**ICANN Transcription**
**GNSO Temp Spec gTLD RD EPDP – Phase 2A**
**Thursday, 06 May 2021 at 14:00 UTC**

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TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the EPDP P2A Team call, taking place on the 6th of May, 2021, at 14:00 UTC.

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

Hearing no one, we do have listed apologies from James Bladel of the RrSg and Amy Bivens of ICANN Org. They have formally assigned Owen Smigelski are their alternate for this meeting and any remaining days of absence. All members and alternatives will be promoted to panelists for today's meeting. Members and alternates replacing members, when using chat, please select All Panelists and Attendees in order for everyone to see your chat. Attendees will not have chat access, only view to the chat. Alternates not replacing a member are required to rename their lines, adding three Z's to the beginning of your name and, at the end in parentheses, your affiliation-dash-alternate, which means you are automatically pushed to the end of the queue. To rename

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in Zoom, hover over your name and click Rename. Alternates are not allowed to engage in chat, apart from private chats, 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 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 with your statement of interest, 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 multi-stakeholder process are to comply with the expected standards of behavior.

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

KEITH DRAZEK: Thanks very much, Terri. Good morning, good afternoon, good evening, everyone. This is Keith Drazke. Welcome to the EPDP Phase 2A Meeting #20 of the 6th of May, 2021.

We'll go ahead and do a quick review of the agenda and then get started. As we kick things off, we will do a quick review of our

current timeline, including some key dates that are coming up. We'll speak to that in a moment and I'll turn to Berry for a quick intro and an overview as to where we are in the project management document and our timeline. And just to note, like I said, a couple of key dates of the 20th of May for an update to the GNSO Council and a target of the end of the month for publication of our initial report for public comment. But we'll come back to that in a moment.

After we get through the overview there and the Chair updates, we'll get into a discussion of legal and natural. We have, on the agenda today, acknowledgement and a link to the Bird & Bird response to Question #3. So we'll turn to Becky at that point for an update from the Legal Committee and then have some team discussion on the response to Question #3.

Once we get through that, we'll get back to focusing on the actual write-up that we have, focused on guidance for registrars that choose to differentiate. Essentially, this write-up language is the foundational text for the initial report on this section. So, again, our key focus here now is identifying any specific language that we can't live with or, if anybody can't live with it, if that's the case, suggestions of alternate language for inclusion rather than going through and restating things we've talked about at a high level. We're really focused now, in crunch time, about making sure that we get the language that we can all agree to for publication for public comment.

So the questions that we'll be focused on will be Guidance #3. Again, we can talk more in the specifics as we get to these in the agenda, but we've got Guidance #3, Scenario #2. These are

things that I hope folks have had a chance to review as we circulated the agenda and folks are prepared to engage. Then we'll get to a review of homework assignments as we enter the homestretch here for the initial report and go to wrap-up.

So, with that, let me turn next to Berry to see if Berry would like to briefly walk through at a high level where we are in the timeline. I think the key here is, again, the update to council on May 20th. It's not very far off. Publication of the initial report at the end of the month. And if there's any inclination that we're going to need more time, even a little bit more time, then there would be the need for a project change request to be submitted to council. I think the deadline for that is this coming Monday. So my goal and intent here is to meet the deadline of the end of the month (the end of May) for publication of the initial report. I don't see any reason at this point that that would be a problem or that we would need significantly more time. So thank you for that.

Berry, let me turn it to you for an overview of the timeline.

BERRY COBB: Thanks, Keith. Really not much more to add, other than, if the group does choose to submit this report for public comment, we'll do it for the typical 40-day duration, after which the group will reconvene and review those comments and adjust and deliberate the topics in preparation for a final report that takes us out to about the end of August, where we would submit the final report to the GNSO Council.

Other than that, if you have any other questions about the contents of the package, please let me know or take them to the list. Thank you.

KEITH DRAZEK: Thanks very much, Berry. If anybody would like to get in queue to speak to the timeline update, feel free to do so now. If not, we will move directly in our substance today and get to Item #3 on our agenda: legal and natural. I want to hand it over to Becky here to give a brief overview, an update, from the Legal Committee perspective, specifically on the Bird & Bird response to Question #3. Then I'll ask for anybody that would like to get in queue. So, Becky, over to you.

BECKY BURR: Thank you. I apologize for the background noise. I am driving. Bird & Bird's response to our Question #3 came in and has been circulated. The question, as you may recall, basically said, "We note that EURid has interpretated GDPR requirements in a particular way in light of the regulation that they operate under. RIPE NCC is publishing certain information. And we note that, in the proposed NIS2 directive, European legislators are essentially saying there is an important public interest in access to this data."

Taken together, do all of those things have an implication for us? Do they reduce, in some way, the level of risk that contracted parties face when publishing, for example, inadvertent publication of information about a natural person contained in the registration data of a legal person?

Bird & Bird concludes essentially—I think this sums it up pretty much; I'll just quote them—"Overall, the cited documents do not affect our answers to Question 1 and 2 in the previous memos. More specifically, we believe that the cited documents have limited impact on contracted party risk in connection with publication of a legal person registrant's e-mail address, even if it contained personal data." Then they go on to explain it in some detail.

I have asked the Legal Committee for their views on whether we need to convene a Legal Committee call with respect to this, but basically, Bird & Bird's conclusions is, "Nothing that you've pointed out affects our previous assessment of risk in this connection."

So I'll just pause here on the assumption that everybody has had the opportunity to read it. I will just pause here for questions. I am on the phone only, so I can't really see raised hands. So you're going to have to handle those for me.

KEITH DRAZEK: Sure thing, Becky. Thanks so much. I have a hand from Steve Crocker. Steve, over to you.

Steve, if you're speaking, you're still on mute, I believe. So let's give it another try.

STEVE CROCKER: Can you hear me now?

KEITH DRAZEK: Yes, we can. Go right ahead. Thank you.

STEVE CROCKER: Thank you. So I understand, Becky, what you've said about the Bird & Bird response. One of the things that's been very much on my mind through these deliberations is that the entire focus has been on what information should be made public that is in the sense of accessible to anybody for any purpose at any time without identification or justification. But the larger picture, of course, that we're anticipating that there'll be differentiated access. So many of the purposes that people are pressing for for access to this information publicly could also be pursued with credential of access through a differentiated access mechanism.

In your opinion, how does the Bird & Bird memo pertain to access to the same kind of information if that information [we're] behind were protected, and required credentials and authorization and approved purpose to get at? Does it have any effect on limiting access or moving the risk profile or the liabilities around?

BECKY BURR: So let me be clear that I'm not offering a legal opinion. This is just my personal read here. I think, when you talk about publication or making available or processing personal information under GDPR, for the most part in the absence of consent, we are forced to rely on the 61F balancing test, which is you compare the legitimate interests of the entity seeking access to the data with the fundamental human right interest of the data subject. I should just say the European Data Protection Board or the Working Party 29

was very clear that simply defaulting to publishing everything on the Internet is not okay. That's more or less a direct analysis of one of the letters that they wrote to ICANN.

So once you get past the "We can't publish all of this by default," then the question is, what weighs in on the balancing test? Obviously, having people be credentialed, having people have reasons for accessing the data—all of that—is going to contribute to establishing the legitimate interests of the entity seeking to process the data and raised the bar then with respect to the balance. In other words, the more you can establish that there's a legitimate interest, then the more that could outweigh the fundamental privacy interests of the data subject in keeping that data private.

So I think, by definition, a credentialed access system is not only, as we've been told at some level, necessary for some portion of this data, but it definitely is an important contributor to the balancing test here.

So I don't know if that answers your question, Steve, but that's the best I can do.

STEVE CROCKER: Thank you. I think that's helpful. There's a whole series of other questions that would follow, but not here, not now.

BECKY BURR: Okay. I'm happy to talk to you offline about it, Steve.

STEVE CROCKER: Cool.

KEITH DRAZEK: Thanks, Steve. Thanks for the good question and, Becky, for the detailed answer. Much appreciated.

I have Hadia in queue. If anybody else would like to get in queue, please do. Hadia, over to you.

HADIA ELMINIAWI: Thank you, Keith. Though I haven't had the time to read the memo in detail, I would like to ask you, Becky: don't you think that the memo asserts the conclusion that we reached before; that a contracted party risk, in connection with publication of legal-person registrants' e-mail addresses, even if it contains personal data, is very limited?

BECKY BURR: Well, it certainly does not contradict the conclusions as consistent with the conclusions that they provided in their most recent memo that had that table about … Well, that was with respect to contactability. It certainly is consistent with that memo, which basically said some ways that you could do it. A registrant-based system for publishing an e-mail is moderate risk, while a registrar-based system behind a firewall is the lowest risk.

I'm trying to be very, very careful, Hadia, not to shorthand the Bird & Bird conclusion because they did indeed say that, in certain

circumstances, they thought things were pretty low risk, but I think, when we talk about that, we have to talk about it with all of the context about what the circumstances surrounding the publication [would] be.

HADIA ELMINIAWI: Thank you, Becky.

KEITH DRAZEK: Thanks, Becky, and thanks, Hadia. Volker, I see your hand, and then I note that Melina has also typed into chat some language related to the benefits of making a distinction. So, Volker, to you.

VOLKER GREIMANN: I think the memorandum was very helpful, in a way, and I'm ultimately glad that we asked the question, even though I was not very happy with the question initially because it basically confirmed our position that what other parties are doing cannot be applied directly or indirectly to what we are proposing. Neither NIS2 nor .eu regulations and the handling of .eu, nor the RIPE procedures and processes can be directly adapted to our work and can be seen as anything other than their decisions of how to do this. So I found this ultimately very happy.

And I don't think we should ascribe certain interpretations of what was not said to mean something. What was not said was not said. And I think they were also clear that, if there's no interpretation, if something has been purposefully left open, then we should not

ascribe meaning to that. And I'm obviously not going to this here either. Thank you.

KEITH DRAZEK: Thank you, Volker. The queue is empty. Would anybody like to get in queue? If not, I'll hand it back to Becky for any sort of wrap-up comments. And then I guess the question then turns to next steps. So anybody else would like to get in queue?

Okay. Becky, back to you for any wrap-up comments there. And then let's discuss next steps.

BECKY BURR: Thanks to everybody. I do think that the memo speaks for itself and is a helpful response. So I want to thank everybody on the Legal Committee who helped formulate that question. It was a really important question to the community and I'm glad, notwithstanding how long it took, that we now have an answer.

KEITH DRAZEK: Thanks very much, Becky, and thanks to everybody on the Legal Committee for the work that you've done over the last several months.

So this leads us to the question that's on the screen and in the agenda. It's whether any aspects of the response received from Bird & Bird on Question #3 warrant changes to the latest version of the write-up or further consideration. So, as we turn to the write-up on legal and natural, the question here is, is there any aspect

of this response that warrants changes to the latest version of the text? We can talk about that now explicitly or we could turn to an ongoing review of the write-up language, which is next on our agenda, and then make sure that we capture that action point or that action item.

I'm seeing some additional activity in chat. If anybody would like to get in queue, by all means. But if not, that's where we are at this point. So I'm not seeing any hands on that particular question at this point, so if anybody would like to get in queue, going once … going twice … Very good.

So let's then move to the next item on our agenda, which is the focus directly on the write-up focused on guidance. With that, Caitlin, I'm going to turn to you to help us walk through the specifics and the details of some of this in terms of the remaining outstanding questions. And I will hand it to you now. So, Caitlin, thanks so much.

CAITLIN TUBERGEN: Thank you, Keith. So, as a reminder from our last call, we had a few outstanding questions on the legal versus natural write-up. The first question deals with the example scenarios that are included in the write-up. This is the different options for when a legal versus natural person can be denoted either by the data subject or by the registrar.

The third scenario is when a registrar could use the facts that it has to determine if the data subject is a legal or natural person. The example that was given is that a corporate registrar might

know its customers and might determine that they are dealing with a legal person and make that notation. However, there were some concerns expressed, particularly from the NCSG, that they would not approve any scenario where the data subject or the registrant wasn't in charge of making that determination.

So I did want to note that we did add some language that, even if a registrar would initially make that selection, the registrant or data subject would always be in charge in the end of determining or marking if it was a legal or natural person.

So we wanted to see if, with that text, we should leave Scenario 3, which allows the registrar to make that initial determination, or if the team would prefer to have it removed entirely. So I'll hand it back over to Keith to see if the team has any additional thoughts on this scenario. Thank you.

KEITH DRAZEK: Thanks very much, Caitlin. So thanks for that. Milton has his hand up, so we'll go to Milton. If others would like to get in queue, go right ahead. Milton?

MILTON MUELER: I'm sorry I have a bit of a bombshell to throw at you, but as you know, I've been trying to explore a space for consensus that would get us out of the divide between the stakeholder group on legal/natural, and I really have to tell you that that has failed. I cannot get the support from my own stakeholder group for making that distinction—principal one that I articulated—and we cannot even agree on the type of guidance that should be provided.

What we found that we can agree on is simply that we should abandon the whole idea of guidance, that we should pretty much the status quo in place and let the contracted parties decide for themselves. I know that this is not an option that a large segment of this team likes, but I cannot get my own stakeholder group to accept the other position.

And there's some other questions, too, such as, if the guidance is not going to be mandatory, what's the point? And is it going to eventually slide over into being de facto mandatory in some way that is kind of slippery and unmonitored? Is it going to be something that we fight? Will we ever to be able to agree on the guidance anyway? This is not clear to me.

So, again, just making it official, we are officially now in favor of no guidance. And we could all just save ourselves a lot of work if we followed that. I just want to make it clear that that's how NCSG has to perform going forward.

KEITH DRAZEK: Thanks, Milton. And thanks for bringing that into sharp relief. I think, to respond to the point about is there a concern that guidance could someday become a requirement, I think the answer to that is: not without going through a formal PDP. So I think that concerns or worry that, by establishing some guidance for voluntary consideration of differentiation … is a long way from requirements. I think the risk of something sliding into becoming a requirement is not likely or really even possible outside of a PDP. To the point, it's hard enough for us to agree on guidance. For that

become something more is really something that would require a GNSO process and a PDP to conclude.

So in response to your point, thanks, Milton, for flagging that. I don't think we're at any point ready to discard the concept of guidance. I think it's something that there's still an opportunity for us to move forward on. I understand there's questions about the benefit and/or what's next, but frankly I think this group has done good work to this point. I think there's more work to be done here over the next several weeks related to guidance. There's public comment to be secured from the community. And I think we should not discard the concept of guidance at this point.

And, frankly, I think, as we've all discussed here over the last several months, circumstances and the environment within which we're considering these questions could evolve and could change over the course of the next several years. Look, people have cited the NIS2, the questions around SSAD, implementation questions[,] just general potential changes to the environment. I think the guidance can actually help set the foundation or establish a threshold from which we can then do future work if and when needed.

So I think there's really some benefit to having guidance at this point.

Anyway, I'll stop there. I'd like to see if anybody else would like to get in queue at this point. And thanks for Milton or bringing that to the table.

I see there's some activity going on in chat. If anybody would like to speak, I really encourage you to do so.

Okay. Melina, go right ahead. Thank you.

MELINA STROUNGI: Thanks, Keith. I think the discussion in the chat is going more towards the point of whether there is merit in doing differentiation requirements. I think it would be good at some point, either today in this discussion or in the next meeting, to focus a bit also on that question because we agreed on having the guidance that this is a very important point that we should discuss because we see a lot of benefits of making a differential requirement. We don't see any harm in doing it, especially if you don't connect it with obligation requirements. So basically only require that you have the flags in place so that contracted parties can distinguish and allow self-designation between legal and natural entities. Then such a distinction could be also useful later when the SSAD is implemented. We can also use it there for the [inaudible] disclosures. They can use it if they decide to publish it, or they can just have it there. But making it a requirement has a lot of benefits while it doesn't have any risk. So I think it would merit discussing it a bit. Thanks.

KEITH DRAZEK: Thanks, Melina. So I'm going to respond to your point on one specific aspect, and then I want to make sure that we turn back to the review of the specific language related to guidance that's on

the screen and that is before us as far as following up on homework.

So your point about possibly having a requirement for a flag that would then be optional for a registrar, registry, or contracted party to use is a concept that I just want to flesh out with everybody. So the idea—correct me or get back in queue if I'm misinterpreting or misunderstanding your point … But I think this is an interesting question about, is there some benefit now and moving forward for the creation or the mandatory creation of the capability to differentiate and then acknowledging that that differentiation is voluntary today but that it could establish the operational framework for being able to differentiate down the road with a common framework or a common implementation. So I'm just wondering if that's a conversation that we should have now at this point and if there's any feedback or thoughts on that.

I have hands from Brian King and Alan Greenberg. There's also discussion going on in chat. I'm really going to ask folks to speak rather than type at this point. We're really in crunch time or getting close to it. So it'd be really helpful for folks to have brief verbal interventions so we can have a conversation. Brian and then Alan.

BRIAN KING: Thanks, Keith. I was having an interesting conversation yesterday about this. I think the word "differentiation" has become loaded. If you just look at the word, I think how we think about it maybe isn't doing us any favors. And I think we are actually on to something here. To be clear, if you don't put so much on top of the word "differentiation" and you think about that what we're asking for is

kind of a mandatory thing in that registrars should flag, tag, or categorize data as either being legal … Sorry, it's not just the data. It's the registered name holder as a legal or natural entity and then also whether the data contains personal data or not. So if you just make it mandatory to establish those two flags but not necessarily that there must be anything done on the basis of those flags, that seems like a baseline that we could agree on, especially because, practically speaking, registrars, at least, are going to have to do that in order to comply with the Phase 2 SSAD policy anyway.

So I think just establishing those flags for new registrations at a baseline is something that we could probably come to agreement on at a baseline. We can talk about any policy requirements or guidance above and beyond that, but, yeah, I do want to clarify that we're just talking about a flag, tag, or categorization of data and not necessarily treatment of that data, not necessarily publication based on that flag, tag, or characterization. Thanks.

KEITH DRAZEK: Thanks, Brian. Helpful clarification. Thank you for that. I have Alan Greenberg and then Volker.

ALAN GREENBERG: Thank you very much. The ALAC believes strongly that we need such a flag in the public RDS and specifically that we identify a new RDDS field that exists and is defined. The whole concept that we're working on here by giving guidance implies is that at least some registrars will be doing a differentiation, maybe only in edge

cases. But once you're doing that, there's no reason not to put it in the RDDS and therefore make it useable perhaps by the SSAD in the future or just futureproof the RDDS field definitions to allow for future things that may change. As people have pointed out, making a change in the RDDS fields involves a moderate amount of work for all registrars, and we already are going to be in the mode of making significant changes to the RDDS fields with the implementation of Phase 1.

So it's timely at this point to say let's add in another field, get it all done, and then it can be used or not. If we presume no one is ever going to differentiate, then why are we bothering with guidance? And if we're bothering with guidance because we think some people are going to differentiate, let's have it recorded formerly and let's establish that there is a concept of differentiating. It will not be obligatory to fill it in. So it could have values of legal, natural, or empty, or whatever we want to define that as. There's really very little downside to it, given that we're going to making significant other changes anyway, and every single registrar on the planet is going to have to remember how to make a change to the RDDS fields to add or subtract fields.

So this is just a timely place to do it. It notes the fact that some registrars may be differentiating and makes it a formal thing. So I just don't see what the downside is. We've used the term "futureproofing" before to try to make sure that, as things evolve, we can accommodate them without turning the whole world over again. Thank you.

KEITH DRAZEK: Thank you, Alan. Volker, you're next. Then Steve Crocker.

VOLKER GREIMANN: It feels like, "Welcome to Fun with Flags." I've been thinking of flags as well. In principle, I don't think they're a bad idea. They can serve a useful purpose, but unless we define such a useful purpose, I don't think we have any mandate to declare something mandatory or require that does not fulfill a useful purpose. If it's voluntary, for example, to fill that flag with anything you like and to have everything set to Undefined and leave it be like that, then it fulfills no purpose. So if you have the use of it voluntary and the implementation of it mandatory, that makes no logical sense whatsoever to me. And you should remember as well that we already have the ability to add certain fields to the RDDS output at the end. That can be defined by registrars themselves as a voluntary measure if there's additional information that we want to disclose.

So I do not feel that we have a binding purpose, something that justifies making a policy recommendation at this time. Including a flag now would just basically invite everyone to Round 2B in a half-year or one year's time to define what to do with that flag now that we have it. I think, before we implement something—that's implementation work that costs money, ultimately—that's not going to be used or only be used by part of the registrars because it's voluntary, then there's nothing to justify that implementation work because it's just a null field. I see no purpose in that.

I have made a suggestion in the past on what we could do with such a flag: we had certain possibilities to make certain SSAD

requests faster or less costly for certain requests that would basically be based on such a flag. But those were shot down.

So we have absolutely no goal with that flag. We have no purpose for it, no definition for what this flag is supposed to be achieving, because it currently does nothing. And for doing nothing, I'm not wasting my developer time. Sorry.

KEITH DRAZEK: Thank you, Volker. I've got Steve, Alan Greenberg, then Hadia, and then we should probably turn back to the text. Thank you. Steve?

STEVE CROCKER: It's a really interesting discussion because I have a feeling that everybody is fundamentally on the same page but attempting to think of a big divide here. I think it's important to define the concept of that field. Whether everybody chooses to collect that information and retain that is a separate matter. I think we're in agreement that we're not yet at the place where that's a requirement.

On the other hand, laying the foundation for the future and having a definition of what that field means, if it is included, I think is very much an important thing to do that we should do now. It has no cost at all from an implementation point of view that choose not to include that field in their database or to collect that information. It's a conceptual thing at this point, but it's an important conceptual thing. I think, from that point of view, everybody is actually on the same page.

KEITH DRAZEK: Thanks, Steve. Yeah, I think your point about it, as far as conceptually—the concept of it being a policy observation or a policy recommendation—is the "what." The implementation would be the "how." We're clearly not there, and I don't think we're at a point where that would be warranted. But I like the way that you framed it in terms of the conceptual approach of what we're trying to achieve rather than getting into the substance of requiring a how. So, Steve, thanks for that.

Alan Greenberg and then Hadia.

ALAN GREENBERG: Thank you very much. Three quick points. Volker asked what it could be used for. We've already said several times that it is possible that, if there's a flag, we may find things that the SSAD can automate because it has access to that flag instead of making it a query subject to registrar's discretion. We're not implementing it. That still is going to have to go through the committee that will make recommendations for changes to the SSAD, but it may be possible to do that. That's number one.

Number two, if it's a field, it is escrowed. If there's only a registrar internal field, it is not escrowed and you do not get the benefits for the number of failure modes.

Lastly, we've already established a precedent: that we can have fields which are not required to be used, but we define the fields. Those are the technical contact fields. Remember, we said a registrar is under no obligation to ask a registrant what the

answers are. The registrar can pretend they don't exist at all, or the registrar can choose to ask and pass them on. But we did define fields. So, if they are collected, they're put in a standardized place and are accessible and used in a standardized way.

So we have a precedent already. This is another example of the same sort of thing. I just don't see any reason not to do it. And there are potential benefits. Thank you.

KEITH DRAZEK: Thank you very much, Alan. Hadia, you're next.

HADIA ELMINIAWI: Thank you, Keith. I don't have much to add to what, actually, Alan and Steve said. I would just say plus-one to everything Steve has just said.

To Volker's point, consistency of the data across registries and registrars is very important, and that field allows for that. Again, we can put in our recommendation and policy all the wording necessary that ensures that this field does not need to be used by those who do not want to use it.

So, if this is what Volker is afraid of—that, in the future, we can say, "Oh, this is a field that we have, so we need to use it"—no. We can put in our policy all the wording that would assure that this will not happen.

KEITH DRAZEK: Thank you, Hadia. So I want to turn to probably close this one, or at least draw a line under this for the time being, and note Volker's input in chat about a possible approach. That would be to recommend a flag, define the format it should take for consistency's sake, and then, if implemented, make it voluntary on the registrar. I think that that essentially captures, I think, what Steve was referring to earlier—conceptually, what we are trying to achieve—and what would be the existence of a flag and the ability to use it to try to ensure some level of consistency in approach across registrars and contracted parties in terms of the structure, not necessarily all the implementation details, etc., but in terms of consistency of approach.

Volker, is that a new hand? I believe it is.

VOLKER GREIMANN: Yes. Just to follow up on that—sorry, I posted that in chat—that's something that I could imagine that would be helpful. If a flag is implemented by a registrar and there's not an obligation to do so, then that is the form that it should take. If we, for example, want to tie certain forms of disclosure, as I have suggested earlier, on a voluntary basis in SSAD to that flag, that then would be one way to do it. There's certain benefits to having it on voluntary basis. But as long as it's voluntary, it gives us the opportunity to implement it whenever we want to. If we have it as mandatory policy, there's going to be an implementation date that will force to abandon other projects and have to implement something where we don't usually have time for it. So, if we make it voluntary, that gives many registrars the opportunity to do something that they

would not be able to support if it were mandatory but still do it. You know?

KEITH DRAZEK: Yeah. Thanks very much, Volker. Alan, I'm going to turn to you, and then I will make a comment, I think, in terms of next steps. And then I do want to make sure we turn back to the text. The write-up did and does attempt to capture this concept of a flag, so I think that we do need to make sure we're spending some time on the text. Alan, last word.

ALAN GREENBERG: Thank you very much. I think—but I'm not sure—that Volker is saying exactly what I'm saying. When I say there must be a flag, it means, if, somewhere in the world and in the various contracts, there's a list of RDS fields—there's a new one now that says, "This is a legal/natural flag"—it is not required to be used. The registrar may never send it in. But, if they choose to send it in, there is a defined field and it's within the overall format because, if it doesn't exist in the format—it isn't designed—you can never use it.

So all we're saying is to define it in the format. It requires no extra effort, other than recognizing that, in the template of an RDDS entry, there is a field that might be used at some point. So I think he's saying the same thing I am, but I'm not 100% sure. But, by defining the field as an RDD field, we've done it. That's all we're asking for.

KEITH DRAZEK: Thanks, Alan. Thank you very much. And Volker is responding in chat. “Define a voluntary field, yes. There must be a flag, no.[”] I think there’s an opportunity for us to work through this. I think we’re actually closer on this point than perhaps it appears.

ALAN GREENBERG: Just to be clear, all I’m asking for is a “define the field.” I don’t call it a flag. Just define the field. That’s it. Period.

KEITH DRAZEK: Thanks, Alan. Thanks for bringing that to sharp focus. So, look, I’m going to suggest that we take this offline at this point. We can discuss it further when we get back into the text here. But, look, as Brian has noted in the chat, I think there is an opportunity here to come together. So let’s continue to have that conversation, but it might be worth some offline discussions outside the plenary.

So, Caitlin, if I could turn back to you to help get us back to the write-up and take us through next steps. Thank you.

CAITLIN TUBERGEN: Thanks, Keith. So the next scenario deals with the data subject’s self-identification at the time when the registration is updated. So this is not at the time when the registration is initially made but rather when an update occurs to that registration. And the question here is that GAC reps have mentioned that it would be helpful to include some sort of timelines here as to, if a registration is updated, when should this indication be made of legal versus natural persons? We’re looking to the group to see if that’s a

concern that can be addressed. Are there any example timeline we could include here to help with GAC's concern here?

KEITH DRAZEK: Thank you, Caitlin. Anybody would like to get in queue?

Hadia, go right ahead. Thank you.

HADIA ELMINIAWI: Thank you, Keith. So now I'm not sure when this will happen if not at registration time? Definitely, for old registrations at registration time, it's not possible. However, during renewal time, I'm not sure that the registrar or reseller does have any significant contact with the registrant.

I think, for old registrations, if not at registration time, the only possible way to actually require that differentiation or distinction would maybe be through a requirement that the registrar or the contracted party contact the registrant in order to assert the information provided for accuracy reasons. And that's a GDPR requirement, by the way—that the contracted parties should assert the information provided every now and then and provide an easy means for registrants to update their information. So maybe that's when that kind of differentiation could happen or that kind of ask could happen. But during renewal, I'm not sure that it will work. Thank you.

KEITH DRAZEK: Thank you, Hadia. Brian, you're next.

BRIAN KING: Thanks, Keith. If I understand this part correctly, what we should do is, any time the data is updated, treat is just like the initial data collection. Maybe I don't understand, but it doesn't seem like anything should be done differently when the data is updated or changed because that's really just a second or a third or whatever data collection. So it should just be treated the same as a new registration. Thanks.

KEITH DRAZEK: Thank you, Brian. The queue is empty. Would anybody like to get in queue?

Stephanie? Thank you.

STEPHANIE PERRIN: I am a little confused by the discussion that we're having here. I thought that we had agreed that we were not going to give guidance on this differentiation. There seems to be a misunderstanding here of the establishment of any kind of a field, vacant or otherwise, optional or otherwise, but it does seem to be trending in the discussion towards mandatory. Now we're talking basically about re-asking that question annually in the data update. At least that's what it sounded like when Brian was speaking.

Can we not nail this down and carry on? It's up to the registrars to fill that field. I thought we had agreed on that. And it's also up to

them how they configure their system to alert themselves of any risks regarding their customer's status.

Now, given that they are responsible for the control of personal data relating to the registrant, that would be personal data of all kinds. I'm including the much deeper relationship that they probably have with their customer, including financial data, which in many cases will be personal—possibly most, depending on the wavering stats we have in this area.

So, automatically, under their obligations under GDPR, they're checking that data. Do we need, really, to tell them how to do when half of the … As I've said before, from a data protection standpoint, the customer relationship between the registrar and its customer is much, much deeper than the data elements we're talking about. And they will have their own ways of configuring how to make sure they're not breaking the law. So we don't need to be figuring that out here for them. Thank you.

KEITH DRAZEK: Thank you, Stephanie.

The queue is empty. I think there's some activity going on in chat. Please feel free to speak.

So I'm not seeing any new hands. Stephanie, that's an old hand if I'm not mistaken. Yeah. Again, I'm seeing folks typing. I really would appreciate it if folks would speak rather than type, especially if we're speaking to the topic at hand.

I understand there's some reluctance now at the NCSG level for the concept of guidance based on what Milton said earlier, but I think the guidance is still something very much on the table here. The question is, what are we trying to include in that guidance?

So let's get back to the text here. Sorry, I'm just checking the chat. And I'm not seeing any new hands, so I'm going to turn this back to Caitlin here briefly, if there's anything else on that particular point that we need to focus on. Otherwise, we'll move on.

CAITLIN TUBERGEN: Thanks, Keith. If there are no comments, we can just leave the text as is and move on to the next question.

So the next question is about the italicized text under number two: "Registrars shall not be prohibited from voluntarily utilizing a third party to verify that a registrant has correctly identified its data, provided that such verification is compliant with applicable data protection regulations."

I'll note that Volker, in response to this language, had noted that, while using a third-party verification scheme isn't explicitly prohibited, it's not being recommended by the EPDP team either. However, following that addition, which, by the way, was referenced in a Bird & Bird memo about using third-party verification, NCSG had noted that it already had an objection to Scenario 3, which, again, was when the registrar used evidence to initially determine the personhood. But if a third-party verification system or provider was involved, then the objection was magnified even more. So we had included this to see if there's anything that

can be added to the text or if the text should be removed so that we could properly deal with NCSG's concern here. Thanks.

KEITH DRAZEK: Thank you, Caitlin. Thanks very much for teeing this one up.

So any inputs, any thoughts, on this particular question as it relates to the draft text for the initial report?

Volker, go right ahead.

VOLKER GREIMANN: I feel a little misunderstood by the NCSG. Maybe I wasn't being clear in my comments, but sometimes brevity is not the best thing. What I was trying to aim at is that we could list such third-party verification as something someone can do but that we as a working group have no preference either way and that this is not a formal recommendation but rather just a list of things that you can do if you want to, basically.

KEITH DRAZEK: Thanks, Volker, for the clarification. Stephanie, go ahead.

STEPHANIE PERRIN: I made the comment about third-party verification. I believe that Milton has already commented that that made it worse. Indeed, every now and then, you have to note that Milton and I sometimes agree on something and, on this one, there's a very long history of third-party verification involving … There's a better word for "data

mongers," but I mean folks like ChoicePoint and LexisNexis, and [Thompson]. And I'll try not to mention anyone who's on the call. But those who have acquired a vast amount of personal data—sometimes illegally—and who hire out their services to other organizations? Well, that would be a violation of the GDPR if the contracted parties were to do this kind of verification without getting the full consent of their customers. Frankly, I can't see how you can justify that activity, given the valid data processing activities that we've agreed on. So I think it's a major flag going up.

Now, they can hire someone who looks at their own data collection to verify? Fine. Sure. How they run their business, whether their employees are contract or employees, that's their business. But going to an outside entity, well, that's wrong for the reasons I just described. It also may set precedent for yet another authentication process that we would have to pay for on behalf of the SSAD. So that's another objection that I didn't describe in detail.

I hope that's clarifying and not making it more unclear. Thank you.

KEITH DRAZEK: Thanks very much, Stephanie. Much appreciated. Chris Lewis-Evans, you're next.

CHRIS LEWIS-EVANS: Thanks, Keith. Stephanie, I understand your concerns here, but I think my understanding is slightly different of the wording. Maybe Volker can help us out. I think what Volker was trying to wordsmith

into his was to allow registrars to use lookup services or third-party services to verify the data that's been provided from the registrants. So whether that's post code lookups, whether that's company number lookups, these are not things that the registrar is able to do off of data from their own system to make a valid assessment of the type of person the registrant is or whether the data that has been provided is actually correct. So the language at the end ensuring that it is compliant with applicable data protection regulations allows for the transfer of data that's covered within GDPR and other aspects.

So I think personally that this is nicely worded and covers the process that's needed to ensure that the data provided is correct and allows them to enhance the data that's been provided to ensure that. Thank you.

KEITH DRAZEK: Thank you very much, Chris. Milton, you're next, and then Alan Greenberg.

MILTON MUELLER: When we now say that we're against all guidance, we certainly include this, which we did not like when we were in favor of guidance. So I think this just has to drop. The third-party aspect—the risks of that—Stephanie just talked about, but fundamentally it's creating a situation in which the registrar is in effect manually going over registrations and ascertaining identity in some way. This is a nightmare for both the registrars and the registrants. We just don't want it to be in there at all. Thank you.

KEITH DRAZEK: Thank you, Milton. Alan Greenberg?

ALAN GREENBERG: Maybe I'm confused. It seems to be happening a lot recently. Talking about third parties, isn't that only saying that a registrar may subcontract part of its life, part of its job, just as ICANN does all the time and registrars may do? It's part of business. How can we say you cannot subcontract something? I'm not even sure why it's being discussed because, really, all we're talking about is, can you rely on a third party to do work? That doesn't remove any obligations. Any controls, obligations, or restrictions have to be followed by third party. Using a subcontractor does not remove obligations or rights. So I'm not even sure why we're having the discussion.

KEITH DRAZEK: Thanks, Alan. I think it's a good question. Anybody would like to provide some feedback?

Thomas Rickert, go ahead. Thank you.

THOMAS RICKERT: Well, you may have listened to this record already, but if my legal assessment were accurate and if contracted parties were joint controllers together with ICANN Org, then it would indeed be a question of who of the joint controllers is entitled to engage subcontractors. Therefore, I think it's a question that should be put

in writing in order to set the record straight for what the joint controllers should be doing.

But other than, if actually the outcome of the discussions between contracted parties and ICANN Org was that there is no such thing as joint controllership, then certainly, Alan, you would be correct that everyone may choose to use subcontractors at their will, as long as they meet the legal requirements in order to do so.

KEITH DRAZEK: Thank you very much, Thomas.

There's some ongoing activity in chat as well. If anybody else would like to get in queue, please do on this one.

I think the sense here is that removing this language that basically calls out that registrars "are not prohibited from" doesn't change the fact that registrars are not prohibited from. So I guess this is an opportunity or was an opportunity to flag the Bird & Bird advice on how verification might help the registrar and how third parties could be a tool for that or a tool to that end. But I guess the question here is, how does the group feel about the inclusion of this language one way or the other?

Stephanie, I see your hand. Go ahead.

STEPHANIE PERRIN: Thanks. Not to go on and on about this, but this is why it should be dropped: of course, the registrars/the contracted parties can run their business they way they want. Any mention of it in this

policy leads one to assume that it's part of the SSAD [and that] that automatically brings in the co-controller arrangements. It opens up another window and we don't want that. It's the registrars business how they do this. Thanks.

KEITH DRAZEK: Thanks, Stephanie. I'll turn to Alan next, but I do want to note that that question, as noted by Thomas and Stephanie, about the co-controller/joint controller does start to get a bit complex and potentially sticky on this issue. Alan, you're next.

ALAN GREENBERG: Thank you. I'd like to propose that we have an extended discussion on whether registrars are allowed to eat tomato soup for lunch.

KEITH DRAZEK: All right, Alan. Go right ahead. Tee it up.

ALAN GREENBERG: I think we're on the same level there. And, yes, we could spend an hour talking about the merits of tomato soup and which kinds we prefer and if we are allowed to have lumps in it, but it's not going to advance our work any. Thank you.

KEITH DRAZEK: Yeah. Thanks, Alan. And thanks for the bit of levity. I think the key here is, does this language bring us anything new, does it move

us forward, does it add anything, or does it potentially open the door for challenges to interpretation down the road for other reasons?

So I guess I'm asking, does anybody at this point object to removing this language? I'll just stop right there and ask if anybody has any feedback today on whether there's an objection to removing this language.

Going once … going twice … going three times. I think it sounds like we have general agreement that this language doesn't add anything at this point and it's okay for it to be removed.

So let's then—Steve, go right ahead. Thank you.

STEVE CROCKER: Sorry to jump in late. Just one minor comment on this. The whole idea of what level verification is involved is: to what purpose? Are there any obligations being imposed on the registrar to do this? We're dealing with a situation in which the registrars do what they need to do for their purposes in dealing with their customer, and everything else is in service of other people's needs or perceived needs.

So this whole discussion about added verification, whether it's done by third parties or by other means, is tied to what other obligations are being imposed on registrars to serve needs beyond the needs that the registrar has to understand his relationship with his customer.

I just wanted to note that and that this language, which I agree should be dropped, is actually tied to this larger issue that hasn't been stated clearly enough.

KEITH DRAZEK: Thanks, Steve. And thanks for that clarification and for making that point. I think that's an important one.

Okay. Let's draw a line under this one. I'm going to turn it back to Caitlin real quick. I think she wanted to comment on the previous question. So, Caitlin, back to you.

CAITLIN TUBERGEN: Thank you, Keith. I noted that, when we moved on to the third question, there was some chatting going on, and I just wanted to make a quick proposal. Again, this is the question about, when a registration is updated, if there could be a timeline added. It seems that the folks in the chat that it should be treated just like a new registration in terms of timelines. So I was wondering if there'd be any objection to adding the 15-day timeline as an example. That timeline is included in the WHOIS accuracy program specification, where registrars have certain obligations within 15 days of a registration or an update to contact information when it comes to verifying and validating certain WHOIS fields. If we could add that 15-day timeline in, that would hopefully satisfy the GAC concern about having an open-ended timeline or no defined timeline. Thanks.

KEITH DRAZEK: Thank you, Caitlin. Again, just as a reminder, we're trying to bring this text to a point where it can be included in the initial report with group consensus.

So I'd like open to the queue to see if anyone has a response to Caitlin's question about the inclusion of the 15-day timeframe.

Okay, I'm not seeing any hands—Milton and then Melina. Go right ahead.

MILTON MUELLER: I can't tell what we're doing here. Are we talking about getting rid of the third scenario altogether or just talking about this third-party verification language?

KEITH DRAZEK: Thanks, Milton. Caitlin, do you want to respond to that? I think in this particular case we're talking about the third-party verification language. But let me turn to staff and see if they've got anything to add.

CAITLIN TUBERGEN: Thanks, Keith. So Milton's question was, I think, about the agreement that the team just made.

KEITH DRAZEK: Correct.

CAITLIN TUBERGEN: And that was just in reference to the third-party verification language. The question I was posing to the group was on a completely different topic, so apologies for the confusion.

I don't think the group was agreeing to eliminate the third scenario entirely. It was agreeing to just eliminate the third-party language. This is in relation to Scenario 2, no Scenario 3, and that is when the registrant chooses to indicate legal versus natural after an update is made to the registration. The concern was, after an update is made, it doesn't include any sort of timeline as to when the registrant would indicate legal versus natural. So the suggestion was to add in timeline of 15 days, which is the timeline which is included in the registrar accreditation agreement for updates to WHOIS fields. So we were thinking that perhaps that would be a practical timeline to include to address GAC's concern.

MILTON MUELLER: Well, could I then ask that we be a little focused? Let's decide the date of Scenario 3. I'm against it, and I think I heard Volker and others say they are backing away from this. So I think we're getting rid of Scenario 3 altogether. If I'm wrong, I would like to have that resolved before we debate wording changes within it and before we debate Scenario 2.

KEITH DRAZEK: Thanks, Milton. So I had Melina in queue, so I'm going to turn to Melina, and then we'll come back to Milton's point about Scenario 3 its entirety versus the language related to third-party verification.

So, to be clear, what we were discussing as a group here today was the proposed removal of the section related to third-party verification—that text and that language. I don't believe we were speaking about the removal of Scenario #3 in its entirety. If that's a conversation that we need to have, we can have it and we will have it shortly. But I take your point, Milton, about not wanting to confuse apples and oranges here. My fault for bouncing back and forth between 2 and 3 in this case.

Melina, I'll turn to you.

MELINA STROUNGI: Thanks, Keith. And sorry a million for going back and forth. I raised my hand in response to Scenario 2 and the proposal to have the 15-day timeline, which I would think would be helpful. I don't want to jump into 2 or 3. So I'll leave it up to you how to best structure the call. But, yes, for the timeline, I'm supportive. Thanks.

KEITH DRAZEK: Thanks, Melina. So we're speaking of #2 here and then the question of whether inclusion of a reference to 15-day timeframe would be acceptable or appropriate. Staff is going to incorporate draft text to that point on the question of a 15-day timeframe in the next version for everybody's consideration so we can see it in the context.

Sarah had noted in chat that she'd appreciate seeing the inclusion in context and in the text. So we could take a look at it on the paper or on screen as opposed to just talking it through, and I

think that's completely warranted. So we'll take an action item to focus on the 15-day question following this call.

Now let us turn back to the question of Scenario 3 that Milton has teed up. So I see that Stephanie and Milton in chat and on the phone have said that they, NCSG, are in favor of removing Scenario 3 its entirety. So let me tee that up right now for the group's discussion. If anybody else has thoughts, input, or feedback on that particular question, now is a great time to focus on it.

Volker, go ahead.

VOLKER GREIMANN: I don't think we have a preference either way with regard to this scenario. Ultimately, this is a suggestion on what a registrar can do and having that suggestion or not having it does not in any way preclude a registrar from making that determination anyway in that fashion. And there are registrar business models—for example, the corporate ones or the more family shops where they know their customers—where they are able to make that differentiation very easily, and other registrar models where this is possibly impossible.

So having that recommendation in there might open up the doors to confusion if it is not framed in the correct reasoning of why and for which cases we see this as possible. But removing it doesn't cost anything either because it still remains a viable option for those registrars that can and will do that. Thank you.

KEITH DRAZEK: Thanks, Volker. The queue is empty. If anybody would like to get in queue, we have about 15 minutes left. So I'll just note again, Stephanie and Milton, that NCSG is proposing not submitting guidance, not developing and including guidance. So your NCSG's views are noted on that point.

Chris, go ahead.

CHRIS LEWIS-EVANS: Thanks. Unsurprisingly, maybe, I'm for keeping the scenario in here. It will help registrars that haven't been part of this process, that they can make the differentiation themselves and, in fact, realistically, they should. Even if a registrant ticks a box to say that they are a legal person, they might have done mistakenly. Many times, NCSG has highlighted that fact. So for a registrar to run its own processes over the data before deciding that or agreeing with the registrant's own affirmation, it's helpful to highlight the fact that the registrant can do that in this guidance. Thank you.

KEITH DRAZEK: Thank you, Chris. Alan, you're next. Alan Greenberg.

ALAN GREENBERG: Thank you. I'd just like to note at least my concept of why we are including scenarios at all because they're not binding. They're optional. As I put in the Google Doc, another scenario could be that registrars completely ignore this—they do nothing. They're just hypothetical scenarios. My understanding is we're putting those in so those reading the interim report or the final report get a

better grasp over what we are saying: that it shows the nuances and the flexibility that this guidance provides because it is just guidance.

So I see no problem with including a scenario which many registrars may feel is improper and, as NCSG points out, in some cases, may in fact lead to a violation of GDPR if they did it improperly. But if you're a registrar only dealing with large corporations, asking IBM, "Are you a company or a legal person? A natural person?" just doesn't make a lot of sense. So including it as a possible scenario just to show the flexibility and the options registrars have I see no problem with. Thank you.

KEITH DRAZEK: Thank you, Alan. The queue is empty. Would anybody like to get in queue?

Okay, Volker. Go ahead.

VOLKER GREIMANN: As Alan suggested, removal is possible. If we keep it in, I don't have an objection either. But if we keep this scenario in, I think we should provide some form of warning to those that might rely on it, simply stating what the cases are and where we think this is valid because, if we put this out as a recommendation, there may be registrars out there that see this and say, "Oh, okay. That's something I can do as well. I didn't know" that doesn't do their research and suddenly it's faced with legal liability there that they didn't expect. And I don't want to have fellow registrars running into traps just because they weren't a member of this group and

they didn't partake in our discussions regarding the risks and issues that come along with this in the scenarios where this might work and that they don't apply to them.

So, if we frame that correctly, I think we could also leave it in. it's a question of framing here.

KEITH DRAZEK: Thank you, Volker. Alan, I'll turn to you and then I'm going to turn it back over to Caitlin to make sure we bring this one in for a landing and make sure that I haven't confused anything along the way in our conversation. Alan, you're next.

ALAN GREENBERG: Thank you. Maybe we just need a preamble to all of the scenarios, saying, "These are here as examples of how registrars might to do it. Each scenario does not necessarily apply to every registrar. They are pros and cons, but we're just trying to present a range of options that might be implemented based on this guidance." And put the preamble in the front with all the warnings and caveats saying, "If you do it wrong, you may be in trouble." That's fine.

KEITH DRAZEK: Thank you, Alan. Any reaction? Any thoughts? Anybody else would like to like to get in queue? We have less than ten minutes left now.

Stephanie, you're up next, and then I'll hand it to Caitlin.

STEPHANIE PERRIN: I typed something in chat. I think one of the issues here is, what is this beast? As Alan Greenberg has pointed out, it's not really clear what we're doing here. Is it an appendix? Can we title it "exploratory guidance"? I mean, let's face it. We are new at this. The guidance, whether we like it or not, amounts to advice on how to comply with the GDPR. The policy itself cannot really dictate this, as we have discussed. So all of the words and caveats around this need to be extremely strong if you're not going to delete it and let the registrars do it themselves, which is certainly what I think is the lowest-risk option.

However, if you're insisting on keeping it in here, then it has to be in an appendix. The chart that Sarah had developed needs to be labeled "An exploratory response to guidance to contracted parties." And by "exploratory," I mean we're going to find other issues—I am confident—as we work through this once the policy has rolled out. As Alan just typed in the chat, it needs to be very clear it's not policy, which of course brings us back to: what's it doing in the policy if it isn't policy? Thank you. But at least, if you're going to insist on keeping it, make it an appendix with all kinds of language around it saying, "Just a concept here, folks."

KEITH DRAZEK: Thanks, Stephanie. Look, I think that's a good point. I think, clearly, this is not a policy requirement or policy language. It may not even be guidance language. It's really more of an illustration, I think. I think text that provides the necessary caveats would be helpful.

To that point, if folks have text that they would like to have the group consider, please submit it. Please propose. Let's try to move this one forward.

With that, Caitlin, I'm going to turn it over to you. We've got seven minutes left. So, if you could help bring this one in for a landing in terms of making sure that are focused for next steps, I would appreciate it very much.

CAITLIN TUBERGEN: Thank you, Keith. With respect to this last item, I do note that Sarah had provided some draft text in the chat. Others, of course, are welcome. If you would like to add additional disclaimer language, we do still have the write-up. You're welcome to do that.

As a reminder, there are three outstanding action items that are due tomorrow. These three outstanding action items deal with two documents. We have a write-up on feasibility of unique contacts. We went over the write-up during Tuesday's call. And we did note that some of the feedback that we received came in after the deadline. That feedback is also welcome to be included in the write-up and should be included in the form of comments. It's just that staff didn't receive that in time to include that in the write-up, which is why it's not there. So if you would like to include your feedback for the first topics—feasibility—please do so.

Similarly, there is an updated version of the legal versus natural guidance write-up. We've noticed there have been several comments already, and that's great. Please continue to make

comments in the form of comments and not direct edits. The deadline for both of this is, again, tomorrow.

Particularly for the GAC and the Registrar Stakeholder Group, there is currently the registrar table, as well as the GAC-proposed scenario that are included at the end of the write-up. We asked both of those groups to review the write-up in its current form and see what isn't included in either the table or the write-up that needs to be, just to avoid confusion, if the table or the write-up needs to be included to note as such, but we're looking to see what isn't included in the write-up just so that it's clear to readers who aren't clearly following the work of this group what the differences are, if any.

We'll circulate these action items following the call, but I think that covers it. If anyone has questions about what's required of this group in terms of action items, please feel free to raise your hand. Staff support can address those questions. Thank you.

KEITH DRAZEK: Thank you very much, Caitlin. So now is an opportunity for the group to follow-up with any questions for staff or the leadership team here on the homework assignments, on expected or anticipated next steps here. We will, next week some time, circulate an update to the consensus-policy-recommendation-versus-guidance issue. So there's more to come. But these are the items that we want folks to focus on no and in fairly short order.

Any questions? Any comments? Any issues or items to raise for staff and the leadership team at this point, noting we have three minutes left?

Okay. I am not seeing any hands. So, with that, as Terri has put into the chat, the next meeting of the EPDP team is going to be Tuesday, the 11th of May, at 14:00 UTC. Just to remind everybody, I think, as you know, we're at twice-weekly meetings at this point through the end of this month. So we'll continue on that cadence. Don't expect any additional meetings of the Legal Committee at this point unless something surprising happens. So, just again, thanks to Becky and to the entire Legal Committee for the work that they've done and getting us to the point that we are today. We'll confirm action items on the list and then, if there are any questions for ICANN Org, folks, please feel free to flag them.

So, with that, I will ask staff if there's anything else they would like to comment on at this point. Caitlin and Berry, I'll hand it over to you for the last minute or two, and then we'll move to wrap-up.

Okay. Nothing from Caitlin. Nothing from Berry.

Alright. AOB. Going once … going twice … going three times.

Thank you all very much for joining today's call. We will conclude the meeting. Thanks, all, very much.

**[END OF TRANSCRIPT]**