
CANN Transcription

Registration Data Accuracy Scoping Team

Thursday, 05 May 2022 at 14:00 UTC

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JULIE BISLAND:

Good morning, good afternoon, and good evening, everyone. Welcome to the Registration Data Accuracy Scoping Team call taking place on Thursday, the 5th of May, 2022.

Today we have apologies from Lori Schulman, Sarah Wyld, and Toba Obaniyi.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now.

All right. Seeing no hands, if you need assistance updating your statements of interest, please e-mail the GNSO Secretariat.

All members will be promoted to panelists for today's call. As a reminder, when using the chat feature, please select Everyone in order for all to see your chat and so it's captured in the recording.

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Please remember to state your name before speaking and, as a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior.

Thank you, and over to our Chair, Michael Palage. Please begin.

MICHAEL PALAGE:

Thank you, Julie. So a quick update before we start in. Brian, are you in a position to give an update on the ICANN Compliance? It's on the agenda but I thought it would be best to come to you to give that update and answer any questions that the team may have.

BRIAN GUTTERMAN:

Good morning, Michael. Sorry. Just to confirm, you're talking about next week's meeting?

MICHAEL PALAGE: Yes. Sorry about that.

BRIAN GUTTERMAN: I'm confirming that, I think, two colleagues—one specifically from our audit and then a colleague from Compliance, Amanda Rose—will be joining. I think a few of you—the group—requested this or asked for this. So they're happy to join and talk about the registrar audit proposal and answer questions that the group might have. So that'll happen next week. I hope that works. I think that works for you. But that's all the update there.

MICHAEL PALAGE: Thanks. One thing. I don't see Becky or [Alba Strott] on today's call. I know the ICANN Board had a retreat for several days last week. Was there anything that you are aware of that impacted this group regarding the communication to the European Data Protection Board or any other work? Is there anything that you're aware of that you could give an update on as an outcome of the Board retreat?

BRIAN GUTTERMAN: Yeah. There was a virtual workshop. That item may have been discussed. To be honest, I wasn't part of that working weekend session.

However, in terms of the engagement with the EDPB and sending the communications in that direction, we do actually plan on having a more detailed update on that work for this group. We thought we might have it by today, but it'll sometime next week

before the next call, including some ideas about how this group can comment and contribute to these, perhaps; to the scenarios that we're going to send over. So I hope that will be helpful.

Marika, I think you might want to say something.

Again, I think we don't want that work to be impacting the speed or the pace or the cadence of our work in the scoping team. I know it's somewhat dependent on getting some answers, hopefully. But I guess we just want to emphasize that we know that, even once we do send over the scenarios to hopefully get reviewed, we expected a long time, at minimum, to get anything back. So that's just where we're at. But, again, we expect to send a detailed update on what our plans are there and to solicit feedback from this group about it as well.

So in terms of your question about was there any action or decisions made at the Board workshop last weekend, no, although—

MICHAEL PALAGE:

That update was excellent, Brian. As I said, I know, when Becky originally communicated back—I think it was at ICANN73—about the engagement with the European Data Protection Board, that was something that I know was of interest to a number of members—and just making sure that we continue to follow up. So that update was constructive.

Would it be possible for the individual ICANN Org person that is in charge of that communication—I don't know if that's Elena or

someone else—to be able to join and perhaps give an update next week? Is that something you see as a possibility?

BRIAN GUTTERMAN: I do see it as a possibility, depending on the schedules of that team. And I'll tell you it is a cross-functional team. Our legal department is looking at this and thinking about what questions to ask in sort of a broader sense than just the work of this accuracy scoping team—other questions that the Org might have. So it's the legal team and it's also our government engagement team. And Elena is particularly in Europe.

So I will ask them if they would be happy to join. I think, once you all see the communication—we have a note being prepared to send to this group—I think that will spark some thinking and hopefully answer maybe outstanding questions you have. But I can ask if somebody can come and join this call for a few minutes—if not next week, then the following week or something like that.

MICHAEL PALAGE: That'd be greatly appreciated. And, again, acknowledging your point, I think we all realize that there is going to be a delay. And I don't see that communication to the European Data Protection Board impending our deliverables on Assignment 1 and 2. Although we are late, I do think there's a light at the end of the tunnel, and I want to make sure we drive through that tunnel as expeditiously as possible.

And I see Becky. Becky, not to put you on the spot, but we were just asking for an update from Brian on whether there was anything relevant that took place during the ICANN Board retreat last week that would be relevant to this working group. I think you heard what he was doing. Is there anything else that you could perhaps add from your perspective?

BECKY BURR:

So the Board is definitely aware of the work that's going on here and the questions that are being developed. We look forward to seeing the question. I think it's really one very tightly-worded question for the European Data Protection Board regarding the ability to do proactive audits to gather information about the state of accuracy, what the level of inaccuracy is, and what kinds of inaccuracies are in there.

So the Board won't be signing off on the question itself. That will be an internal Org thing. But I am definitely in communication with Org on that.

MICHAEL PALAGE:

Thanks, Becky. And with that, I think we can now move to the substance of our discussion.

But before doing that, are there any other questions or concerns from any other members in connection with my comments or those of Brian or Becky before we jump into our substantive work for the day?

Seeing no hands, Marika, I will turn it over to you if you want to pull up the write-up, the Google Docs.

MARIKA KONINGS: Uh—

MICHAEL PALAGE: Go ahead, Marika.

MARIKA KONINGS: No, if you want to say something more, please go ahead.

MICHAEL PALAGE: No, I was going to defer to see, what do you believe would be the most expeditious and efficient way of going through this? I have not checked this document today, so I don't know if there was any last-minute additions. In your experience and ICANN Org's experience, what is the best way to review this document based on past work?

MARIKA KONINGS: Well, I'm hoping that everyone had a chance to review the document. We did encourage everyone with the extra time you all had last week because the meeting was cancelled to have a chance to review this. As we explained, this is really our attempt at writing what the group has discussed to date but also flagging that there's still a couple of placeholders in this document that will

need to be filled out based on the further conversation that we have in relation to the specific proposals.

So the best way to do it is indeed for people to flag if there are issues that are of concern or that need further conversation. And I don't think any input has been provided. I'm hoping that means that everyone loves it and it's all good to go. I know there's one, I think, edit that Mar[c] suggested that I think is more a grammatical issue than anything else.

So I think the question is really for the group. Having seen no comments or edits, does that mean that everyone is comfortable with what is currently here?

And as we indicated in the agenda as well, as part of the conversation that, I think, Brian already alluded to as well, we would like to discuss with the group how to deal to deal with the placeholders and especially the conversation around how the outreach to the EDPB may impact the part of the proposals that deal with access to registration data. It's our expectation that we hopefully will be able to make progress on the proposals that do not involve registration data. We'll be talking about those a bit later today. And we made quite a bit of progress through the conversations over the last couple of weeks, further detailing what those proposals would look like. But I think the group will need to have a conversation around, does it feel (of course, after review of the proposals) that it's in a position to recommend moving forward with some of those ideas or suggestions while we wait for responses from the EDPB? It is prudent to pause and wait until those responses come in so that the broader picture is clear and you have a better idea of what is realistic when it comes to

gathering further data that will inform basically Assignments 3 and 4? And of course, as part of that guidance, we'll need to update this report that we'll go back to the GNSO Council for for an indication on those next steps.

So at least from our perspective, that's what we're hoping to get some feedback on from the group. So first of all, how much additional time is needed to review this document? We would like to be able to set a firm deadline so at least we get an idea of if there are other significant issues that need to be discussed. And we would like to encourage everyone to use the comment function for that. So if you have any suggested edits, please do that in the form of comments so that everyone can review those before we apply these.

And then, secondly, we want a conversation around what impact or how to deal with those proposals that are dependent or are informed by the feedback that will hopefully be obtained from the EDPB and as well the impact on recommended on next steps. Is there a need for a pause? Can work continue on those proposals that do not require access to personal data as bridging that gap from Assignment 2 to 3? Or is there another way in which meaningful progress can be made while that outreach is taking place?

So I'll pause there.

MICHAEL PALAGE:

And I see Beth has her hand up, and she always takes it down. So it's still up, so, Beth, you have the floor.

BETH BACON: Thank you. Yeah, I take it down because I don't want to repeat people. Everything says things so well.

First, I just want to say, Marika and staff, you guys have done a fantastic job on this draft. So I really appreciate it. It's always so orderly. And I was like, "Wow, we did decide things when you put it in the report." I was like, "Look at us go!" So I think it's really, really well done, and I think it's a good start for us.

I—and I see this in the chat, Stephanie and Melina also—would very much appreciate maybe one more week because I know that some of our folks have been looking at it and I don't think they're going to be instrumental, horrible, roadblock questions but just things we're taking a look at and maybe want to discuss internally. So I would very much appreciate one more week to look at this. And then, yeah, let's move on. Thank you.

MICHAEL PALAGE: Marc Anderson, you have the floor.

MARC ANDERSON: Thanks, Michael. I'll just echo what Beth said. Thanks, staff, for putting this together and sharing it with everybody.

I do have something I'd like to maybe raise on B2, which deals with the working definition. Generally, I don't think there's anything wrong or problematic with anything here. I think staff did a really good job. On the working definition, though, when I was reading it,

I don't think this one exactly captured everything we spoke about within the scoping team. And I don't think it maps exactly, and I think it's missing some mapping back to our assignment.

And so the first thing from Assignment 1—"The scoping team shall, with references to resources that will be included in the index of relevant resources cited below, consider whether there's an agreed-upon definition of registration data accuracy" ... And so the first, maybe, conclusion we came to as a group is that there is not an agreed-upon definition of registration data accuracy. And here maybe I'm asking the full group: am I wrong? Did I get this wrong? But I think the first thing we were tasked to do is say, is there an existing definition? And we found that there really wasn't, I think.

And our assignment goes on. It says, "Consider what working definition should be used in the context of the scoping team's deliberations." And there of course I think we all are aware that registrars proposed a working definition based on what is in the RAA. And that, I think, is what is captured here. And so I think that's well-covered. I think there were concerns that that proposed working definition would become a permanent definition, and I think that those concerns are accounted for in the text, noting that is not the case. So I think that is well-covered.

And then maybe the last comment here is our task is not to say, "Particular attention should be given to the definition that ICANN Compliance employs for accuracy in ICANN's contracts." And there we asked ICANN that question—"Do you have a working definition?"—and their response is that they do not. And I don't think the text and our response here clearly answers that, so I

would maybe want that [pulled] out before getting into ICANN's response in more detail, which I think this does a nice job doing. But I think it's important to note that ICANN Compliance said, "We don't have our own working definition, and we look to what's in the contract," which is similar to what the registrars proposed.

So I hope that's helpful feedback. In reading through it, I didn't think there were simple redlines I could propose. So I'm hoping A) I hit the mark and that the rest of the scoping team doesn't think I'm completely off-base or -target here, but 2) I hope that's helpful feedback for maybe staff to consider for this section. Thank you.

MICHAEL PALAGE:

Thank you, Marc. I consider that helpful. And, again, I think what is rather unique about the work product that we're producing here is that we're not doing policy work. We're doing scoping work. So I think this document should just reflect, as you say, what was the full breadth of the material and the data points that we looked at. And that factual analysis of questions and issues could easily be reflected. So hopefully there's no need for a minority or a dissenting opinion in the output of this working group.

Steve Crocker, I see your hand up. You have the floor.

STEVE CROCKER:

I think Marc has put his finger on a key point here, and I want to agree with him and expand on it slightly. There are really two distinguishable approaches to the defining of accuracy here. One is what's written in the contracts. And that, I think, is where most of the contracted parties' focus is. And that leads to mechanical

questions of whether the data is being collected properly and whether the procedures are being followed.

There is a completely separate and very important approach to consideration of the accuracy—whether it's fit for the purpose—and the answer to that question doesn't come from the contracts. It doesn't come from Org. It comes from the people who actually are going to use the data. So does it serve their needs? And the only way to find that out is to ask them and to have them in the loop and to take their experience into account.

What's in the contract and what's in the formal procedures and so forth is an attempt to codify procedures that aim in that direction, but the gold standard of whether or not the data is accurate enough is whether, as I said, it's fit for purpose, and that depends upon matching up whether the purposes are indeed being met. If there's a way to make that distinction clear in the document and to make it clear that what is being focused on here is the procedural aspect of satisfying the contract as opposed to satisfying the actual intended needs and uses, I think that would be very helpful. And I would lay the foundation for subsequent discussions when it turns out that the data is or isn't meeting the actual needs of the users. Thank you.

MICHAEL PALAGE:

Thank you, Steve. And just to acknowledge your point, I think that future use or future evolution is what has always been envisioned as part of Assignments 3 and 4. So I just want to make note of that: that has not been off at least my radar screen. That was always part of 3 and 4.

Alan Greenberg, you have the floor.

ALAN GREENBERG: Thank you very much. I have comments on both Steve and Marc's comments.

In terms of Steve, I think the impact of what he's saying is you cannot have a formalized, structured definition of accuracy because the importance of accuracy is whether it meets the purposes. And the purposes vary. And that probably implies you cannot have a single formal definition.

What Marc was saying—at least what I think I heard—is that the paragraphs report accurately that we did not come up with a formal working definition. Therefore, I think the one misleading part of this whole thing is the title, B2. And maybe the title should be “Lack of Working Definition” or something like that or “Impracticality of Working Definition.” The title of “Working Definition” implies to someone who's scanning this document that we did come up with one. And that, I think, does lead people into a place where they shouldn't be. Thank you.

MICHAEL PALAGE: Thank you, Alan.

Melina, welcome back. I know you were out the last couple weeks. Welcome back. You have the floor.

MELINA STROUNGI: Thank you, Michael. Hi, everyone. Actually, Alan covered the point I wanted to make. I think it accurately describes what we decided as a group and where we stand. So the description is correct. Maybe indeed the title was misleading. I mean, I completely understand Marc's remark.

And, also, as Steve described, there are two separate issues. What we call a definition, at least in the linguistic term, in my head, is when we define a notion. So, for example, I want to define "blue," so I start with a definition of, "Blue is a color that has this and this qualities. Blah, blah." But then, if, for example, in a contract, I have requirements that "This party has to paint the wall blue when this and this condition is fulfilled," this is something different.

So, as we started to document what are the current contractual requirements and enforcement, this was simply describing what is there, what's in the contract, how accuracy is implemented in contracts, and how it is enforced. So this is what the exercise we did was.

Now, for the working definition, [in theory] we didn't have the chance to discuss as a group if we want to take it a step further and try to define accuracy as a general notion—what it should be, basically, or what we understand it to be, dependent on the contractual requirements. But this is a separate thing. And, indeed, I think, by just changing the title, this already is addressed somehow. Thanks.

MICHAEL PALAGE: Thank you, Milena. If I can ask you one quick question to both you and Kenneth, I know that you were supportive of an additional week. That Stephanie had offered. I know the GAC has its own internal ... It moves at its own speed. Do you think that additional week would be sufficient for you and Kenneth to interact with your colleagues to come back with some meaningful markups on this, or do you think that might be a little longer?

MELINA STROUNGI: Okay, that's a really valid question. And apologies to the group if it seems that we are—I don't know—delaying this or taking our time.

MICHAEL PALAGE: No, I'm not saying you're delaying it. I know you have 170 ... I know you have a much more ... The dynamics of the GAC are different than many of the other stakeholder groups', and I just want to account for that to set reasonable expectations so that we don't have something that appears in the GAC communique. So this is us trying to work with you and rest of your GAC colleagues to make sure that we're all on the same page.

MELINA STROUNGI: We really hope so, Michael. We will do our best to make most of this week. If not for the entire document, at least, at the very minimum, we commit to do it for the current description for Assignment 1. At least we commit to that one week should be enough. We will hope also to do the entire document, but let's commit for at least Assignment 1 by next week.

MICHAEL PALAGE: Thank you, Melina. And, again, welcome back.

Alan, is that an old hand or a new hand?

ALAN GREENBERG: It's an old hand. Sorry.

MICHAEL PALAGE: Okay.

Roger, you have the floor.

ROGER CARNEY: Thanks, Michael. I just want to touch on a few things I think everybody has talked about since Marc, actually. But I think one thing that Marc said—and Alan touched on it—that I'm not sure is probably clear enough is ... One of the parts of Assignment 1 was to identify if there is a definition. And to me, when I read this, it doesn't say that we didn't find a definition. It says that we didn't agree on calling it a working whatever. But I think we need to be explicit here, saying we weren't able to locate or find a definition of registration data accuracy. I think everyone agrees that we couldn't find it, but we don't ever say it. And, again, Marc touched on that, and Alan alluded to that, saying, if you read this, you can kind of come to that conclusion. But it's part of our assignment. I don't know why we just don't say, "Hey, we couldn't find one."

And to Melina's point about coming to a true definition—and her example of “blue” works out pretty well, I think—I think that's accurate. I think what's in this isn't necessarily a definition, but it's requirements in search of a definition. There's a bunch of requirements that have to be done, but it doesn't point to what it's trying to solve or support. And I think Melina is right; I don't think we have a definition.

But I think [...] I'll disagree that Manju actually provided a fairly crisp definition—I don't know; months ago, maybe—in one of her comments. And when she provided that, I think that I suggested that there was support in that idea. But it never made it to this document.

So I think we should probably take a look at that as well, again, as a more defining, true working definition of what we're talking about. And as Melina pointed, these are just requirements to support that or should support what that definition is. Thanks, Michael.

MICHAEL PALAGE:

Thank you, Roger. And on the comment that you made about Manju's intervention, was that on the mailing list? Was that in the document? I just want to go back and look at that myself. So if you could give me a pointer, or, Manju, maybe you could tell me where that was made.

ROGER CARNEY:

Thanks, Michael. I think, actually, it's still in this document, just down below. Marika, didn't you include all the old stuff in this as

well? Or wherever it is, she made a comment in the original document on this working definition, wherever that is. Thanks, Marika.

MICHAEL PALAGE: Marika, you have the floor.

MARIKA KONINGS: Thanks, Michael. I think that it's probably still in the drive. We had a separate document where indeed we did some edits on the original working definition that moved into a working description where indeed several people provided a contribution. So I think that it is still available in the drive.

And I think the group may need to consider, is that something indeed that is worth spending more time on here for the write-up of Assignment 1 and 2? Of course, it's important to remember that there's still Assignments 3 and 4 that need to follow that[. We'll] look more at what is missing or what might need further work which of course could also include this notion the definitional issues or description as it currently stands. So this is definitely not the end of this conversation.

In relation to the comment that Marc made and a bunch repeated as well, maybe we can add something here to the introduction of this section to refer to the ask in the assignment and note indeed that, although the group did look for it and also asked ICANN Compliance, there is no definition as such to be found in the current agreements but the group instead has focused on a description that hopefully does provide a good picture of what is

currently required and enforced. So we can maybe do that in redlines so everyone can see if that meets the expectations in the comments that were made so far.

MICHAEL PALAGE: Thank you, Marika.

Are there any other questions, comments, or concerns on this document?

Marika?

MARIKA KONINGS: So I think the one thing people haven't weighed in on is the notion of the proposals and how that should impact this write-up, and especially the link with the proposals that would require access to registration data. There are a number of those on the list of the group: starting ARS or doing a separate study. So I think we would like to get some feedback from the group on where your expectations are on how that would impact the timeline because, maybe to put some additional context on this, we will need to inform the council of the changes that have occurred to the timeline. I think we originally had said January for the delivery of the write-up for Assignments 1 and 2, and obviously we're not there. We hope that we will be able to deliver this by shortly after ICANN74.

As I said, the part that's missing at the moment is inserting the proposals that we have discussed and have details on. Obviously, there's a part that is dependent or will be informed by the

feedback from the EDPB. As Brian indicated, that is likely to take months and not weeks. So that might be something that the group needs to wait on, but I think we would like to get some input from the group on whether you believe that prevents moving forward with some of the proposals that do not require access to registration data. Or, once the group has the write-up for 1 and 2, with that placeholder for those proposals requiring access to personal data, is it timely then to push pause and wait for that information to come in so that the fuller picture is available? And, again, we're working with Berry on a project change request and would like to provide a bit of indication there on at least what the thinking of the group on, once you complete the write-up for 1 and 2, what happens next.

MICHAEL PALAGE: Thank you, Marika.

Alan Greenberg, you have the floor.

ALAN GREENBERG: Thank you. Two points in answer to that. Perhaps I missed something, but we obviously have no control over how quickly the European Data Protection Board will respond to us, if indeed they will respond to us. Do we have any timeline for when we will actually be asking the questions? I don't think I heard that, but I may have missed it. So that's one consideration.

Whether we go ahead and do some of the other things, I'll introduce something that's not relevant to our work, per se, but we're going to have to consider. I just saw an e-mail essentially

warning the GNSO Council that, if they go ahead with looking at the SSAD [Lite], which another group is recommending to the council, then Subsequent Procedures implementation work is going to be delayed significantly. So maybe council doesn't want to do it. Anything we do at this point and saying we should proceed with something is going to have impact and may end up not being done regardless of whether we recommend it or not.

So I think we can say, yes, we want to proceed with it, but I think we have to assess how much impact proceeding will have on our work and essentially—I don't know if it's a dirty or a good word in ICANN [and] a priority to this—[decide], yes, we believe we should proceed on it but it just isn't urgent given the other delays we're going to be having. So I think we want to finish that part of the report and tie a bow on it, but whether we want to really push for it being done immediately, I think, is something we have to seriously consider. Thank you.

MICHAEL PALAGE:

Thank you, Alan. And for those that are listening online or to the audio, Becky had her hand up and she actually made the following comment, Alan. She will commit to coming back to the group with information on the timeline of this inquiry. And I think that is also consistent with the statements that Brian had made as well at the beginning of the call. I don't know if you were on for that as well. So I think we have commitments from both Brian and Becky to report back to the group on the timing of that inquiry.

ALAN GREENBERG: Michael, my point was, once we have that time—I had faith that we would get it eventually; I just didn't know if we had it already—we can then assess, is it reasonable? If it's going to take six months to get the questions out, clearly, it's going to take a year or whatever to get the answers back. And that's a different than they'll be asked [in three days]. Thank you.

MICHAEL PALAGE: Correct. And I think, also on that, with many of the things that we're asking—even the registrar survey and their participation—there are many gating functions that will likely delay and have a direct impact on Assignments 3 and 4, unfortunately.

Marc Anderson, you have the floor.

MARC ANDERSON: Thanks, Michael. I'm very tentatively raising my hand here. Marika asked a really good question there, and I don't have a really good answer. But I think it's a really important question. Well, I guess the last thing I want is for us to answering that question as a group. And even if our answer might be that the best we can do is to just document the challenges that this group sees with that sort of second set of measuring-accuracy scenarios, where it involves access to non-public registration data, I think that, at the very least, we owe a response to GNSO Council. At the very least, we owe a response to the GNSO Council on those items, detailing, "These are what we looked at, and these are the challenges or the hurdles we see." I think that would be a bare minimum.

I'm thinking of out loud here a little bit, but I think it's a really important question that Marika raised. And I don't have a great answer, but I think we need to answer that. And I think we need to figure out how to get that answer into our response to the GNSO Council. So I think it's a pretty critical piece of our work, and I think, at the very least, council needs to understand what the challenges are with measuring accuracy—at least the challenges as we've seen them

MICHAEL PALAGE: Excellent, Marc. Thank you.

Marika?

MARIKA KONINGS: Thanks, Michael. Just to note, to Marc's point, that I think that's what we kind of have envisioned for the write-up: that we cover the proposals and we're working separately based on the conversations that already had and the details that have already been worked out for some of the proposals that don't require access to registration data. And then I think indeed our thinking would be to capture, as part of that as well, that there are a number of other proposals that the group will further consider that may result in further insights, whether those are dependent on whether or not access to registration data is possible. And the answer to that question is being pursued separately basically but in a holding pattern or dependent on someone else to respond to that, and we don't have control over the timetable. So I hopefully we'll be able at least identify that as a potential point in time or a

triggering point by which the group can maybe look further at those other proposals.

And I think then of course we'll look further at the proposals that we have. Some meat of the bones are already on, and they could potentially move forward. And I think the group, probably after having that conversation, may need to think about, are those specific items that we would like to recommend to the council that work already proceeds on?

Alan made a good point. Of course, for some of those, resources may be necessary. And I'm not sure they necessarily would rely on the same resources that are impacted by the design of SSAD [Lite], but obviously it's still something that would need to be planned for. And indeed the group may need to think, is that worth already moving forward with that in the absence of a response to the outstanding questions? Or is it better to progress with that and at least have something to look at and study while the other proposals are maybe on hold? And of course there's uncertainty around whether or not those can even move forward, as that's dependent on the answer to the questions that are raised.

So maybe we can at least try to work on that in a draft, taking into account what has been shared today—and of course, people have a lot of viewpoints on that—and review that in the context of the report because indeed it is something that the council should be aware of. And it will also help inform a decision on what next steps and timing should be expected.

MICHAEL PALAGE: Thank you, Marika.

Alan, old hand or new hand?

I will take that an old hand.

Okay. So I think that was actually a very productive discussion on the write-up regarding Assignment 1 and 2. Again, please use the next seven days to use that time to come back with some substantive edits/markups in the document. The sooner, the better. It would be nice to have those comments online at least 24 to 48 hours before our meeting so everyone could take a look at them. So that would be greatly appreciated if possible.

I guess the next item on our agenda is the follow-up [to] ICANN Org's response to the recent set of questions.

So I guess, Marika, do you ... Or do you want Brian to walk through it? How would you like to proceed on this one, Marika?

MARIKA KONINGS: I can maybe set this up, and then Brian can maybe talk more to the substance. Just to remind the group, there were a couple of additional questions that the group sent to ICANN Compliance. The responses to those came back already a while ago, but as you may recall, we had some meeting in between that we focused on the proposals and did not have a chance to check back on these. So this was actually the first opportunity to put this on the agenda and ask the question of, did this all make sense? Is there anything in here that requires further explanation? Is there anything in here that needs to be further called out potentially in

the write-up? Of course, we already linked to the Q&A page in the document, so of course this is accessible to everyone reviewing that report. So that's why this appears here on the agenda.

If Brian wants to speak more to the input from Compliance, I'll leave that to him.

BRIAN GUTTERMAN: Thanks, Marika. I guess I don't have anything additional to add, aside from the responses provided here. But, again, this was provided by Compliance colleagues, and, if anybody in the group has clarifying questions with respect to what they are reading here or understanding, please let me know. We can put that in writing back. And, also, since the Compliance team will be joining next week, more so to talk about the potential registrar audit idea, I'm sure they can answer questions about this as well at that same time.

So I don't know if, Alan, you in particular—Alan Greenberg, some of these questions came, I think, from you—have anything specific you wanted to ask Compliance about these responses. Please let me know and I can shuttle those back and forth.

MICHAEL PALAGE: Thank you, Brian.

Alan, have you been able to review this document? Or would you just like to defer any follow-up questions until next week?

ALAN GREENBERG: I reviewed it, but it was so long ago that I'm not sure I remember it. So I'll try to get questions to Brian or the group before next week, but I can't give you anything right now.

MICHAEL PALAGE: Excellent. Thank you, Alan.

So what I'm proposing is, instead of reading through this right now, let's go back to the agenda. So Item #4 would be the overview on the gap analysis document.

Marika, do you want to pull that up? And have there been any recent edits on this document? And how would you like to drive this one, Marika?

MARIKA KONINGS: Thanks, Michael. I think many of you did participate in the smaller team conversations on these proposals. For those that didn't, hopefully you did have a chance to review what the group did. As already noted before, the focus was really on those proposals that do not require access to registration data and further flushing those out. So basically, if you go down in the table, we prepared, for each of the proposals, a more detailed write-up on what's the general concept behind it, what are some of the upsides and potential downsides, and potential next steps. And that the group worked on, and what has been added is basically this table on specific questions and responses, which, from our perspective, is going to be basically the meat of these proposals, as we will include them in the write-up to really show what this would do, what it attempted to address, who would be doing it, what is the

timeframe that will be needed, and how it would be promoted. So we did that, and this specifically is for the registrar survey.

Then there's another proposal that focuses on ICANN Org registrar audit. There is already some input that we received from the ICANN Compliance team, and they will be joining next week to speak more about this specific proposal. The small team felt or those that joined those conversations felt that that was probably better for a group conversation to better understand what a registrar audit would look like and what is the kind of information that it might ask and to also be able then to see how that would align with the registrar survey—would there be overlap or would it be complementary?—again to also be able and to make a determination of whether either both the approaches or one of them is something the group would want to move forward with.

And then, lastly, what the group looked at as well is a review of accuracy complaints. And there was a suggestion here that the group may have a deeper dive on the complaints and the information that ICANN Compliance has already provided in relation to the complaints they received.

I think you may have all seen on the list that Owen also shared an analysis that he has undertaken based on, I think, the information that is available and going back a number of years to look at the potential trends and further information that can be gleaned from that.

And I think, on that one, again, I think that was something everyone felt was better discussed in the full group, but the question is, if the group believes that it's helpful to dig deeper into

those complaints and trying to see if there's something that can be learned from that information, who would be conducting that analysis? Is that something that the group would do collectively? Is that a small team? Are there other experts that the group could turn to to look at that? Or is it worth the effort? Because, I think, of course, with all these proposals we want the group to opine on, is it expected to result in information that helps move forward the deliberations?

So we did ask everyone to look at this. I don't think there were any comments or concerns. I added this based on our conversation last time around.

I think we did have one other open question in relation to the survey. I think is probably helpful if everyone could just basically look at this and weigh in on this.

So, Michael, I don't know if you want to run through of each of these. As I said, I think many of you were actually involved in the conversations on these proposals. From a staff perspective, our hope is that, after the conversation with ICANN Compliance next week, basically the group would have a good picture of the three specific proposals that are on the table that would not involve access to registration data and, as such, are not dependent on that answer from the EDPB. So this potential work could be undertaken or could be recommended [to] proceed.

And as I said, I think, especially on the last one, we probably need an idea of if that's work that the group could already do as part of your deliberations now and something that can be reflected in the

report, or if that's something as well that just needs additional time and, as such, needs to be planned for appropriately.

So I think that's, in a nutshell, what's currently here. As noted, of course, there are as well still the other proposals. And that would involve access to registration data. Also, we had a proposal as well in relation to the WHOIS Review Team recommendations. And, again, I think, when we discussed this, it seemed to fit more in the conversations around Assignments 3 and 4. An update was made as well following consultations with the IPC on their proposals, which would be looking at other studies or activities by other groups that might help inform the group's deliberations. And I think the IPC was going to check on that and come back if there would be examples of that that would be helpful. But as I said, I think the rest is basically captured. And some of these are basically on hold until we get a response from the EDPB.

So I don't know if that's helpful or you want me to go into further detail.

MICHAEL PALAGE:

While you were speaking, Marika, I was actually trying to do a quick review of the people on the small team and the people on the call right now. I see a high degree of overlap.

I don't believe Stephanie or Thomas participated in those breakout groups. So, Stephanie and Thomas, is there any, perhaps, initial high-level questions that you have or you'd like to ask? Or would you just prefer to look at this offline and perhaps bring your questions back to the broader group next week? Otherwise, we're

just going to be discussing the document that the small team has already discussed over a number of weeks, which I don't believe would be the most beneficial use of our time. So, Thomas and Stephanie, your thoughts on how you would like to use the remainder of our time today on this?

STEPHANIE PERRIN: I have my hand up. It's Stephanie.

MICHAEL PALAGE: I apologize for not seeing your hand up sooner, Stephanie. You have the floor.

STEPHANIE PERRIN: Thanks. Well, as I indicated in the chat, I'd appreciate another week. I am behind in my homework. Let's put it that way. So [inaudible]. Thanks.

MICHAEL PALAGE: Ask, and you shall receive. And I think we've already acknowledged that. So thank you, Stephanie.

So, with that, Marika, if we could go back to the agenda for the week, I think we are kind of at the end of our list. We have the action items for our next meeting.

And as I said, perhaps just briefly, Berry, I know Marika had made an update on the change request that we will be submitting to council. Do you just want to wait to share that with the group, or

do you think giving an update now would be constructive? Your call.

BERRY COBB: I can provide an update.

MICHAEL PALAGE: There you go, Berry.

BERRY COBB: For those who may not have caught the council meeting last month, in preparation [for] that meeting, in the project list for this particular project, we did downgrade it: the target will be missed. The dates that were committed at the very beginning are not obtainable whatsoever. I won't go into the details. Marika outlined those pretty well earlier. Later today I will be submitting to this group a close-of-April project package, where you'll see those downgrades. As part of the council operating procedures with those downgrades, it does invoke the PCR process that Marika highlighted earlier.

The leadership team will be submitting a PCR (Project Change Request) form to the council by the motion and documents deadline on the 9th. As soon as the leadership team finalized the contents of that, we will share with this group as well, hopefully by close of business tomorrow. And it will be an agenda item, or it's anticipated an agenda item, for discussion for the May meeting, which is scheduled on the 19th.

For those of you that have worked at least with my project management hat in the past and have seen PCRs for other projects, this one is going to be somewhat atypical in that we do not have committed to dates that we can document in this PCR. And, given some of the possible studies/surveys, these items were: no personal registration data is required, that it's possible there can be some work done there, and, as noted, waiting on input or feedback from the European Data Protection Board will also help inform Assignments 3 and 4. So that's also a scope change from what we originally had considered when we launched this scoping team. I think we kind of anticipated there was known unknowns: exactly what data could be collected. Either way, we need more information to better understand and size the effort that will be required to get this to some sort of conclusion for Assignments 3 and 4.

So that's a long way of me saying that this is probably going to be a several-month PCR process until we get additional clarity and information about what the next steps are going to be, how it's going to be accomplished, and those kinds of things. So look out for a few e-mails between now and the close of the week. Thanks.

MICHAEL PALAGE:

Thank you, Berry. And, also in the update to council that we will be forwarding to them, I will be announcing my intention to step down as Chair after we complete Assignments 1 and 2. So that is something I'm still working on, but I will be communicating that to the council later on as well.

So, with that, I do not see any other hands, so my proposal, if there's no objection, is to wrap up today's call and give everybody 30 minutes or 38 minutes back. And hopefully you can use that time to begin marking up and providing comments on the documents in advance of next week.

I see no further hands, so we can stop the call, Terri, please.

[END OF TRANSCRIPTION]