
ICANN Transcription
Registration Data Accuracy Scoping Team
Thursday, 06 January 2022 at 14:00 UTC

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record.

Attendance and recordings of the call are posted on agenda wiki page:

<https://community.icann.org/x/7oD3Cg>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

<https://gnso.icann.org/en/group-activities/calendar/2022>

TERRI AGNEW:

Good morning, good afternoon, and good evening. And welcome to the Registration Data Accuracy Scoping Team taking place on Thursday the 6th of January 2022 at 14:00 UTC.

In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please identify yourselves now? Hearing no one, we do have listed apologies from Owen Smigelski and Thomas Rickert. And no one further at this time, and no alternatives listed.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance, please e-mail the GNSO secretariat.

All members will be promoted to panelists for today's call. Members, when using chat, please select Everyone in order for all to see your chat. Observers will have view only to the chat.

All documentation and information can be found on the Wiki space. Recordings will be posted on the public Wiki space shortly after the

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end of the call. Please remember to state your name before speaking. 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, Michael Palage. Please begin.

MICHAEL PALAGE: Thank you very much. Welcome, everyone, to 2022. Hopefully, everyone had a safe and enjoyable holiday break. I know a number of our ICANN colleagues have been dealing with COVID cases so, again, I hope everyone is safe and look forward to a productive 2022.

So on our agenda, Brian, I'm going to be calling on you first. If you could please give us an update on the status of questions and ETA on when we might expect those to be answered. And is there anything on our end that we need to do? Is there a lack of clarity or any more clarification that ICANN needs from us?

BRIAN GUTTERMAN: Hey, Michael. Thanks. And, yeah, happy new year, everybody. I think we're making good progress. I've met with a couple of the SMEs that have been going through the questions already this week. I think we're still on track, I hope. We're getting some final reviews. We're being as thorough as we can, trying to get fully answer to all the questions. So let's see. But I expect the answers to come back some time mid-next, pending other things happening. That's my expectation, to stick with the eta that we sort of agreed

upon on our last meeting which h was like the 23rd. And I haven't had any questions, and all the questions seem clear in this regard. So I hope to get the answers back to the group hopefully before our meeting next week.

And then the SMEs and Compliance colleagues have expressed their happiness to join—if needed—the call and to explain the answer or answer follow-up questions that the group might have. So I hope that's complete. But we can continue this conversation, Michael and others.

MICHAEL PALAGE:

Put it this way. It was thorough from my perspective. Does anyone in the group have any questions or comments for Brian on that? Okay, I see none.

The other administrative topic is the status of the vice-chair. There were concerns, I believe, raised—I don't know whether it was Volker or Marc, I don't remember which—about the process regarding the potential chair of, excuse me, the selection or appointment or nomination—all of the above—of a vice-chair.

The concern was that, I believe, the current process stated that the GNSO liaison should not serve in that capacity, although they have. He or she has served in that capacity in the past.

So what we are going to do is, right now, the current best thinking is to throw it open. And no decision needs to be made here today, but we will throw it open to any and all interested in throwing in their hat in for the vice-chair position. So that is the proposed next step. So if there is anyone interested—if they would like to express their

interest here now, or whether they would like to do so via the mailing list—please do so.

This is not an incredibly pressing issue. We have a lot more other substantive work to get through, but I do want to follow through on this just so that we have that extra layer. Should there be any continuity or should I miss a meeting or something like that, it would just be a lot easier just to hand off. And I believe most of the EPDPs, to my recollection, all had vice-chairs associated with it.

So that is the quick update. And Alan G, I've been informed that you have your hand up. So thank you. Alan, you have the floor.

ALAN GREENBERG:

Thank you. I do have my hand up. Just for clarity, are you asking for volunteers from members and/or alternate or the entire world? So is this open to anyone who's not already a member, or are we restricting this to members or alternates only? Just for clarity.

MICHAEL PALAGE:

I was thinking back to something my dad always said. "Beggars cannot be choosers." And given the fact that the position of chair ... I think there were no applicants in the original round. There was only one in the second round. So I don't believe this is, if you will, the hottest ticket in the ICANN PDP world. So I would be inclined to keep it open to others. And there we go. So I'm open on that. I guess the simple answer is what does the group think?

And Marc Anderson, I know you had raised the questions or concerns previously. So what do your internal Spidey senses say

regarding opening it up to just internal members or external third parties? You have the floor, Marc.

MARC ANDERSON: Hey, Michael. Can you hear me okay?

MICHAEL PALAGE: I can hear you loud and clear.

MARC ANDERSON: All right. I guess my inclination would be to give members and alternates the first opportunity to volunteer or not. But I also suspect, like in previous phases, that members and alternates would not want to give up a seat as a member to take on the vice-chair position, and that your dad's "beggars can't be choosers" phrase is spot on. I still think it might be fair just to give members and alternates the first opportunity to volunteer, but that it should ultimately end up being opened up to everybody.

MICHAEL PALAGE: There we go. Okay, so I think we have a plan of action on that. And now let's begin to move into our substantive work, because we've taken nine minutes as opposed to five.

So right now what we want to do is continue with the Gap Analysis. And Ryan, we're going to start with, I believe, the GAC. Ryan, I did read ... I believe one of your colleagues from NTIA was on the call. He and I ran through and read into the record the comments that were submitted on behalf of the GAC. I believe there may ...

I forget who filled in for you. I apologize that I do not have that off the top of my head, but I believe we left open some questions that people may have. And now that you are back, what I would like to do here is open it up the floor to anyone that has previous questions regarding the GAC comments. Would they like to raise them now, or would we like to move forward with, I believe next up is Steve Crocker and the SSAC comments.

And I am being reminded by our good ICANN colleague friends, were there ... I believe there were some questions. Were any of those questions referred to you, Ryan?

RYAN CARROLL:

I've not received any e-mails or questions about the Gap Analysis. And just to be truthful, my colleagues in the EC took the laboring more on these comments. So I'd want to make sure that I'd coordinate any response to questions with them as well.

MICHAEL PALAGE:

Okay. And I believe, from my recollection—what is it—Melina and Velimira, I believe, are still off until next week. I believe they come back on the 10th. So with that, and mindful of some that are still on extended holidays, what I will do is postpone that until next week. So I will give you time to interface with our European GAC colleagues and be able to do that. And we will go back and look to see if there were any specific questions.

But before I move on to Steve, is there anyone on the call right now that does have any questions or if you recall raising the question to Kenneth two weeks ago, something that you would like to revisit or

tee up so that Ryan could bring that to the rest of the GAC's attention?

Seeing no hands up, we are now going to ...

MARIKA KONINGS: Michael.

MICHAEL PALAGE: I am having trouble with the hands today. My apologies. Marika.

MARIKA KONINGS: No worries. Just to note, indeed, I do recall that there were a number of questions. And I do believe that I think we asked the person that was participating on behalf of the GAC to take those back. But I think that the notes and the transcript of that meeting should probably also provide a good record of some of the issues that were raised. So maybe Brian can work with his colleagues to look at those notes and the transcript of the conversation to review the specific questions that came up.

And, of course, if there are any further questions, I think people can either add them to the Google Doc or send them on the mailing list. But as said, there is a record that's already available that might avoid having to repeat some of the conversations on next week's meeting.

MICHAEL PALAGE: Thank you, Marika. And Ryan, I would probably encourage you to read the transcript because, otherwise, you'll have to listen to me read in most of the GAC's comments which was a bit painful. So reading the transcript is probably quicker and less painful.

Thank you, Marika, for that reminder. Any other further questions before we move on to Steve and the SSAC Gap Analysis? Seeing none and seeing that there are no hands—although, Marika, please advise me when I miss the hands—Steve, you have the floor.

STEVE CROCKER: Thank you, Michael. Happy new year to everybody. So we're continuing through the march of each of our inputs into this. A question for you, Michael, in addition to what I'm going to cover here. You may have noted that I sent an additional input to the group that is a much broader Gap Analysis exercise which I call a [roster to the Gap, so a Gap roster]. So you want me to say anything more about that here or do you want to bring that up later? Or do you want to make it go away so it doesn't really come up and bother you again?

MICHAEL PALAGE: So let me start at the end and work back. Anytime anybody does any work, I'm never going to tell them to go away. I did read through the document twice. I think I have some understanding of what you are trying to achieve as far as how you wanted the ... I did not fully understand that. And I know I tried to reach out to you directly and, unfortunately, we didn't connect.

So what I would like to do, in the interest of time, I would like to start off first with the stated homework, the SSAC homework. I believe the BC has not done any updates. The IPC is not here. The NCUC did submit some comments. So if we can get through your comments and the NCUC comment, I would then like to ... NCSG, there we go. Yes. Take off two weeks and you forget all your acronyms. And the ISPC with Thomas.

So if we can get through ... Yes, I am mixing up my IPC as opposed to ISP colleagues.

LORI SCHULMAN: Okay.

MICHAEL PALAGE: Apology. Yes, Lori. You can't ever take the Trademark out of me. What can I say?

So what I would like to do, Steve, is get through all of the other comments. And then if we have time remaining today, we can revert back to your paper and, perhaps, if you could articulate that. Does that sound like a suitable compromise? And if there are some things in your Gap Analysis, you could perhaps put a pin it for future discussion or referencing it in your paper. How does that sound?

STEVE CROCKER: That's fine. Entirely up to you. I just wanted to find out how you wanted me to handle this particular chunk of time. And I will stay focused on the SSAC input to the exercise that's in front of us.

MICHAEL PALAGE: Yeah, that would be helpful.

ALAN GREENBERG: Lori has her hand up.

MICHAEL PALAGE: Yep. Lori, before Steve starts, would you like to speak?

LORI SCHULMAN: Yes. Sorry, I'm lowering my hand. I'd just like to ensure that my attendance was recorded. This was a hand from before. So, yield to Steve. No problem.

MICHAEL PALAGE: Steve, you have the floor.

STEVE CROCKER: Thank you. All right, so it's actually been a little while since I've looked at this. So let me get back up to speed here.

"What is from your perspective the current goal that the existing accuracy requirements and enforcement are trying to meet?"

So my comment is that there's a split, as I understand it from listening carefully to everybody within the group, and I want to characterize this split as fundamental right at the top. There's a distinction between what the stated purposes are as listed in EPDP

Reports 1 and 2 versus what are felt to be legitimate needs by various users or constituencies that need and want the data.

And so one of the things that I want to try to insert into the dialogue here is a distinction for us to keep in mind. We may not be able to satisfy it, but to keep in mind between things that people express, “We need this because of that because of this reason or for this purpose” that are different and distinct from the ones that have been cemented in concrete, so to speak, in EPDP 1 and 2.

Now, I acknowledge that in saying that, some of the group probably will say, “Out of scope. Don't do that. We've settled all that.” And my reason for bringing it back up is because no matter how often we say it's settled, it remains, for many, many people, completely unsettled. And at least from the point of view of not going round and round and round again every time on these things, record this, put it on the shelf, and acknowledge that it's there. And then move on from there.

And as a consequence, when we're done we will be able to say not only what we have done, but we will also be able to say with clarity what we have not done and be forthright about that, as opposed to just try to make it go away and not acknowledge it.

So that leads to not only a distinction between what I've called here Needs and Purposes ... And the word “Needs,” you could choose “Goals.” You could choose “Uses.” From my point of view, they all cover the same thing here.

Then you have the purposes specific in EPDP 1 and 2. And then you have, what are the operational requirements imposed not the

contracted parties in terms of what validation is required of each of the collected data elements? That's intended to implement those purposes, but it leaves open the question of whether or not they really do or do not effectively implement those purposes.

Then finally, you have so what actually happens in practice? And if the practice doesn't quite meet the requirements, then you have an issue there. And that would be perfectly normal because the requirements are stated once and then the practice is what every organization does operationally.

And so the answer to that question is the last line. "Neither the Purposes nor the Needs seem to be part of the goal structure." And so that's a gap.

Then we move on to Question 2.

MICHAEL PALAGE:

So, if I can right there on that first one there, Steve. And with regard to what is in scope and what is out of scope, I believe this is ... I'm just looking at it. I think I put a copy of the document which is the Council's instructions to us. So I believe if you go to that document and if you go to page 3, the third full paragraph, it talks about what is in scope and what is out of scope.

And I just want to read the following lines because I think it potentially answers your question, but I do want to then open that up to the rest of the group because I think it's important to have clarity and, to your point, get closure on this one way or another.

So in the document, it says what is in scope and it says, “However, the scoping team is not tasked to review these purposes or suggest changes.” So that, in and of itself, appears to be a full stop. But then it continues.

It says, “If the scoping team finds that further review of these purposes is necessary, especially in the context of implementation and enforcement of existing requirements, it will identify this as an area of further work ...”

So I think this is, I would say, not the most clear [of instructions]. So it’s basically saying it’s outside of scope, however if we see it’s a problem we should at least document it for future considerations. So I think that is how my proposal as chair on trying to walk that fine line between what’s in scope and what’s out of scope, and to do so in a neutral manner knowing, as you noted, that there is a lot of passion on this topic.

So that is what I’m doing. I think it would be appropriate for you to note it. But as far as engaging in substantive discussions regarding an expanded use or purpose, I think our hands are somewhat tied. Would you agree or disagree on that?

And I see Volker is going to comment on this as well. So do you want to speak first, or do you want Volker? And then I see Lori. So we have a good topic.

STEVE CROCKER:

I’ll speak very briefly. So I understand your point, and I understand your words there. There is a metarule, if you will, since we are all intelligent and sentient human beings here, that if we see something

that is broken, it is never out of scope to say so. It may be out of scope to go fix it. It may be out of scope to attend a lot of time on it. But it cannot be out of scope to simply let it go by and say nothing. That is close to a felony.

MICHAEL PALAGE: Okay. And I think that was the fine line I was trying to walk, that I am not precluding you from documenting it. See something, say something. There we go. Another cliché.

Volker, you have the floor. You're up.

VOLKER GREIMANN: Yes, thank you. And I think I agree with you in as much as that we shouldn't muddy the water and should try to stick to our instructions as much as possible. But that does not preclude to at least acknowledge certain concerns that Steve was alluding to. I just would suggest that we do not do that under the heading of "purposes," but rather speak of "uses."

"Purposes" has been defined by the EPDP. There has been a lot of work that has gone into that. And I think having one definition for "purposes" is sufficient for ICANN, and it would create confusion if we started to do different versions of the same nomenclature.

But if we speak of uses that this data is then subsequently put to or that other parties may have for this data, I think that is a valid question that we can ask and can discuss as part of deliberations without violating our instructions. Thank you.

MICHAEL PALAGE: Lori, you have the floor.

LORI SCHULMAN: Yes. I agree with Volker. Everybody knows that. Today, January 6th, I agree with Volker. I think that we can absolutely separate what we look at as the [futuring] issues from the immediacy of what the Scoping Team is being asked to deal with. And I do think that is what Steve is suggesting. I don't think that Steven has suggested that we go out of scope. In fact, I think he's been quite clear about saying that we need to do what we've been assigned to do, but there's a lot more here. And to have it somewhere on a record to refer to can be extremely helpful to the community. So in that sense, I absolutely support it.

I do support and note that Steve has delineated between "Purposes" in terms of the nomenclature in the EPDP versus, I think he's calling it "Needs." So whether you call it Uses or Needs, it's the same idea. There are Purposes as were defined under the EPDP in reference to GDPR. And there's our Uses or Needs of the system, and how can those uses and needs be adapted to what is the regulatory reality of today?

MICHAEL PALAGE: Okay, so I would suggest that we're all in agreement which is a good thing. Stephanie, you have the floor.

STEPHANIE PERRIN: Yes. Far be it from me to break that notion that we're all in agreement, but I wrote in the chat that it's worth noting here that engineers and lawyers and policy people have a different approach to scope. I understand Steve's sentiment that if something appears broken, then it's a felony not to fix it. And we all suffer from that. But that's not a ...

I'm not a lawyer, but that's not really a legal approach to the problem. I have said frequently throughout the EPDP that we were going at the actual problem the wrong way. Our scope on the EPDP was limited to what I would call "the disclosure instrument" and the collection of information for the purpose of the registrar.

We did discuss third-party purposes which Steve is describing, or SSAC is describing as "needs." But if we're talking about the process of registering a domain name with a controller that is a registry or a registrar, the third parties are not relative and their "needs" are not relevant. And that was dealt within the EPDP.

Now, there may be legitimate reasons for them to access that data which would be dealt with in their own ecosystem of how they gather, collect, use, and disclose personal information. They may very well need information. But we haven't really evaluated that, and it's not clear that it's part of this ecosystem because the actual role of ICANN in dictating those data elements was fundamentally split by the picket fence way back in time. And we continually to pave that cow path. That more of just an exclamatory statement from me. Thanks.

MICHAEL PALAGE: Becky, whenever I hear the mention of the picket fence ... Would you like to speak on that topic? Silence. Sorry, Becky. I was not trying to call on you, but I just ... As I said, whenever I hear “picket fence,” you’re the first reaction because I know you have spoken passionately about this over the last 20 years.

Stephanie, I will agree with you that who is the controller of this data would really be helpful. And I am hopeful that in 2022, we will have some clarity from both ICANN and the contracted parties on what those respective roles and responsibilities are through a data processing agreement. I think that would help provide clarity. Personally, I agree with you and I share some of your concerns.

So with that, Steve ... I see Alan. Lori, I think that’s an old hand, as we all Stephanie. Assuming they are old hands, Alan, you have the floor.

ALAN GREENBERG: Yeah, thank you. You have a reaction when you hear the term “picket fence,” so do I. My reaction is my experience in ICANN over the last few decades has been that different people use the term “picket fence” in very different ways, and they believe it has different meanings depending on the context.

My understanding of “picket fence” with regard to the GNSO is that the picket fence delineates items within registrar and registry contracts which are subject to PDP changes. That is, if you have a PDP and they make a recommendation on those particular subjects—the subject within the picket fence—then they result in policy changes and, effectively, contract changes.

That is not the use of the term “picket fence” that many people use, so I think we need to be very careful when the expression is used. Thank you.

MICHAEL PALAGE: And I think Becky is going to give us the clarion thought on this. Becky, you have the floor.

BECKY BURR: Yeah. Well, I do think I know what the picket fence is because I was part of writing it. And Alan is correct that it does limit what can be put into contracts and made binding on contracted parties. But that includes not just what’s written in the contract. But obligations imposed through consensus policy also must be within the picket fence.

I’m not sure. I’m sorry, I was away from the computer. I just was on my phone when Stephanie was speaking. The one thing I want to be clear about, I think that the issue of the maintenance of accurate and up-to-date WHOIS registrant data is absolutely squarely within the picket fence that is called out specifically as an item within the picket fence.

MICHAEL PALAGE: Thank you. And with that, Steve, I’m now going to turn it back to you to allow you ... Unless there are any ... Alan, did you want to respond to Becky? Nope? We are [inaudible].

ALAN GREENBERG: I'm sorry. I was trying to lower my hand. But I completely agree. Anything related to WHOIS or whatever we're calling it today is within the picket fence.

MICHAEL PALAGE: Amazing. We may be burning through all of our goodwill and consensus-building exercises early in 2022. Let's bottle it up and save it.

Steve, back to you to continue with the SSAC analysis, please.

STEVE CROCKER: Thank you. Just as a [inaudible] to what we discussed. Some words that Stephanie used catch my attention. I don't want to spend more time on it, but I do want to plant a flag that I'd like to spend some time understanding in more detail [the points that she has made]. Stephanie, I'd be happy to do that [inaudible].

MICHAEL PALAGE: Real quick, Steve. I know you're up early, but it appears that your West Coast Internet connection is not as good as your East Coast Internet. Maybe if you can slow down. And if possible, maybe dial in through the phone bridge if that's possible. Let's see.

STEVE CROCKER: I've switched to [inaudible].

MICHAEL PALAGE: Yes, excellent. Very good. Thank you, Steve.

STEVE CROCKER: Yeah, no problem. Okay. And thank you, Michael. Okay, so moving on to Item 2. Can you scroll up a little bit there? Thank you.

How can we measure these things? “Prior to GDPR, ICANN Org's WHOIS Accuracy Reporting System measured the level of compliance ... ICANN Org suspended this system when the registration data stopped being available publicly. However, measurement of the accuracy of the registration collection process is surely a legitimate purpose within the GDPR and all other privacy regimes. ICANN should regain access to the registration data and resume reporting on the accuracy.”

That is just a declarative statement. No question in there, from our point of view. But, “As noted in the response to the next question, there will be a need for a variety of services that have trusted access to registration data. ICANN Org access to registration data for the purpose of checking the accuracy is perhaps the most basic example of such a service.”

MICHAEL PALAGE: Okay. Stephanie, is that a new hand or an old hand?

STEPHANIE PERRIN: I think it is worth bringing up that oversight of accuracy ... That is an oversight role. And I'm not arguing that it is a role that ICANN should not be taking. I would presume that that would be spelled

out in a co-controller agreement of some kind, a joint controller agreement. And we need to see that because we need to see the documents that are spelling out the activities and the accountability for those activities that are going [on].

Pardon my confusion over the picket fence, but where does this oversight role fall? Inside the picket fence? Outside the picket fence? We are an accuracy committee that's looking at a function where we don't really have a clear policy. We have contracts that are not a product of policy. Thanks.

STEVE CROCKER:

Let me offer a comment, if I might, and separate two things and reach consensus by that means.

I think that we can reach consensus that oversight of the accuracy is very much within the picket fence, very much within ICANN's role, and must be done. Because if you don't do that, then you haven't got an effective system. No matter how well the contracted parties implement the requirements, no matter how much internal auditing they do just from a general principle, you have to have, on top of all that, an external function.

How you implement that is subject to a lot of different possibilities. It does not necessarily mean that ICANN has to go itself and probe the data. It could do it by many other means. And that's an implementation "detail." "Detail" is in quotes because it's obviously a big thing but not a trivial thing. But the precise way it's implemented—and, consequently, what agreements have to be in place between what parties—is a subordinate matter.

One could imagine a variety of third parties who are in the business of doing this kind of auditing and being contracted with them, in which ICANN itself never gets its hands on the data but has confidence that somebody has done the appropriate job of auditing. So I wanted to separate the implementation versus the requirement that auditing be done.

MICHAEL PALAGE: Okay. Sarah Wyld, you have the floor. First time in 2022.

SARAH WYLD: Thank you very much. Hi. And I'm half tempted to just put my hand down and stop talking. But, okay, so I know that our role here is to identify problems in areas where policy could be useful rather than determining solutions to those problems that we might identify. But that said, I'm just very curious about that last sentence in the answer here to #2.

How, exactly, does the SSAC Team anticipate that ICANN could check the accuracy is data, is what I was thinking about. But as I was waiting to ask that, I think what I'm hearing is the idea that they might work with a third party to do so and contract that out to somebody. And so I guess I have a variety of concerns around that idea.

But having said all of that, I think that's not what we're supposed to be doing in this call, so I'm now going to leave it there. Thank you for your time.

MICHAEL PALAGE: Thank you, Sarah. Marc Anderson, you have the floor.

MARC ANDERSON: Thank you. I was similarly tempted to lower my hand after Steve's last intervention which I thought was rather helpful. I think Steve made some good points there in his last comments. I do think the comments Steve just made, though, were a little bit different than what is written in #2.

In the statement on #2, the SSAC says, "ICANN should regain access to the registration data and resume reporting on the accuracy." But in Steve's comments, he pointed out that there are other ways that this can be accomplished without ICANN actually having direct access to all the data itself. And I think that's the point I had raised my hand on. There are other possible paths to reporting on and measuring accuracy that don't necessarily involve ICANN itself getting access to all the data. And we can consider whether that's good thing or a bad thing.

I think I just raised my hand to make the point that we shouldn't consider that as the only option. We should keep our options open and consider other possible approaches, especially as we get to our second task in our instructions from Council on the measurement of accuracy. I think there are lots of different ways we could accomplish that, and we should keep our options open.

STEVE CROCKER: So I might respond. Marc, thank you very much. I agree. The words "ICANN should regain access" would generally be read by most people as meaning that ICANN should itself regain direct access. But in light of what I said subsequently in the discussion, treat that more broadly in that access to registration data for the purposes of auditing should be regained in some fashion. And if we want to

rewrite that last sentence to encompass a variety of possibilities, that would be fine with me.

MICHAEL PALAGE: Okay. With that, Steve, if you can on to Point 3.

STEVE CROCKER: Okay. "Are there any goals that have been overlooked?" And I list five. My goodness. Per element accuracy requirements. There should be an accuracy requirement for each of the data elements. I mention a [four-level] scale, which I think is completely consistent with, in fact, all of the discussions that we've had.

But the current rules are somewhat vague on two points. They're vague on which data elements have to be validated and at which levels. There's a focus on contact information for e-mail and phone numbers, and to some extent I think on addresses. But not for other data elements.

And the other thing which I guess I cover on Point 4 is whether or not the language limits the amount of validation that can be done. And I know from some discussion, the reaction is, "Well, of course it doesn't." But I think there's value in making that clear because, as I point out in the next point, there are policy and other forces that may encourage higher levels of validation in some cases, and that the validation level does not have to be uniform across all of the registrars. We're really setting minimums.

So that's Point 1 plus a little more. Point 2 is that the actual validation that is carried out should be disclosed in response, or some indication of it.

Now I've had discussions with some parties that say, "Look, we would like the ability to do higher levels of validation, but we do not necessarily want to say what level of validation we did. But we're willing to say what the minimum was." But some indication of the validation should be returned in response to the queries.

This also speaks, to a certain extent, on a point that Alan has raised that where you have a choice of validating the e-mail address or the phone number, there is the logical possibility that one of those would be validated but the other one would be returned in the response. I don't think that's what anybody actually intended, but to close that little gap, include the idea that you return the validation level.

You don't have to have a huge system change in which you go and change the database in every little detail. You could have a rule if the rule is what the registrar follows. It could simply say, "Our rule is that we will validate, and any time we return something, we'll tell you what that was."

The third point there is that in addition to the validation level, when was that done? That's an important part of the credibility of the data.

The Point 4 which I covered before is that there should be explicit communication that multiple validation levels are possible and each registrar may validate beyond the minimum requirement. And they

may do that for a variety of reasons, some of which is a competitive offering. And others are part of a know-your-customer program.

And then finally, one I alluded to before is that it's not just ICANN in its oversight role but a variety of other services will need access to non-public registration data. So there will have to be trusted services that can serve those needs on contract to their customers and in compliance with all of the rules that would have to encompass this whole process.

So that's the totality of SSAC's input on Point 3.

MICHAEL PALAGE: Okay. Sarah, I see your hand raised. You have the floor.

SARAH WYLD: Thank you very much. Thank you, Steve, for going through all of that. Okay, so on #1, the per element accuracy requirement. Can you just help me out with which elements you see right now that do not have any requirements? Accuracy ones. Than you.

STEVE CROCKER: Well, just top of my head, the name of the registrant and the organization.

SARAH WYLD: Okay. And for those ones, I guess I would say ... And thank you for answering that. I would say they have validation requirements because we make sure that they're in the appropriate format; but

not verification requirements because we're not verifying identity. So I think they fall under [V1].

STEVE CROCKER: Well, that's pretty weak. Not to be dismissive, but the syntactic requirements for name and organization are roughly a string of characters.

SARAH WYLD: Sure. So which level of accuracy that you've got here in your scale do you think they should fall under?

STEVE CROCKER: Okay, so I feel like I've just been set up here. I'm sure you didn't do it intentionally. But that would be a policy issue for discussion at the appropriate [inaudible].

SARAH WYLD: Well, that's a good point. That would be a policy issue.

STEVE CROCKER: And so I'm not suggesting here what the settings should be. I am only suggesting that there should be explicit settings and that part of the future task for setting those should do that, and what we're doing in the scoping here is simply saying that when you get to that, it should include per element accuracy for everything.

SARAH WYLD: Okay. So I think I agree with what you just said. There sold be per element accuracy, and I think the area where we're diverging here is that my understanding is that [V1] the appropriate level for those data elements. Thank you.

STEVE CROCKER: Yeah. I just note that [V0] says to take whatever the registrant has said. And if you set that as the level, then all that's being said here is, and then when you do that, be clear that that's what you've done.

SARAH WYLD: Yeah, absolutely.

MICHAEL PALAGE: All right. If there are no other further hands ... Volker, you have the floor.

VOLKER GREIMANN: Yes. Just questioning the technical aspects of this. If every disclosure of validation level has to be provided as part of the regular disclosure process, I'm not sure if we can even use RDAP anymore because I don't think that is a function that's currently implemented. So are we proposing a whole different platform for disclosure? A whole different protocol to be created for this level of disclosure? It seems to me that this is like shooting at sparrows with cannons.

MICHAEL PALAGE: So I actually potentially disagree with you. I think RDAP is incredibly extensible. I know I have done some work Alibaba in connection with [.shin] where they've linked the credit scores of registrants as part of the RDDS output. I know others have listed resellers. .nyc includes whether it's an individual or an org.

So I would say RDAP has incredible extensibility to add additional fields, but again that's ... Perhaps that's something we can discuss offline on a technical basis, Volker.

Alan, you have the floor.

ALAN GREENBERG: Yeah, thank you. I wanted to respond in a similar way. Both RDAP and EPP are extensible in terms of what fields are included. So we're not talking about a new platform. We are potentially talking about new fields if we ever get to this work and come to any recommendations. But that's very different than a new platform. Thank you.

MICHAEL PALAGE: Sarah, you have the floor.

SARAH WYLD: Thank you. Going back a little bit to the validation levels. I do just also want to remind everybody that when the verification request is sent to the domain owner by e-mail or phone, they're required to also confirm that all of the data elements are accurate. And that's the same thing in the annual WHOIS Data Reminder Notice. So

indeed, we're only verifying the one or other field, but I think it's just important to note that the domain owner is telling us that all of the data is accurate. And as I'm seeing, we don't have a lot of reasons to think that they're lying to us. Thank you.

MICHAEL PALAGE: Excellent. Steve, if you want to bring us home on Point 4.

STEVE CROCKER: Thank you. So Point 4 asks can you document what the unmet needs are or what the problems are. I was short in the input here because everything has been discussed many, many times and there are tons of documents. What I didn't do is try to recreate the full list of references there.

So I simply said, look, let's not be in the position of saying that because there's not a fresh, separate justification for each of the points above, we're going to rule these out of order. There's work to be done if you want to document all of that. But that belongs as part of the PDPs, not in the scoping process.

MICHAEL PALAGE: All right. Excellent. So with that, I think, if I am correct, we've concluded the SSAC Gap Analysis. And unless there are any further questions ...

And thank you, Steve. I think this led to a rather constructive dialogue. So thank you for starting us off on a good step in 2022.

I believe now we will head over to ... NCSG, I believe, is next up. Stephanie, will you be speaking on behalf of NCSG? Or who will be speaking?

STEPHANIE PERRIN: Actually, Manju did all the work.

MICHAEL PALAGE: So, Manju, please. You've done all the work, so would you like the floor to summarize and walk through the group with your presentation or your documentation here?

MANJU CHEN: Okay. Should I just start speaking?

MICHAEL PALAGE: Yeah. You have the floor, Manju. It's all yours.

MANJU CHEN: This is Manju on behalf of NCSG [inaudible]. So I think our input is not very different from the contracted parties, especially for the first question. So I don't think I'm going to read through them because that will take a lot of time.

So we have two goals, and we think that the above goals are to make sure that the registration data processed by CPs and ICANN under their joint data controllership fall in line with the Purposes,

with a big P, identified by the EPDP which, like I said, was pretty similar and identical to what contracted parties suggest.

And for the second question, we think that [the registrars]—

MICHAEL PALAGE: Okay. if I can, Manju, real quick—

MANJU MANCHU CHEN: Sure.

MICHAEL PALAGE: —before we move on to Point 2. And thank you for succinctly summarizing Point 1. Is there anyone that has questions/comments/ concerns regarding Manju and the NCSG's input on Point 1? Seeing none, Manju, please move forward with #2. Thank you.

MANJU CHEN: Thank you. So for question 2, how and by whom should measure whether the goals are met. We suggest that registrars are actually ... They should be the ones because they're under their contractual obligations and also because they have legitimate purposes to process the data. And also, ICANN Compliance, based on its responsibility to enforce contracts, can also measure whether the goals are met by auditing. But this is provided that the controllership arrangements between ICANN and the contracted parties provides this oversight function.

We believe that ICANN is in joint controllership of the registration data with the contracted parties, although this has not really been confirmed by ICANN, I guess. So depending on whether ICANN recognizes and accepts this role, the responsibilities and obligations of measuring and ensuring compliance can alter.

So I'm going to stop here, I guess, in case there are any question.

MICHAEL PALAGE: Thank you. So, any questions or concerns from the group? Seeing none, please move forward.

MANJU CHEN: Can we scroll down a bit? Thank you very much. So for the third question, are there any goals that have been overlooked. For NCSG, we don't think that there are any other additional goals. But we definitely wish to reiterate that any proposals or considerations of these kinds of additional goals have to fall in line with the purposes, with the [inaudible] again established in the EPDP and comply with the Data Protection law.

And while this is just a kind of more elaborate explanation of how we have pointed out many times throughout the EPDP process that from the data protection perspective, registration data must be examined throughout its life cycle, and the various parties that control it, to ensure that it complies with data protection law.

Actually, this part was written by Stephanie, particularly. So if she wants to elaborate on this, because I'm sure she can do a better job explaining this than me.

MICHAEL PALAGE: I thought you did a very good job. But Stephanie, if you'd like to perhaps elaborate.

STEPHANIE PERRIN: I thought she was doing an excellent job, too. What precisely do you want me to elaborate on?

MICHAEL PALAGE: I don't know. She just was putting you on the floor.

MANJU CHEN: This part where it says "we chartered the" and so forth. It's an explanation of how we wanted to point out, I don't know.

STEPHANIE PERRIN: Oh, the life cycle.

MANJU MANCHU CHEN: Yeah.

STEPHANIE PERRIN: Right. Okay. And I have typed quite a bit of this in the chat already, so apologies for repeating. We tried to narrow the scope when we were dealing with the EPDP of the policy and we definitely focused not on the ecosystem of collection/use/disclosure/subsequent disclosure to third parties. You know, the open WHOIS and all of

that. We were basically focused on the historical WHOIS, and we kept complaining about that again and again that we were just fiddling with it in order to “improve on the Temporary Spec.”

We really have to look at all of the policies regarding treatment of registrant data and figure out who’s the controller, who’s the co-controller, who’s got the liability, who the processors are, and who’s actually go input. And I mean when I say input, I mean is this within or without the picket fence? How much is subject to community input and policy development, and how much are strictly legal arrangements between the contracted parties and ICANN?

So that’s what I was talking about. I apologize for my dog. He clearly doesn’t agree. Mike and I had a conversation the other day in which I said, “Really, we complained about this. We went about it backwards. And now we’re trying to clean up things that needed to have been addressed, particularly with respect to the accountability and the controllership at the very beginning. And we still haven’t dealt with these things, to the best of my knowledge, unless they’re happening behind the scenes in arrangements between ICANN and the contracted parties.

And the one that just kind of leaps out is the whole escrow thing. ICANN’s the controller there. Right? So anyway, very good to see those arrangements. Yeah, the puppy does support. Yes. Thanks.

MICHAEL PALAGE:

Yes. So we are hopeful that, as I had articulated before, hopefully 2022 is the year that ICANN and the contracted parties can make

progress on that DPA to provide clarity. And perhaps that will make our tasks a lot more clear and provide enhanced clarity.

Okay. Manju, you have the floor to continue with the fourth and final point.

MANJU CHEN:

Thank you. So for the last question, we actually have a very simple answer, too. Well, for who should be documenting these problems and needs, we think the GNSO Council has the role and responsibility to examine these issues of registrant rights under GDPR. And if it requires additional PDPs, GNSO Council, of course, has the right to call it. But we also stressed that there will be little appetite at the moment. Thank you.

MICHAEL PALAGE:

Thank you, Manju. Are there any overarching questions, concerns, or comments regarding the NCSG Gap Analysis? Seeing none, I believe Thomas has prepared the ISP contribution. However, he is not here and I will not pain everyone by me reading that like I did the GAC Analysis during our last meeting. So I'm going to put a pin in that and we will revert to that next week, in addition to the GAC follow-up analysis.

Are there any other groups that are missing? Ah, Susan, do you have any ETA or update on when the BC will be able to provide their Gap Analysis to the group?

SUSAN KAWAGUCHI: Yes. I have a draft out and waiting for comments. So hopefully, prior to next Thursday meeting.

MICHAEL PALAGE: Thank you. That would be much appreciate. Thank you very much. So with that, if we can go back to the agenda because I think we now have completed our Gap homework.

I believe, with the “measurements of goals identified,” Marika I’m going to allow you to walk through this with the group because you’re going to be able to do it much more articulately than I could. So if you could take the floor and discuss what the leadership team and ICANN Org had discussed about next steps regarding this particular item here.

MARIKA KONINGS: Yeah. Thanks, Michael. Sorry, I was looking for the mute button and the document. Just to note, as well, I think you wanted to maybe give Steve, as well, as some time to talk about his document. So I don’t if you want to do that before or after I speak about the next step?

MICHAEL PALAGE: Well, I wanted to get through our agenda. And then yes, as soon as you are done, Steve will have the remainder/balance of time.

MARIKA KONINGS: Okay. So let me just a document that we started pulling together, which should look familiar because it's basically based on the input

that has been provided on Question 2 by the group. So I think I briefly spoke about this during the last call, that at least from our perspective, after we've gone through all the Gap Analysis input—as you know, there's still a couple that are due or have been provided but we don't have speakers—I think we hope to finish next week. There are still a couple of outstanding questions on, I think the GAC input that, again, we hope to address next week.

But I think then, at that point, we hope to kind of start switching the conversation to a certain degree to start focusing on that second question that was identified in the Gap Analysis on how and by whom can it be measured while the current goals of existing accuracy requirements are met.

And what you see here in the table is the input that we've received so far from the different groups on how you believe that measurement can take place or should take place or maybe has already taken place. I think we already had a bit of conversation about that today. I think Steve already provided a number of ideas on such measurement could potentially take place.

I think Marc Anderson already alluded to the fact that he may have some ideas or suggestions on how this could be done maybe through other means than, I think, [ALS] which was previously reference to. So the idea is really to start focusing on a more practical conversation around, okay, we now have had a conversation around what everyone believes. That the existing a goals or objectives are existing accuracy requirements. But how can the group actually confirm whether or not these are met? And what is needed to actually obtain that information?

So for example, if you look at the first entry here. And I think a number of the entries speak about your contracted parties, and especially the Registrar of Record, being able to do that measurement. Of course, the question is, how can we compel such a measurement and how can such data be shared then with the group or the community to actually verify or confirm [what accuracy levels are], are current goals being met or not, and where are potential gaps identified?

So I think that's the conversation we would like to spin up after we've gone through the Gap Analysis, and this a document that we've kind of quickly put together that would allow groups to provide input in that second column to really quite concretely speak about what is needed and by whom to actually obtain this information. In certain cases, maybe this information already exists and it's a question of requesting it or sharing it or providing it. In other cases, further research may need to be undertaken or further examination of how something might be done, which parties may need to be involved, what time might be needed to do that.

So again, that's the idea behind this table at the moment. But of course, we're very open to hearing other suggestions or ideas on how we can move the conversation from "this is what we believe are the goals and objectives and this how we think it can be measured" to actually measuring and having factual information that the group then can use to demonstrate whether or not current goals are being met before then being able to move into the next conversation which would be which goals have been missed or are currently not being achieved by existing requirements.

And again, potential data that's obtained may also point to some of those issues as well or may help support or prove that certain things may not be actually an issue where some may have seen that issues might have been present.

So I hope that's kind of clear on where we want to go next. Again, if there are other ideas on how we can better formulate a conversation or get input from the group on moving in that direction, we're happy to hear that. As a starting point, we put this together. And we can definitely put this up as a Google Doc so people can start putting their thoughts in there and more concretely spell out how to think data can be obtained or what should happen and by whom it should happen to be able to do that. But that's where I think we're currently at. So I hope that was helpful, Michael.

MICHAEL PALAGE:

Yeah, perfect. Excellent. I think, yes, the best thing to do would be to post this as a Google Doc, share the link with the group. For those groups that have already completed their Gap Analysis, I think it would be helpful for them to figure out where those questions or suggestions may fit into this document. I think ICANN Org did a good first draft of this. And now it is, I think, helpful to perhaps take the output of the Gap Analysis to feedback into this document and begin asking what information is needed. So I would agree unless there are any questions or concerns.

Any questions or concerns from the group about what has just been discussed in the proposal to share this as a Google Doc and begin the markup and editing of it? Seeing none. If we could just go back to the agenda, I think we've completed everything on the agenda.

And if so, Steve, you're going to be back in the queue. So Marika, I think we have completed all of our next ... Yep, the measurement. Our next meeting is next Thursday where, hopefully, we will have an update and perhaps some preliminary answers back from ICANN Org. And we will hopefully complete the rest of the Gap Analysis from the three stakeholder groups.

So with that, I believe we have now completed the agenda as outlined. Steve, you have the floor to begin walking through the document that you had shared. I do not know how many people had read the document, so you may just want to start with that initial level setting before deep diving. You have the floor.

STEVE CROCKER: Thank you. I'm scrambling to see if I can get my document posted here. Nuts. Oh, thank you.

MARIKA KONINGS: Steve, I have it up for you.

STEVE CROCKER: Thank you. I appreciate this. This is very helpful. I was hoping you would do that. Okay.

So as I said earlier, and let me position this, the exercise that we've just gone through of identifying gaps caused me to think about gaps in a slightly broader sense, in that there are multiple gaps—if I can use that word broadly—not only within the specific remit of the

accuracy Scoping Team that we're doing, but more broadly through the entire process.

And one of the reasons why I did this is because there's tremendous amount of repetition and long rants, if you will, repeating the points that have been made in the past. So I said, well, why don't we take a different approach and, say, let's keep track of those for two purposes.

One is to try to shorten the amount of repetition, and the other is to be forthright and acknowledge not only what we're trying to do and the decisions we make and what we've accomplished. But also to be honest and forthright about what we're not doing, and just be very explicit about that and hold that up to the same light that we put our positive accomplishments, if you will.

So this exercise—hopefully, it becomes more than an exercise—is to list the specific points of concern and the different points of view associated with that. So if you would scroll down a little bit. There is, under the Preview Summary, a list there. I think 11, but I didn't number them because I view this as an expandable list that does not have any particular order.

And now scroll down a little bit further. Let's look just at the first one as an example. Well, that's a kind of meta one. Is this memo necessary? And there will be people who say, "No. Not necessary. Everything's been taking care of." And I stuck my stake in the ground and said, "Yes, it has to be here." And I expect others will chime in there.

Let's go down beyond the next one. Keep going, keep going. Okay. So the gap which I've just labeled as NPRP, Needs versus Purposes versus Requirements versus Practice. This basically repeats the point that I was making with respect to Point 1 in the SSAC input.

Go down a bit further. "What are the users' Needs?" And here I'm expecting ... I can name people whose voices are in my head that caused me to write this. But I don't want to be in the position of writing what they have said or what they would like to say. They should write this themselves. So this is a document for others to contribute to.

And let me make the point that we now have put this into a Google Doc and will try to make this highly visible for everybody to contribute to. We'll do a little bit of curating of the document to reduce duplication and to keep things succinct. And hopefully there won't be very many issues with respect to staying within rules of civility, but the point here is to be focused on substance and not on casting aspersions on anybody else.

So a Gap VLD, for example, is Disclosure of Validation Levels. So this makes the point that some people think that the validation level should be disclosed. I obviously do. That's part of what was part of the SSAC input. But the point here is that there's room for others to say, "Nope. No reason for that," or any other view that they might have on that.

Let's scroll down a little bit more. I don't intend to go into great depth and all of these because, hopefully, it encourages people to write their own thing.

Multiple Levels of Validation. I spoke about that earlier. Keep going.

So LSQ dredges up issues that were taken up in EPDP 2A about designation of whether a registrant's legal status should be included. And I think the output from 2A was "no change" because there was no consensus, but there were a substantial number of minority views on this. And so the point here is that there's room here to record and keep track of all of that.

The next gap on External Accuracy Auditing. We've just had a very lengthy back and forth on all of that. So no need to say more. But this a place to record that. Next.

Let's go further. We're getting close to the end. Ah, Meta Attributes for Credibility. One of the driving forces in all of this is big concerns about domain abuse and other ills. And one of the ways of dealing with that is to understand something about the credibility of the domain name. Not only who the registrant is but, for example, how long it's been in service and perhaps other aspects. And I mention here that the DNS Abuse Institute, that the PIR has, has a memo out and it lists some attributes that might be established for establishing credibility.

So the point of this this gap, identifying this gap, is that this is a place to have comments about the role of how to deal with this issue and what posture various people might take on it.

I think that's the end of this particular list. As noted at the very top, there's no claim that this is a complete list of all the gaps. And this has no use unless other people contribute to it. This is intended as

a starter kit. A few people, as I said, I hear their voices in my head. And if they don't independently jump in, I will nag them a little bit.

But the intent here is to be a balanced, fair, objective capturing, in summary terms, of what the different points of view are. And then if there's supporting material—which I'm sure there is in a lot of cases—rather than trying to cram it all in here, the table entry should include pointers off to those things.

So that's what we have here. There is a URL that I need to dredge up. You've put up the copy that I sent around, but we've since then mounted this in a Google Doc. And I'm having a little trouble is finding the URL for that, but I will do that as fast as I can. Any comments?

MICHAEL PALAGE: Marika, I see your hand up.

MARIKA KONINGS: Yeah. Maybe just a question to ask whether this is a document you would like us to move into the Drive for this team or whether this is kind of a broader effort we're having with also getting input from people outside of this group? So just trying to get clarity on the intended status and whether this belongs to this group and we should take it as part of the documents we currently have on the Scoping Team's Drive or not.

STEVE CROCKER: Well, the answer is yes, sort of tongue in cheek. Certainly, it is broader than this and so it has to have an existence outside of this group. But I would have no objection and would be quite happy if the group wants to focus on this as well.

ALAN GREENBERG: Just to note, I put the URL in the chat.

STEVE CROCKER: Oh, thank. How'd you do that? Never mind.

ALAN GREENBERG: Magic thing called bookmarks.

MICHAEL PALAGE: Sarah, I see you have your hand raised.

SARAH WYLD: I do, thank you. Hi. Thank you for sharing this. It's definitely something I want to think about a little bit more. I did have one suggestion that I put into the chat but wanted to make sure that I said it aloud also. Which was for the Gap NPRP, Needs/Purposes/Requirements/Practices. I think it might be useful ... Oh, and I noticed that Heather Flannagan left a similar question—that's great—in the document. In the Google Doc version, I mean. It might be useful to indicate who is the user that has the need. Because the appropriateness of fulfilling that need is, in a lot of ways, dependent on who the user is. Thank you.

STEVE CROCKER: Thank you for that, Sarah. 100% agreement. We'll need to clarify that, so what I'm going to say isn't intended to be the end of it. So these are the people ... When I used the word "user" in putting this together, I had in mind the people who are going to use the registration data that they retrieve. So it is, in a sense, not the people who collect the data—not the registrars or the Registries who presumably have access to whatever they need no matter what these processes are.

But it's the others. So it's our usual friends. It's law enforcement, of course. It's the general public, of course. It's the IP, the intellectual property community. It's the security researchers and others. But I agree that that needs to be made more explicit.

MICHAEL PALAGE: Okay. So Stephanie, you have your hand raised. You have the floor, please.

STEPHANIE PERRIN: Yes. I possibly am being egocentric, but I felt perhaps those voices that Steve [inaudible]—

MICHAEL PALAGE: Stephanie, you went silent. We lost you there.

STEPHANIE PERRIN: —on certain things. And I think one of the central—

MICHAEL PALAGE: Excuse me. Stephanie, just real quick. You went silent there for about 15 seconds.

STEPHANIE PERRIN: Hello?

MICHAEL PALAGE: Yeah. Can you just start again? You went silent there.

STEPHANIE PERRIN: Okay. I was saying that I felt perhaps one of the voices Steve kept hearing was mine repeating myself because I have repeated myself over and over. I think one of the central problems that we have dealt with since, well, since the RDS Working Group where we had a number of those folks represented, is that security researchers do not necessarily have delegated authority to act as if they were law enforcement officers. And that's a problem that has arisen with the Internet. I don't see governments moving in and taking this over anytime soon. It's one of the many aspects of the Internet that has been "privatized" and left to the private sector. But that leaves users without due process.

And I think this is a significant problem that haunts us. We keep talking past each other because some of us say, "Have you got a warrant? Oh, you can't get a warrant? Well, then you can't get that data." That would be my position on a number of these situations.

And particularly, Steve was making reference to other more useful data. You know, metadata, financial data. ICANN could take on the responsibility of asking registrars to collect and maintain that data. That would be a very strong controllership role even if they didn't see it because they'd be setting the rules. But the registrars and registries would still be in a position where they couldn't release that data without the proper legal authority which, last time I checked, APWG didn't have. Not picking on them. They're a wonderful organization. But that's a fundamental piece to this argument that we just sort of never talk about. Thank you.

STEVE CROCKER:

My hope is that we can in fact talk about those things, and that this memo, this roster, at least in my view, does not try to drive answers. It's more a question of keeping the questions clearly in view and making sure that the questions that you've raised about is it possible for security people to get access if they don't have a warrant is kept in view as opposed to just being assumed away. There will obviously be people on the other side of that who will say, well, of course they need it and it should be facilitated. I think those questions need to be brought right up front and visible.

I had a conversation recently. Well, I'll put two pieces together. I interviewed the Public Safety Working Group, the PSWG, and asked, "What kinds of requests would you like to be able to make?" And one of them is exigent circumstances [inaudible] getting access to as much sensitive data as there is on their say so, in effect. And I've had another conversation with somebody who's deeply embedded in the privacy community who said it doesn't matter what they say. That would be illegal.

Those are quite different points of view, and I'm not proposing that I or even us have the ability to resolve that. But I am saying that we have the ability to keep those questions front and center and be clear about what the state of play is on those.

MICHAEL PALAGE:

Thank you, Steve. I've noted some questions in the chat. I believe Sarah was talking about wanting to see how this fits in within our scope and charter. I think you have, Steve. So let me answer that. Obviously, our charter is always going to be mission one. However, I do think you have articulated some, if you will, bigger-picture perspectives that may drive some future work. And there does seem to be some support for this document. So, again, right now I think we would want to be supportive and try to foster this in parallel with our other stated work. Right now that would kind of be my gut feel on how we walk down that narrow path of making most efficient use of our time.

So with that, unless there are any other questions or concerns, we are at the bottom of the hour. I would like to thank everybody. This was, I think, a good, productive start to the 2022 year. Hopefully, we can keep up with the dialogue and our work moving forward.

So unless there are any other further questions, comments, or concerns, I am going to bring this call to a wrap. Seeing none. Terri, you could stop the recording. And I look forward to seeing everyone next week. Have a great day. Bye.

TERRI AGNEW: And thank you, everyone. Once again, the meeting has been adjourned. Happy new year to everyone. I will stop recordings and disconnect all remaining lines. Stay well.

[END OF TRANSCRIPTION]