have a schedule here in front of us that will bring us to a conclusion by our committed-to date of September 2nd. So we'll talk about that in a little bit more detail in a bit.

But with that, I want to turn back to the top of the agenda and hand the microphone over to Melissa for an update and status check on the mediated facilitated conversations. Thanks, Melissa.

MELISSA PETERS ALLGOOD: Thanks, Keith. First and foremost, I want to thank all of you. The vast majority of you on this call have participated in one or more of these sessions, and I really appreciate your candor and

your willingness to engage in some of these dialogues which I know can be challenging.

So each session has really continued to reveal different groups' interpretation around language and have been providing an opportunity to clarify some foundational miscommunications. Our discussions so far have really been varied in terms of detailed exchanges on the initial report itself. Some of them have gone into really big-picture discussions of challenges with regard to policy development.

So as Keith mentioned, we have one more session later today. The topic is dealing with uncertainty, at which point leadership is going to do a full evaluation of everything we've discussed and heard. And at that point, leadership will possibly create a plan forward to bring the substance of some of these mediated discussions into your plenary sessions, being mindful of the limited time that this group has available.

Now all of that being said, leadership did have the opportunity to discuss one particular item that we'd like to expand upon and expand our discussions in a different way. And that is the standardized data element conversation. Overall, we heard a lack of understanding, perhaps appreciation, around the specific benefits of a standardized data element as well as a lack of understanding around specific operational challenges or burdens that would come with such an element.

So for homework, staff has created a document that will allow all groups to detail with specificity how having a standardized data element makes a difference and how it would be used as well as,

again with specificity, how a standardized data element is a challenge or a burden. We hope to have a deadline of these inputs by August 10th, which I recognize is next Tuesday.

But as many of you involved in these discussions had indicated a desire to see some of these—both benefits and burdens—in writing with specificity, we're hoping that these things are already fresh in your minds. And then our goal is to take these specific feedbacks and use them to inform future discussions.

So with that, I am happy to answer any questions any of you might have. And I hand it back to you, Keith.

KEITH DRAZEK:

Thank you very much, Melissa. And if anybody has any questions/ comments/feedback/thoughts about the facilitated discussion so far—anything about Melissa's update—please go ahead and get in queue.

So just to reiterate, there will be a homework assignment focused on the issue around the standardized data element that Melissa just mentioned, so please prepare for that and make sure that you allocate enough time to put pen to paper on the benefits and the risks, the upsides and the downsides.

I see a hand from Alan. Alan, go ahead.

ALAN WOODS:

Thank you, Keith. I just want to be brief on this and say hearing that we have to, again, go on the record to state these things, I

appreciate that we're trying to engage in this mediation, but this an exercise that we have done several times—public comments, on the plenaries, everything. And I genuinely am asking the question of how many more times and how many different ways can we say the same thing? This not about coming to a decision. This about stating what we've already stated.

And I think it's also incumbent on me to also flag again that we appreciate that we can move forward and look for something to discuss, and if this in scope. But we still do believe that there is a fundamental scope issue, [a getting] issue, that we need guidance from the GNSO on in this particular one. So we all have exceptionally full jobs at the moment and doing things again to appease is ... I must say it is quite frustrating to me at this particular moment in time.

KEITH DRAZEK:

Thanks, Alan. Thanks for the input. I think there are two points there. One is, how many more times will you need to do this. And the answer is, this is the last time. Fortunately, if the things that we're asking for—submission—have been stated before, it shouldn't be that difficult to pull them together again and to provide some input to this table.

But the expectation here is that each group, including those who want to further extrapolate on the benefits, have an opportunity to do so here. These were some of the discussions that took place in our mediated conversations, and it's one of the areas we think could benefit from a little bit more clarity and a little more, as

Melissa said, specificity in terms of both the benefits and the potential risks. So there's a document that we have available.

So I understand. We're getting close to the end here. I know everybody is running on fumes, but this our essentially our last effort to try to identify if there's a path to consensus or not. And if the answer is “not,” then so be it. Right? That's good information, but we're going through a process here to make sure that we've tried to uncover or to turn over all the stones to be able to find the path if it's there.

On your point about scope, the leadership team and staff have discussed this. It's my view that what we are discussing here as it relates to guidance is within the scope of the EPDP charter and guidance that was given to us, the questions that were given to us. And I think that if the GNSO Council feels like what we are producing is out of scope, that they will communicate that. And that we have a liaison here with Philippe, who is also the GNSO chair, who will manage any issue along those lines related to scope.

I need to respond or to give probably a written response on this point of scope. Alan, so I appreciate you flagging it. But for the purposes of the rest of our work here over the next several weeks to bring this process to a close, my view is that what we have before us in the initial report and what we're talking about today as a possible final report is within the scope of the guidance that were given.

So I appreciate the input. I understand the perspective and the input and the repeated statements. And I understand where you're

coming from, but for the purposes of our work, we're moving forward to try to find a path to consensus.

I have a hand from Margie. Go ahead.

MARGIE MILAM:

Hi. Thank you, Keith and leadership. I actually think it's not a bad idea, given that we seem to be saying the same things over and over again. And I actually think perhaps even this morning's conversation is probably better deferred until we've done that work in the document. Even if we don't have consensus, I think documenting why people believe or groups believe the different approaches on this element would be useful for the final report.

So I think the approach is worth at least giving a try. And my suggestion is maybe we don't even go through the recommendation today until we've done that exercise.

KEITH DRAZEK:

Thanks, Margie. Yeah, we need to turn to the Public Comment Review here fairly quickly. I do want to note that on the question of scope, just really before we move on here—and I'll hand it over to Marika, Caitlin, and Berry here in a sec.

During one of the facilitated conversations, I think were able to identify that one of the concerns about scope was on Recommendation 2. I think there was a concern that the recommendation would be creating some new formal responsibility for the GNSO Council, as it were. And I don't think that was the intent of the language. And we had a good

conversation during that facilitated session about a possible path forward.

I think there is some light there, and I understand the point on scope as it related to Recommendation 2. And I think there's a way for us to address that. So I just wanted to note. My statement is not a blanket statement. This something that we're looking at carefully, and I think that there may be some opportunity for further work on Recommendation 2. But we can get to that later.

So with that, in the interest of time—I don't see any other hands—Marika, I will hand it to you and Caitlin and Berry to help us from through the initial Public Comment Review. Thank you.

MARIKA KONINGS:

Thanks, Keith. I think I can be pretty brief as well because I think we'll have to turn the mic to the groups that flagged comments for further discussion. Just as a little reminder, the discussion tables were developed by the staff support team in an attempt to group together comments of a similar nature to help facilitate the review of those.

Of course, that doesn't take away the responsibility of the group to have reviewed all the comments in detail. So what we did was pull that together in a table and we asked everyone to go through that table, review the comments, and basically indicate which comments your group believe should be further discussed and considered by the group, as they will assist the EPDP Team in moving forward in the deliberations on the recommendation that it relates to.

On the last call as well, we asked everyone to really focus on how would this change the current language in the initial report. What new information is being provided that will change views or change opinions that have not been expressed previously?

As a reminder we're first going to Preliminary Recommendation #3 and the question related to that is specifically focused on the standardized data elements. And as you may recall, it's a pretty long recommendation that we have copied and pasted in here because it focuses on updates that would need to be made to the Phase 1 Recommendations—that the data elements, a table there—because it would be creating a new data element that would be available to registrars to use to indicate whether it concerns a legal or natural person registration.

As you may recall, as well, there are some questions that we did already flag in the table itself. This notion that if such a data element is created, should it be redacted or not. Does the data get transferred from the registrar to the registry, etc.?

But the overarching question that was asked here for community input, we've kind of broken it down in a couple of sections. The first one being, “Should a standardized data element be available for a contracted party to use?”

As said, we had quite a number of groups flagging items in this table, so our suggestion is that for those items that have been flagged, return to that group to kind of talk to the comment—what they've seen in there that they think will help the group move forward and it's discussions. If you can be specific about what

changes you think are the result of that or how that should be reflected in the report, that would even be better.

And we did note as well in the message, on a number of the recommendations there's also commentary. There wasn't kind of yes or no in relation to the discussion, so we're not exactly sure what the view of the group was. So if your group has not been called out as flagging it for discussion but you do have something that you would like to flag, please raise your hand get into queue.

And with that, I think we'll probably just start with #1 which was flagged by the IPC.

KEITH DRAZEK:

Thank you very much, Marika. So if I could ask our IPC colleagues to take the first swing here. And again, please everybody, in the interest of time and focus, let's really try to narrow into issues that will help us—new information, suggestions that will possibly bridge gaps. And if the answer is “none of the above,” let's not take the time of restating well-stated, restated, well-understood positions or reiterating that, yes, you support or no, you don't support. Let's really focus this conversation on things that might help us move forward.

So IPC, please.

BRIAN KING:

Hey, Keith. I can take a first pass at this one and probably be brief here because I don't know that we've discussed whether it's a good idea to make this available to registrars, to have a standard

way that this could be indicated in the public RDDS, should they want to or should the registrant want to indicate that. So just flagging that from that perspective.

We should make this available for registrars to do, and that this kind of connects to a comment down below where, for the benefit of the registries, it should be consistent so that if the registrars do choose or the registrants do choose to convey this information, that it's possible to do and that the registries can consume that in a standard way so that they know to look out for and process a binary or trinary—is that a word—with “unspecified” as one of the options there.

So just wanted to look at it from that perspective. Thanks.

KEITH DRAZEK:

Thank you, Brian. Would anybody else like to comment on this one? Marika, I'm going to continue to turn to help run this.

I see a hand for Margie. Margie, go ahead.

MARGIE MILAM:

Hi. The other point that I wanted to raise that we put in the comment there is that there is already an element in RDAP that some registrars are actually using that talks about “kind.” It's called “kind,” and there are different data elements that can go in there. It can be individual. It can be organization. It can be other things.

And so, as I understand it, the data element is there and this something that, as part of consensus policy, we could define how it's used as it relates to gTLDs. And so that's our suggestion, that we actually have some great work done already in that area and we might as well take advantage of the work that's already being done and use it for the purposes of making the legal/natural person distinction.

KEITH DRAZEK: Thanks, Margie. And I have a hand from Hadia. Hadia, go ahead.

HADIA ELMINIAWI: Thank you, Keith. I would just like to remind us that this data element should not be conflated with the recommendation itself which says whether differentiation should be a requirement or an option. We should not conflate the standardized element with this discussion because I think part of the fear of having this standardized item or elements is that some groups think that if we do have this standardized elements, then differentiation could be required.

So I just want to remind us that this has nothing to do with requiring, or not, the contracted parties to differentiate. Thank you.

KEITH DRAZEK: Thank you, Hadia. Sarah and then Brian.

SARAH WYLD: Hi. Do you hear me okay?

KEITH DRAZEK: Yep, sure can.

SARAH WYLD: Okay, thank you so much. So, yes, and the “kind” data element is indeed there in RDAP. Also, Brian, thank you for your very clearly laid out e-mail. I thought that was really easy to read.

But I have to say I’m just confused—maybe I misunderstood what Brian was saying earlier—but confused about the suggestion that we’ve not discussed making a flag available to those contracted parties who want to do so. I think we have discussed that. I might be mixing up small team meetings with the plenary sessions, but the Registrar Stakeholder Group has definitely—somewhere, I’m sure—indicated that we are not wildly opposed to the existence of this flag.

But we’ve heard from other groups that they’re not interested in optional data elements, and we have a very clear and previously stated hesitation to accept a mandatory data element. So I feel like that’s where this problem lies, or that’s where I disconnected. Thank you.

KEITH DRAZEK: Thanks, Sarah. I’ll turn to Brian and then to Alan. And then we probably need to move on, on this one. I’ll try to summarize at the end.

BRIAN KING:

Thanks, Keith. Yeah, thanks Sarah. I think we might have just agreed. It's not as far, I'd say, as we'd like to go but if we're building consensus, let's start with a foundation. It seems to be that there should be some sort of uniform way to convey this information. Let's lay the foundation and not talk about whether it's mandatory or optional to fill in or anything like that. But let's agree on a uniform treatment, that trinary content of that field. And we can use the "kind" field, I suppose. So, yeah, I think we have the basis for some beginning of agreement there.

And, yeah, to just note that I did send a note to the list—Margie mentioned—just now. Sorry, everything's but going a mile a minute this summer. So, sorry I didn't get this out sooner. But I just elaborated on that "kind" field that is intended to be the legal vs. natural indicator in that it represents either an individual or an organization. It could be a group too, which is a vCard/jCard attribute. Don't get too caught up on that.

But, yeah, this thing already exists and lots of contracted parties, or at least a few contracted parties are already using it in RDAP which is the future. So, something for us to consider that I know for certain, for sure, that we haven't discussed in this EPDP. Thanks.

KEITH DRAZEK:

Thanks, Brian. Alan, I'll turn to you next. And then I'll wrap up and we can move on.

ALAN GREENBERG: Thank you very much. I'm responding to Sarah's comment but, by implication, to others as well. I don't think I and others have made any bones about the fact that we would like to see such an element. And we would like to see it used, and we would like to mandate differentiation and a lot of other things. But if 15 years of participation in EPDPs has proven anything, what I want is not necessarily what we end up with. That's a fact of life, and I understand that.

The initial report made it very clear that this particular item and recommendation is saying should the element exist? Should it be defined? There are other questions later on which ask "should it be mandated, should it be used, should it be required to be used if the registrar chooses to differentiate". And of course, the lead question which we know the answer to is "should the registrar be required to differentiate" which we're not going to come to consensus on.

So will I get everything I want? No, not at all. But the question on the table now is "should the element exist" not "should it be mandated to be used" or any of the other things that we ask in later questions. So let's keep the question the table, the one that's on the table. And just because I and others wants something, we're not necessarily going to get it—sadly, perhaps to us—but nevertheless, that's a fact of life.

So let's talk about the question on the table and not the ones that are coming later. Thank you.

KEITH DRAZEK: Thanks, Alan. Well stated, and I appreciate that.

I see a hand from Marika, so I'll turn to Marika. And then I'll wrap this one up and we need to move on. Thanks.

MARIKA KONINGS: Thanks, Keith. From the staff side where we're trying to capture, especially the new proposals or new idea, so I'm just trying to get this clear. You may not immediately have an answer for us on that, and maybe it's something to think about, but as it seems that there's now a suggestion on the table that there is already a data element or an entry in RDAP that could be used for this purpose— if that is the path the group would follow—would that still require something similar as what we currently have in the initial report, adding to the data elements table?

Or is it more of the nature that for those of you that want to differentiate, there is a data entry in RDAP that you can use, we suggest you use it in this way, and that is all that is needed? Is that the suggestion? And as said, it's just a new idea so it may not be something that anyone has an answer to yet. But it might be worth thinking about what that would look like, more specifically, in the form of a recommendation if that is a path the group would like to pursue.

KEITH DRAZEK: Thanks, Marika. And thanks for bringing this into focus. So look, I think based on this conversation and the facilitated discussions, the comments submitted, it sounds to me that there's an opportunity for us to agree that having a standardized data

element available—and I note the use of the word “available” per Brian's comments earlier—but the capability for registrars to differentiate in a standardized way, for those who choose to do it, I think is the fundamental question. Right? How it's done I think is important, but perhaps not critical at this stage.

I think noting that the use of RDAP as a possible approach could be a path forward, but I think we need to focus at the higher level—sort of fundamental policy question or recommendation on guidance—that the creation of a standardized data element or the availability of a standardized data element to enable registrars to differentiate if they choose to would be a positive thing that we can get behind in an optional capacity. Right?

I think it's become clear from these conversations that we're not going to get consensus for it to be required at this stage. And so if it's made clear that it's optional but there's a standardized way of making it happen, I hope that's an opportunity for us to move forward.

So let me stop there. Stephanie, I see your hand. I'll turn to you, but then we do need to move on.

STEPHANIE PERRIN: Thank you. I believe we said before—“we” being NCSG—that if we have an optional requirement or a choice here on whether or not to differentiate, then creating a standardized data element is contradictory. It depends on what you mean by standardized. And when I hear the word “standardized,” that says to me that there

are some data quality standards that have been imposed on this data element.

We know the RDAP already has a place for this. We know that some organizations are already using that placeholder—“kind”—as it is. But if you call it a standardized data element, then you are walking down the path towards accuracy. In this particular case, standardization of this data element ought to give you some legal certainty as to whether the checks and differentiations have been made as to whether the individual who is registering—because it is an individual, whether it's an organization or a natural person—can state authoritatively that there's no personal information involved.

And that's what that means to me and, I presume, NCSG. And therefore I don't think this is an area where we can really compromise because we don't intend to join every wretched group for the next 10 years to watch for when this data element gets turned into an obligation through the attendant requirements related to that word “standardized.” Thank you.

KEITH DRAZEK:

Stephanie, thank you. I think you finished, and I guess I'll just ask—and you don't have to answer now, and if others have thoughts—if there are concerns about the word “standardized,” is there another term that can be used? I mean, “standardized data element” is what we agreed to going into the initial report—as far as the terminology usage, I should say. And if there's a concern about the terminology, then let's think of it in terms of how we can move this forward conceptually if there's a concern there.

And I do note that there was some discussion in a recent plenary, I believe, about the process by which the contents of the field might need to be determined. I think there was some discussion about whether it needs to go through a separate standards-type process. But I think what we're I think what we're talking about here is trying to try to find this path to enabling or creating the capacity or capability for registrars to differentiate in a standard way or a common way. Maybe “common” is the better word there.

But anyway, thanks, Stephanie, for the input. And Marika, I'm going to turn it back to you. We need to move on to the next item.

MARIKA KONINGS:

Thanks, Keith. The next item is a comment that was provided by the Registries Stakeholder Group, and it was flagged by the Registrar Stakeholder Group and the IPC as needing further conversation.

KEITH DRAZEK:

Thanks, Marika. So if I could turn to the Registries, IPC, and I think it was the Registrars. Anyway, I guess we can just go through the groups. So if I could turn to the Registries on this one. Or maybe in this case, we can turn to those who flagged these because it was a Registry Stakeholder comment. I think the language speaks for itself.

Alan Greenberg. Thank you so much.

ALAN GREENBERG: My comment is very short. I thought we already heard a ruling from the chair that is within scope, and I'm willing to accept that. Thank you.

KEITH DRAZEK: Thank you, Alan. Would anybody else like to comment? All right. In the interest of time, let's move on then. Marika.

MARIKA KONINGS: The next comment, also from the Registries Stakeholder Group, was flagged by ALAC and the BC as requiring further discussion. Good.

KEITH DRAZEK: Okay. Thanks, Marika. So if I could turn to ALAC and then to the BC. Hadia, you go ahead.

HADIA ELMINIAWI: Thank you. So as we mentioned before, we are willing to discuss having this element as an option and not as mandatory for contracted parties to use. However, what we are discussing right now is actually whether the elements should exist or not. So I would say let's focus on this. Let's focus on whether the element has to exist or not and leave the other part to when its turn comes. But we are open to just such a discussion. Thank you.

KEITH DRAZEK: Thank you, Hadia. Anybody else like to get in queue? Alan and then Margie.

ALAN GREENBERG: Thank you very much. I'm responding to Stephanie's comment in the chat saying we do not have consensus on the use of this field, therefore it's not a Consensus Policy. And I will put capital C and capital P on that. That is correct. Now that doesn't mean it's not a recommend—

I think we have to make a clear recommendation to ICANN, to the Board and thus to ICANN Org, that the field will exist and be defined in [these databases] and it will accept the delivery of the element by the registrars for escrow or for other things like that if it is ever needed. So I think ICANN Org, and they made it clear in their statement, needs a clear recommendation as to what we are looking for.

But Stephanie is correct. If we are not mandating its use, it's not a consensus policy. But there are a lot of recommendations that come out of PDPs that don't result in consensus policy but still are recommendations that need to be approved by the GNSO and approved by the Board. So let's not get confused by the difference between a recommendation out of a PDP, presumably with full consensus or major consensus, and something that results in consensus policy. They're two separate things. You can't result in consensus policy without a recommendation, but a recommendation does not necessarily imply consensus policy. Thank you.

KEITH DRAZEK: Thank you very much, Alan. Margie, you're next. And then Stephanie.

MARGIE MILAM: Yes, hi. I had my hand up for a different reason, but I actually don't agree with Alan. We have lots of examples of consensus policies where parts of them are optional. So just because we call it a consensus policy doesn't mean that everything in the actual recommendation has to be mandatory. It just means that it becomes part of the contract process. It's something that gets pulled into the RAA and the registry agreements, so I just wanted to clarify that.

And what we're saying in this particular point is that, setting aside whether it's mandatory or not, if it is going to be used it needs to be consistent. It needs to be consistent with consistent definitions and consistent usage so that, for example, if a registry ...

Let's give an example. A registry is opting in to making the legal/natural person distinction. That registry needs to know that the registrars that are feeding it information are feeding it in the same way with the same definitions. That's why we need these terms defined. So leaving it where those terms aren't defined and there's no consistency creates havoc because then either a registry or a registrar doesn't understand how the value is to be interpreted by the other contracted party, if the registry is an example.

So that's why I think that this is something that should be part of consensus policy. Whether the consensus policy says it's optional is obviously the thing we're all debating. But setting aside that, there should be a solid foundation. And this is what ICANN is really here for, to create consistent policy as it relates to domain name policies. And that's something that we as the BC continue to advocate for.

KEITH DRAZEK: Thank you, Margie. Stephanie and then Alan. And then we need to move on. Thanks.

STEPHANIE PERRIN: Thanks very much. I actually agree with what Margie was saying, and she has well explained why we're concerned about this.

The NCSG is not established to defend the interests of small business. However, we do have a number of non-commercial organizations that are relatively small, as compared to large companies like, say, Facebook who Margie represents, where there is considerable uncertainty about the nature of the registration and who is doing it and on whose behalf and with what authority as regards the NGO or non-commercial organization that is getting a domain name.

Therefore, we have concerns. The threshold of work for determining legally whether or not this a natural person or a legal person is falling on either the individual who's making the registration or the registrar, or both. And it will flow all through the system once you mandate this particular field in a way that is

meaningful. And I don't believe in creating data elements that are not meaningful. And even if I did, as Alan Greenberg has so eloquently put, nobody cares what I think. It's what happens at ICANN that matters. We personally do not want to be chasing this particular field all through the upcoming Accuracy PDPs of the future.

So let us agree that we do not agree on what this field is to be standardized upon. We already have an opening in RDAP for people to voluntarily use it. That's what the recommendation says. Let's not try to define it further. Thank you.

KEITH DRAZEK:

Thank you, Stephanie. Alan, you're next. Milton, I see your hand. And then I will draw the line. Alan. Thank you.

ALAN GREENBERG:

Thank you. Always happy to be quoted by Stephanie, even if the intent is not what I intended. Margie is right at some level in that what we are talking about as a standardized element may result in something called "consensus policy." But that would only be to include the item in the list of possible WHOIS RDAP elements in the appropriate appendix or appropriate section of the RAA and the registry contracts.

It still would be an optional element according to this recommendation and wouldn't put any responsibility on the contracted party to use it, but technically the IRT may decide that we do need a consensus policy just to insert the label in the list of fields in the specifications within the contract.

So, just a clarification. It does not put any obligation on the contract party, but it might require a capital C/capital P Consensus Policy just to insert the word in the appropriate agreement. Thank you.

KEITH DRAZEK: Thanks very much, Alan. And Milton, you're next. Then we'll move on.

MILTON MUELLER: Yes. I'm just a little bit confused about what we're doing. So hopefully, Keith, you can set me straight. I thought we were reviewing public comments and determining whether there was anything new that we hadn't heard of and we would be perhaps flagging those and then engaging in further policy discussions. But it seems like we're just jumping right into policy disagreements and policy discussion. So am I miss perceiving this and what we're doing now?

It seems like if we're identifying new or unheard-of ideas in the public comments, we could be going much faster and just flagging them for further discussion later. If we are in fact engaged in another iteration of the policy discussion, then that's a different thing. So if you can let me know what we're doing, Keith, I'd appreciate it.

KEITH DRAZEK: Yeah. Thanks, Milton. It's a fair point. I mean, the hope and the goal here is to flag new ideas, new inputs, anything that would

give us some indication of a path forward. But I'm hesitant to cut off the conversation and the dialogue for hope that it will give us an indication that there's some possible consensus. I think, just in this conversation today, we heard the Registrars say—and they can correct me if I paraphrase any of this wrong—that they're not opposed to the concept of a data element or the capability to differentiate, but they have real concerns about it becoming required in any way. So I think that tells me that there may be an opportunity to come together on the creation of a policy recommendation that would give the capability or create the capability for that standardized differentiation or a common approach to differentiation. And I want to not get into the weeds of how exactly that might be done, but we've identified that RDAP may be a possible tool. And looking ahead, I think we're still going to talk about the benefits and the risks or the downsides, the burdens later. That's one of the homework assignments.

But I think the one of the possible benefits of creation of a standardized element or a common element, even if it's optional today, would be to support SSAD moving forward. But that's sort of a TBD because we're still, obviously, pending some Board action SSAD and the ODP, and obviously in IRT at some point if the recommendations are approved.

But your point is a good one. I'll stop here. If folks could focus on flagging anything in the comments that is new, different, or might provide a path forward. Thanks.

And with that, Brian or are we okay to move on or do you ...?

BRIAN KING: That fine, Keith.

KEITH DRAZEK: Okay. Thank you. I appreciate it. All right, Marika, back to you. Let's move on to the next one.

MARIKA KONINGS: Thanks, Keith. The next item that has been flagged is #5 number five. It was comment that was submitted by INTA, and the BC has flagged this for further discussion.

KEITH DRAZEK: Thanks, Marika. And I'll turn to BC colleagues. Milton, I think that's an old hand, if I'm not mistaken. I'll turn to BC colleagues now for this one, but again let's try to focus on flagging things that we have identified in the public comments that are new, that could give us a path forward, and that might require further discussion. Okay? Margie, thank you.

MARGIE MILAM: Sure. When I read the INTA comments, I thought it was a very good explanation for why the standardized element would be useful. I mean, I guess we can include it in the document that we'll talk about later, but there are a lot of benefits that I think we haven't talked about before as to why there would be usefulness in a standardized, or whatever you want to call it—consistent—data element.

For example, the users of the [RDS] could assess the veracity of the registrant's designation. That in and of itself is something we haven't talked about before. That having an element not just helps in terms of the contracted parties, but it actually helps by the users themselves because they can at least decide—if they know it's a legal person as opposed to a natural person—whether they can meet the standard in order to make a request for the for the information. So that's an example of something we've never talked about before.

KEITH DRAZEK:

Thanks, Margie. And thanks for noting that these are great bullet points for inclusion in the benefits discussion or the benefits table that staff has pulled together that came out of the facilitated conversations. And so thanks for flagging those. Would anybody else like to speak to this issue? Okay, I don't see any hands so let's then move on. Next item, Marika.

MARIKA KONINGS:

Thanks, Keith. The next comment was made by ICANN Org, and this was flagged by a number of groups —the Registrars, ALAC and IPC—as needing further discussion.

KEITH DRAZEK:

Thanks, Marika. So if I could turn to the Registrars for any input. And again, just a reminder. Please focus on anything new that would help us move forward. Okay, Sarah. Thank you.

SARAH WYLD: Thank you. Actually, I'm not sure that it's new information here, so we could move on if you all would rather do so. But I do agree that these are really important points. Right? So we would require clear policy language if something is required. Yeah, so I'm not sure that we actually had specifics to get into. Just supporting that these are good questions. Thank you.

KEITH DRAZEK: Great. Thanks very much, Sarah. Margie, you're next.

MARGIE MILAM: Sure. This is [the statement was being made] at the last call—and ICANN called this out as well—that what we're really talking about here is revisiting recommendations from the EPDP Phase 1 report such as the Recommendation 17. So just a call out that we have to address 17.3 as part of our final report—the one that says “The EPDP Team will determine and resolve the legal vs. natural issue in Phase 2.”

KEITH DRAZEK: Okay. Thanks, Margie. Would anybody else like to speak to this? I see ALAC was also one that flagged this for further discussion. I don't know if, Alan or Hadia, if you have anything you'd like to say at this point. If not, we can move on.

Alan, go right ahead. Thanks.

ALAN GREENBERG: I was just going to say I don't think ICANN Org is making a clear statement that, "If we're going to require anything of them, we need to make it really clear." And, yes. And I hope they will participate during the discussion of the wording of the final report that is deep sufficiently clear so we don't get into a bog in the IRT. Thank you.

KEITH DRAZEK: Yeah. Thanks, Alan. It's an important point, and it's the constant or continual challenge of policy and implementation. So, yes, policy language should be as clear as possible and as clear as needed to give the IRT clear guidance. But I don't think that the policy discussions need to solve every nuance or every particular. But I think, certainly, clear policy language is critical for us.

All right, let's move on. Marika, back to you.

MARIKA KONINGS: Thanks, Keith. The next one that was flagged is #7, although I quickly read it and it's basically expressing support for a standardized data element. And number of groups have flagged this for further discussion, including the GAC, that ALAC, and the IPC. Although what they've written in seems more to say that they agree with the comment. I'm not sure if there necessarily is something else to discuss here, but I'll let those groups talk to that.

KEITH DRAZEK: Thanks, Marika. If anybody would like to speak to this one, feel free. But I think it's fairly straightforward in terms of what the comments are. I don't know that there's anything new to discuss here, but if anybody would like to speak to it put hand up. If not, we will move on. Okay, no hands. Marika, back to you.

MARIKA KONINGS: Thanks, The next item is #11. The comments here were made both by the Registrar Stakeholder Group and Namecheap in their submissions. And the BC has flagged this as requiring further conversation.

I do note that I think the comment is very similar to the item that we discussed already earlier on in relation to the RDAP capability. So maybe it's for the BC to indicate if there's anything else they would like to add or discuss here.

KEITH DRAZEK: Thanks, Marika. Agreed. I think this is pretty much the same comment that we've already addressed. If there's anything new ... I see Margie saying, "Yes, same comment," so maybe we can move on. But I see a hand from Chris. Chris, go right ahead. Thank you.

CHRIS LEWIS-EVANS: Thanks, Keith. Just a quick thing to point on here. We have heard the contracted parties say how this cost or resource implication of deploying a data element is one of the barriers, and so I've not had time to fully read the e-mail that Brian sent around. But I think

maybe that's something that the group needs to consider as a way of reducing some of those barriers to implementing such a thing. Thank you.

KEITH DRAZEK: Thanks very much, Chris. I think that's a good point just to terms of the discussion around the burdens or the risks. Cost has certainly been one of the items that has been flagged. And that's cost opportunity, cost whatever—just basically having to go through the development cycles and all of that. But perhaps the use of RDAP looking ahead is a way that it could be done more efficiently. But understand that's probably a topic for further discussion.

All right, no more hands. Let's move on. Marika.

MARIKA KONINGS: Thanks, Keith. The next comment is #12. This comes from the submission from the GAC, and it was flagged by the IPC as requiring further discussion.

KEITH DRAZEK: Okay, thank you. I'll turn to IPC colleagues. Anything new? Anything that we need to discuss here? Brian, thank you very much.

BRIAN KING: Hey, Keith. Thanks. This is something different. We've discussed this in other aspects or other areas. And look, candidly, I don't

know if we're going to get consensus here. My gut says maybe not, but we have done the old requirement to make it optional thing and I think that's something that we should think about here or discuss. Should contracted parties be required to present the option to registrants to designate?

That's probably something that we've thought about in terms of the overall mandatory differentiation. But taking it to a granular level and thinking about that specific question, I think maybe we haven't done yet. So just flagging that maybe there's an opportunity for discussion there. Thanks.

KEITH DRAZEK:

Thanks, Brian. I guess my reaction is that it would be an interesting discussion, but I'm not sure that that's helping us get to consensus on the question of whether a standardized data element should be created and available. And I see your hand go back up so if you want to respond, go for it.

BRIAN KING:

Yeah, sure. Thanks, Keith. We had these conversations starting with mandatory differentiation, and I think that we all maybe thought about differently about what that would mean. But with regard to a standardized data element, I don't have concerns. I don't represent the Registrars here, but I don't have concerns as a registrar if I'm required to give my customer the option to self-designate.

But then all that means is that a standardized data, or a consistent data element is published in the RDDS but their data isn't

published. And I don't have to do anything else besides just convey that designation into the public RDDS. I don't see any risk of that. The element itself is not personal data, and that "kind" concept already exists in RDAP.

So I think we haven't thought this through all the way in the context of what it could mean just for the standardized data element itself. So just flagging that here that this is probably less objectionable than folks thought the original conversation around differentiation might be when we all thought were talking about publication of data based on that designation. Thanks.

KEITH DRAZEK:

Okay. Thanks, Brian. And thanks for the follow up and clarification. That helped me. I see a hand from Margie. Go ahead.

MARGIE MILAM:

Sure. I just wanted to also elaborate that, as a policy, I think it's good to have the data subject designate or have the option of designating what the field is. If you recall, when we had the legal advice from Bird & Bird, there was an indication that there was a reduction in risk when that happens. And so I don't see why it would be objectionable to have the data subject at least indicate whether they believe they're a legal or natural person.

KEITH DRAZEK:

Thanks, Margie. Okay, would anybody else like to speak to this one? I think the concept of requiring registrars to collect the information from a registrant in terms of the legal vs. natural

distinction is an interesting question, but it's not what we've been discussing. My sense is that there's not consensus or won't be consensus around creating that requirement at this stage of our work. And so it is an interesting question, but I'm not sure that's going to help us get to a conclusion by the end of the month, frankly.

If anybody else would ... So Brian says, "Well, let's talk about it." Okay, we'll flag that and we'll circle back. But I think we need a pretty early indication from folks about whether this going to help us come to consensus or if it's something that's going to further divide or not bridge any gaps. So we'll flag this one.

Let's move on. Marika.

MARIKA KONINGS: Thanks, Keith. The next item is #13. This was a comment that was made by the IPC and has also been flagged by the IPC as requiring further discussion.

KEITH DRAZEK: Okay. Thanks, Marika. Back to our IPC colleagues. Brian, do you want to take this one?

BRIAN KING: Thanks, Keith. I'm trying to catch up to the words on the screen.

KEITH DRAZEK: Understood.

BRIAN KING: If I might respond to your previous comment. I actually don't think it's a good idea for that kind of initial indication of whether we think there's consensus. I'd honestly rather just have an open-minded, intellectually honest conversation. Let's not cement ourselves in our corners before we consider each other's positions. So I actually don't want to do that. Is there an opportunity for consensus here? No. Okay let's move from "no." So I'd much rather be open minded.

To this one, though, I think this was just about standardization and consistency. So we've probably crossed this one or we've probably had this part of the conversation. Yeah, this just consistency. Thanks.

KEITH DRAZEK: Okay. Thanks, Brian. All right, if there are no other hands, let's move on. Marika, I think we're now, if I'm not mistaken, the last one on #3.

MARIKA KONINGS: Yes, correct. So the last comment was made by ALAC and also flag by ALAC as requiring further conversation. It seems that, also, some of the points that are at least captured here seem to have been discussed. But I'll leave it to the ALAC colleagues to indicate if there's anything additional that should be covered here.

KEITH DRAZEK: Thanks, Marika. Hadia, you're next.

HADIA ELMINIAWI: Thank you. So again, looking at all the comments received, I see that all the comments do agree, apart from one provided by the Non-Commercial Stakeholder Group. I do not object to the idea of having a— I won't call it the standardized data element—let's say a common data element. All the comments objecting are mainly objecting to how this data element is used. Should it be optional? Should it be a requirement?

So again, I think we could agree on having this common data element established and then discuss its use later. Again, the only comment provided that objects to the existence of the element is the one provided by the Non-Commercial Stakeholder Group. All the others are mainly concerned about the use. Thank you.

KEITH DRAZEK: Thank you, Hadia. Would anybody else like to get in queue on this one before we wrap up Question #3? All right, I don't see any other hands.

Marika, I'm going to ask for a time check. Oh, I see a hand from Stephanie. Stephanie, go ahead. And then I'll turn to Marika for our time check and try to figure out whether we move to Question #4 or if we need to move to discussions of the timeline Stephanie.

STEPHANIE PERRIN: Yeah. I just want to reiterate something that Milton put in the chat quite some time ago during this meeting. The comments are not generally from the general public. They are from stakeholders who participated or who have been monitoring this very closely. The NCSG did not try to astroturf to get public comments in here, so I think you can take it as a given that we represent quite a large number of potential comments that we mercifully spared staff the agony of compiling. Thank you.

KEITH DRAZEK: Thanks very much, Stephanie. And I think when it comes to public comments, sometimes the key is the quality of the response and not the quantity of the respondents, especially if the number of respondents are saying the same thing. I think one of the key factors, like I said at the outset, is that we're trying to find input from the community that gives us something that we didn't already have, in a sense, in terms of trying to find this consensus.

And so, thanks for your comment but I think really the key here is that we're trying to sift through the comments that have been submitted to look for some new nugget of information that would give us—I know you're tired of hearing me say it—the path forward on consensus.

So with that, Marika, if I could turn back to you. Time check. Do you recommend that we move to 3c on the agenda which is #4 at this point and try to work through that? Or in the interest of time ... We have to get to the discussion of the timeline and a possible PCR. What do you think?

MARIKA KONINGS: Maybe we can first go to item 4. And then if we have a bit of time left at the end, we can switch back to item 3c and see if we can go through a couple of comments. Maybe that's [inaudible].

KEITH DRAZEK: Yep, sounds good. Thanks very much, Marika. So we're going to move now to agenda item #4 which is the proposed timeline to get to the final report. Again, please review the e-mail that I sent to the list a couple of days ago. And I note that we are on a very tight timeline to deliver a final report by the second of September. The plan is to move to twice weekly plenaries to be able to finish off consideration of the initial report comments, the output of the facilitated discussions, and to be able to discuss the items that have been flagged for further discussion.

I'm just going to stop and see if anybody has any initial reaction, any thoughts, and to really remind everybody that if we think that we need more time to be able to finish off our path to consensus, that we would need to submit a Project Change Request by Monday. And so we will need, by the end of this week tomorrow, and a clear indication with rationale as to why we think, as a group, additional time would be helpful and warranted.

I really do need to note, though, that there's no guarantee in any way, shape, or form that a request to the GNSO Council would be approved. There are concerns at the Council level about time management/resource management, where this fits into all of the other work of the community, the Council, the staff. And also, we

all know now that the discussions around scoping the data accuracy policy work are now contingent upon the conclusion of this EPDP's work. And so there's a gating factor there in terms of timing that we need to be cognizant of.

So let me pause there and see if anybody has any initial questions. And then I'll turn to Marika, Caitlin, and Berry if they'd like to walk through anything in more detail. So, any initial reactions? I don't see any hands at this point. I'm happy to come back to it.

Chris, thank you.

CHRIS LEWIS-EVANS: Thanks, Keith. Just, sorry, for clarity. So were you looking to publish the draft of the final report on the 27th to the team and then finalize that three days later, four days later?

KEITH DRAZEK: That's right, Chris. And then the plan would be to submit the final report on the 2nd of September which is our deadline. And I see a hand going up from Marika, so she may help clarify or correct anything I've said. Marika, over to you.

MARIKA KONINGS: Thanks, Keith. To add to maybe the explanation, at least from my staff perspective thinking, based on the timeline that you see here we hope to be able to complete a review of public comments by next Tuesday, although we're probably not going to make it

through what we had for today. We may ask you to kind of have another look at the input you provided on the comments before and be very specific in the proposals that you're putting forward for consideration.

And then we would basically start looking at what art the specific suggestions that have come out of the review for public comment in conjunction with the language that's currently in the initial report. So the idea would be that in the meetings basically from the 12th of August onwards, we would be able to start looking at what updates need to be made to reflect these new ideas or proposal that have come forward, provided of course that they have support across the team and start working on the language so that by the date of the 27th, it's more question of them integrating what we've discussed and where the group has agreed on updates to be made to reflect that then in the kind of compiled, final report.

Because, of course, there are some other more administrative updates that we need to make as well to the report, but they're probably of less interest for the group to review and then discuss. So I hope that explains or helps understand what, at least, our thinking is based on the time that we have available to get to a final report by the end of the month.

KEITH DRAZEK:

Thanks, Marika. I've got a couple of hands from Margie and then Chris. Margie.

MARGIE MILAM:

Yah. I have a question about whether this is a “final” final report or draft final report because, as you recall, the initial report wasn't really in the format that you would typically have for an initial report where there's real recommendations that the community is commenting on. It was more of a solicitation on what we should do on the legal/natural person distinction depending upon where we go. Right?

So if it turns out that we reach consensus on a few of these things, that in a sense would be a new recommendation that would probably require an initial—what do you call it—draft final report for public comment and then another round of comments and then the final report. So I think we need to think about extending the timeline for that.

And then the other point is that this August and I imagine many Members of this team will be on vacation for much of this month. I'd like to at least think about extending the publication date of that report for at least a few weeks, probably mid-September to account for the vacations. But I just wanted to raise those two points.

KEITH DRAZEK:

Thanks, Margie. I think, for the purposes of our work and bringing this the EPDP to a conclusion—Phase 2A—the leadership and staff have been thinking of this in the context that what we publish at the end of the month or early September will be the “final” final report. I don't expect that there's going to be anything so dramatically different in whatever we come up with as a group—and I hope we do—so dramatically different from what was in the

initial report that it would be in need of another round of comment at this stage.

If I'm surprised and if that's not the case, if we do come up with something that is radically different or materially different from what has been sort of telegraphed and communicated in our initial report, then perhaps that's a conversation we need to have. But my sense is that it's not going to be something that would be so significantly different that it would require another round of comments, especially if this group can reach consensus on it.

But let me stop there. I have a hand from Chris, a hand from Owen. And then I'll turn it back to Marika.

CHRIS LEWIS-EVANS: Thanks, Keith. So just one comment consistent with previous comments that we've made. So the 27th through the 31st is effectively one working day worth the time for us to properly analyze the final report. So I think that's maybe asking a little bit much, maybe. Thank you.

KEITH DRAZEK: Thanks, Chris. Owen, you're next. Oh, and then I see a hand from Berry. So Owen and then Berry.

OWEN SMIGELSKI: Thanks, Keith. While the proposed timeline we have ahead of us is a bit aggressive, [to consider] everything that's out there, I think it's doable and I don't see any need for us to consider extending

the EPDP Phase 2. What we've seen in the public comments is nothing new. The public comments are in a large part from participants that are on this call. It's basically just the same thing being rehashed again and again and again.

And again, to reiterate. There's nothing new in there, and what we've heard on this call today is just people repeating positions and things like that, that we have been discussing that are unchanged for about two years or so, if not longer. So I strongly disagree with Margie's suggestion that we extend this. I think we should bring this to a swift and quick conclusion under the current timeline that's been proposed.

KEITH DRAZEK:

Thanks, Owen. Berry, over to you.

BERRY COBB:

Thank you, Keith. I thought I'd just shed a hint more sunlight on the process. As Keith noted, we have to file a Project Change Request which I have shared up on the right-hand side of the screen by next Monday at 23:59. The ultimate decision about granting an extension of time is the Council's. It's really not ours.

So to that effect, if there are groups that think we do need more time, then I think what will be helpful for the leadership team is to provide the rationale for requesting additional time. Since you're doing it, asking for five days doesn't really rise to the occasion of the process, but ultimately the rationale for requesting more time is something that should be to the level that will convince the entire Council that the additional time is warranted.

I'm not trying to presuppose or forecast what may happen, but typically the process is that if the PCR is submitted by the Motion and Documents deadline, that allows time for the Council to consult with their respective groups about what their positions are about the extension of the time. In the past Project Change Requests have really been accepted in the absence of objection, but I don't think that there's a guarantee this time around that there will not be an objection which might likely force a more formal decision to be taken at the Council on this.

And so I think, ultimately, if the group does want to move forward with a Project Change Request, we need appropriate rationale to convince the entire Council that it is warranted.

And to Keith's point, finally. He noted that we're not just the only group and we're not working in isolation and, more specifically, the conclusion of this effort must occur first before additional work or new work on other policy topics such as accuracy can begin here. Thank you.

KEITH DRAZEK:

Thanks, Berry. All very important process points for everybody's understanding in terms of the timing, in terms of what needs to happen. And really, again, as I said in my e-mail, if we're going to submit a PCR, it needs to be based on, I think, a clear indication that we're just needing a little bit more time to finish things off around consensus, not that we're still searching for it. So any rationale submitted, I think, needs to be pretty clear and pretty explicit in that regard in helping to identify that we are on the path and a little bit more time might be needed to finish things off. But

we need to demonstrate that we've got that path forward in order, I think, to have much hope of getting a PCR approved.

Jan, you're next. And then I'll hand it back to Marika.

JAN JANSSEN:

Thank you, Keith. And on that path forward, I think that there have been quite some useful discussions in the mediated conversations. But really, there should also be some time to follow up on the discussions and really seek consensus on issues that were discussed there. So I think that is rationale to deviate at least somewhat from the current timeline which is particularly aggressive, I think, to have a third discussion on these topics.

KEITH DRAZEK:

Thank you, Jan. Well said and noted. Berry, you're next.

BERRY COBB:

Thank you, Keith. Just to verbally state what I said in the chat. Of course the Council isn't meeting until the 19th, so we need to continue to work on our existing timeline because we wouldn't know about an extension until then. Secondly, when the meeting minutes get sent out later today, staff will attach this Project Change Request to the notes.

And again, the groups that are advocating for more time, we need your assistance to fill in basically the highlighted areas—what is the rationale for requesting additional time, how many weeks you

think might be warranted for the additional work, and those kinds of things.

And ultimately we're going to need that by Monday the 9th by approximately, I don't know, 16:00 UTC. That will allow leadership enough time to review it and then prepare it and get it submitted by the Motion and Docs deadline. Thank you.

KEITH DRAZEK:

Thanks, Berry. Thanks for that additional clarification that the Council meeting isn't until the 19th of August. So regardless, we'll need to keep working on our current schedule.

Okay, I don't see any other hands and we have about nine minutes left. Marika, let me turn it back to you. And maybe you could just tee up and go back to 3b on our agenda, which is Question #4 under the Public Comment Review. And if we just want to ask if anybody has anything that they would like to flag at this point, we can go through it methodically. But let's focus on Question #4.

Marika, over to you.

MARIKA KONINGS:

Yeah. Thanks, Keith. And maybe just one last comment on the previous conversation. As I noted as well in chat, from the staff side we can take a similar approach as what we did to the initial report that we basically take out the chapter of the recommendations. That is the heart of the report, and that is what will be working on. But of course, the other part we can already

update to reflect that this would be the final report and reflect that public comments were received and considered.

So that, hopefully, we can make that part available at an earlier stage so that those that want to already start reviewing that part can do so and have a bit more time than just the one day as Chris noted. But that would really be kind of bringing all the pieces together into one document.

Moving to Preliminary Recommendation 4. That concerns that the guidance that the group developed. As you may recall, there were four specific questions that were asked to the community in the initial report, and the table reflects that. So this a pretty long document there as well. Quite a few comments that have been flagged here. So as Keith noted, I don't know if those of you that have flagged items ...

I see, for example, there are a lot of comments that have been flagged by the BC. I don't know if you want to ... I've tried to summarize the new information or the new proposals that you found in here in the comments. If that's a way of tackling a couple of the ones here, or if there's a desire to go one by one. We do have a little time remaining.

[inaudible] already mention while, hopefully, someone raises their hand. In the meantime, your homework for Tuesday will be to look at Preliminary Recommendation 5 and the related comments, as well as the additional comments have received.

And I'd just like to encourage everyone again to really focus on what is new, what information is going to help the group reach

agreement on how to proceed in the final report. And if you have even specific suggestions on what that could look like, feel free to suggest that.

So, not seeing any hands. Do we go one by one or how would you like to proceed, Keith?

KEITH DRAZEK:

Thanks, Marika. I appreciate the intro there. Let me just open it up and see if anybody ... In the interest of time right now, does anybody have any preliminary comments or things that they would like to state or share on Question #4 generally? We're not going to have time to go through each one.

I see a hand from Margie. Thanks.

MARGIE MILAM:

Sure. This is Margie, since we have a lot of the comments there. A couple points that I think we should think about is the GAC comment about whether the guidance is sufficient and the addition of a statement that the data protection laws do not apply to the data of a legal person. I think that should be more expressly stated in the guidance, and I think that's probably something that we hadn't really focused on or discussed recently.

And then the second notion is whether the word "guidance" can be changed to "best practices" because that it came through in a number of the comments as well, including from ICANN Org.

So those are the two things I'd like to flag for discussion on the next call.

KEITH DRAZEK:

Thanks very much, Margie. And, yeah, when I said we won't have time to get to each item, I meant on today's call. We will certainly circle back and conduct the business of reviewing the public comments. So thanks, Margie, for flagging that.

Okay, would anybody else like to speak to this point, Question #4? Any sort of general observations are flagging items for further discussion? All right, I don't see any hands at this point.

So Marika, anything else that you'd like to focus on here as it relates to Question #4? Or anything else you want to highlight for the group to consider as we head into next week?

MARIKA KONINGS:

Thanks, Keith. No. As said, if groups want to relook at the comments they flagged and put forward specific proposals that, of course, will be the most helpful here. Or if there's duplication between comments, the groups should also be free to make their general statement on one of the items. And we may be able to save some time there.

As noted, as we have the next meeting on Tuesday, homework will be due Monday, end of day, so we can include in the agenda which items need to be reviewed for Recommendation 5 as well as the additional comments received.

KEITH DRAZEK:

Great. Thanks very much, Marika. Alright, so I think we should move to wrap up in the interest of time. Just to note that the next the EPDP Team meeting is scheduled for Tuesday the 10th as it stands right now. And that's the plan of trying to be able to facilitate and to move forward on the Public Comment Review.

And so I think we're good to go. I see Alan's asking if it's okay if we quit a few minutes early. Happy to do that. So let's just wrap things up.

Just a reminder, though. Please, folks, do your homework and focus on the question of the PCR. If anybody has rationales that they want to submit for consideration of a PCR, we need that by the end of the week.

So, thanks to everybody. Let's go ahead and wrap things up. I know, everybody. We're on fumes and this is a challenging time and a challenging time of the year. So I really do thank everybody for your continued engagement and input on all of this. We're in crunch time, and let's keep it up. So thanks and we'll look forward to the final facilitated discussion a bit later today with some of you. Thanks, all. We'll go ahead and wrap up the call today.

TERRI AGNEW:

Thank you, everyone. I will stop the recording and disconnect all remaining lines. The meeting has been adjourned. Stay well.

[END OF TRANSCRIPT]