
ICANN Transcription

Registration Data Accuracy Scoping Team

Thursday, 09 June 2022 at 14:00 UTC

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TERRI AGNEW:

Good morning, good afternoon, good evening and welcome to the Registration Data Accuracy Scoping Team taking place on Thursday, the 9th of June 2022 at 14:00 UTC. In the interest of time will be no roll call, attendance will be taken by the Zoom room. If you're only on the telephone, could you please identify yourselves now?

Hearing none, we do have listed apologies from Lori Schulman, and Melina Stroungi will be joining a little bit later into the call.

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

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

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 the chat and so that it's captured on the recording. Observers will have view only to the chat access.

Alternates not replacing a member, please rename your line to adding three Zs to the beginning of your name and at the end, in parentheses, the word alternate which means you're automatically pushed to the end of the queue. To rename, please click on your name and select rename. Alternate should not engage in chat apart from private chat or use any other Zoom room functionalities such as raising hands, agreeing or disagreeing.

All documentation and information can be found on the wiki space. Recordings will be posted on the public wiki space shortly after the 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, Terri. Good morning, good afternoon, good evening, everyone. Just a quick heads up, I'm going to have to be leaving within one hour. And if Olga is unable to take over for that last 30 minutes, we may have a short meeting here today. But with that, let's immediately dive in.

Quick update. Let's just go to really item number two, we will be meeting together for the first time. That does sound strange. We

will be meeting for the first time as a group next week in The Hague at ICANN 74. Marika, could you throw up for item number two, the proposed agenda for ICANN 74? Or do you do you have that deck? Or are we just going to go through that verbally from this slide there? What would you like to do?

MARIKA KONINGS: Yep, thanks, Michael. The proposed agenda is actually here, incorporated in this agenda. I've just highlighted it. We make some small updates. As you may recall, we had a kind of a placeholder agenda that we I think put up a couple of weeks ago, we've now more fine tuned, I think in line with where the group is at. So this is what that would look like.

MICHAEL PALAGE: So what I'm going to do to the group, are there any questions, comments or concerns about the proposed agenda for next week's in person meeting? Go ahead, Marika.

MARIKA KONINGS: Sorry. Just one more note, of course, for item that's marked here as C, the finalization of the write up, to certain degree that will of course depend on today's conversation, how far we get, what's left. And so we may need to tweak that to specifically identify what still is remaining to be discussed. So just wanted to flag that we may have an updated document that will get shared in conjunction with this agenda.

MICHAEL PALAGE: Aspirational, aspirational that we're coming to the end of our assignment one and two. Nothing wrong with that. Let's then hand over to—if we can pull up the document and turn to Section 2.1.2. Marika, do we have any comments from anyone? You can drive here.

MARIKA KONINGS: Yeah. So we discussed this section of the document during last week's meeting. There was a first go here. There was one comment that I think both Lori and Susan made to include something in relation to incentives. And we've added a sentence here, I think in line with the staff suggestion, that as part of the survey development, ICANN org is expected to consider incentives that could be provided to encourage responses to the survey. I think the small team did have a couple of specific ideas that could be further explored. But hopefully in this way, this is sufficiently flagged as one of the aspects that should be considered.

There was also another comment that was made in the document by the GAC that I think didn't like the suggestion of pausing. I think there was an action item then for GAC and others to think about what suggestions they would have or alternative proposals to what is currently being suggested here. But I don't think I have seen anything, neither in the document, nor on the list. Of course, if I've missed that, urge anyone that did have specific input on this to speak up.

And I do recall as well that I think Beth or Sarah mentioned that there were also comments from the Contracted Party House that

had not been incorporated yet that they were going to add, but I don't think I've seen that either. So I don't know if those comments were already addressed, or if this is still outstanding. So I'm just going to pause and see if anyone has any updates.

MICHAEL PALAGE: Kenneth or Laureen, do you know—as said, Melina will be joining later. Do you have any perhaps insight on the pausing of this group's work or could you perhaps share any insight on what the GAC current thinking is on this issue? Kenneth, you have the floor.

KENNETH MERRILL: Unfortunately, we haven't all been able to be together on our GAC call this week. So we didn't have a chance to discuss this. And so I'm not sure that this—I think we really would want to discuss this among our GAC group before me personally saying that this is reflective of a GAC view at the moment. That's not to say that it isn't or that it is, but just that we would need to discuss this, and due to circumstances that are outside of my control, we were not able to all meet at our last meeting. And so yeah, I think we would like to discuss offline and then provide further comment on this. If that's okay. I know we're up against time.

MICHAEL PALAGE: That's okay. If I can ask you a question. Do you know—I've looked at some of the GAC sessions, some of those sessions, there's a little clarity, like on abuse and some other stuff. There are a lot of other open ended GAC sessions next week. Do you know if the

particular work of this group is going to be allocated any time during next week's session? Because then that will give us some idea on—because obviously, as chair, I would not feel comfortable approving the finalization without the full GAC having the benefit of providing input on this. So do you know if you have time allocated next week for these subjects?

KENNETH MERRILL:

So I don't believe that we have formally set aside time, like on the GAC agenda. But I do know that we were planning to discuss as sort of GAC small group at some point at ICANN 74. But just not formally within one of the GAC sort of sessions. I think the GAC sessions that are not—they don't have a specific topic on the ICANN agenda are usually devoted to communique drafting. And so I don't think we'd be taking up one of those to discuss this, but I do know that we will be discussing this on the sidelines. and I see Laureen as your hand up, so go ahead, correct anything I may have done wrong there.

LAUREEN KAPIN:

We're in sync here. The only thing that I would add is, of course, as the GAC has messaged, this is a priority topic. And so we're very mindful of timelines. And I anticipate there'll be further discussion, so we can come up with a view that reflects our priorities here. But I did just want to highlight that. I'm not saying anything that folks don't know already, but just for clarity.

MICHAEL PALAGE: Thank you, Lauren. Again, I think Lori had also raised some concern about this, but again, her apologies. Is Scott Austin on the call? I do not see Scott. Alan, you have your hands up.

ALAN GREENBERG: Yep. Thank you very much. With regard to the recommendation two and whether we should pause or not, if you read assignment three, it says based on the data we collected in one and two, which of course, we haven't collected data to a large extent. But there's an implication in three that also says we should—three is saying, look at the data and see whether the current measures are sufficient. But there's also a belief among some that's been expressed here that whether the current measures are implemented fully or not, and no matter how well they're implemented, that may not be a sufficient level of accuracy to actually achieve the aim and the purpose that we collect this data for. And that aspect of it does not rely on measured data. So certainly from that part of task number three, that discussion could be held. So it really depends on to what extent we're going to interpret the GNSO assignments verbatim or take into account what we have uncovered and discussed in the interim, since those were written. Thank you.

MICHAEL PALAGE: So if I could perhaps summarize, if we take the spirit of—are we taking the letter or the spirit? The letter would say we can't do anything until we get the data. I think what you're articulating there as the spirit is there is the potential for us to do some additional work while that data is potentially being gathered.

ALAN GREENBERG: That is indeed my belief.

MICHAEL PALAGE: Okay, I'm glad that I captured that and articulated it. Marc Anderson, you have the floor.

MARC ANDERSON: Thanks, Michael. So, question for Alan, I guess I'm not sure I quite followed what you're saying. I understood Michael's summary. But I don't think I quite followed what you were saying. Could you maybe elaborate a little bit for my benefit? And sorry if I'm just being slow on the uptake.

ALAN GREENBERG: Yes, certainly. As you remember the long and arduous discussion we had on whether what is currently in the RAA is a definition of accuracy, and we have finally arrived at the conclusion that that is simply what is in the RAA. There's a long and twisted history of how it got there. That may not be the optimum definition of accuracy for the purposes of the data we're collecting with regard to registrants. And so the question is, is there something better that we should be doing that would satisfy the various needs other than what is currently in the RAA? I think that's a discussion that we need to have to charge the GNSO with either proceeding with doing nothing or potentially having a PDP to alter those requirements in the RAA. That's part of our task, I thought. Does that make it any clearer?

MICHAEL PALAGE: Marc, back to you. Did that address your concern or not?

MARC ANDERSON: I'm thinking. I feel like it's difficult to proceed without understanding the effectiveness of the current state. I guess I need to think about it some more. I'm certainly open to what Alan suggests, and I want to be as productive with our time as we can. I'm just not quite sure I followed. And maybe there's an opportunity next week for us to talk more in person.

MICHAEL PALAGE: Well, if I'm correct, Alan, you are going to be virtual next week. Is that correct?

ALAN GREENBERG: That's true, but I can still talk.

MICHAEL PALAGE: There you go. I will do my best to channel any of your communicate in person next week. Marika, you have your hand up, you have the floor.

MARIKA KONINGS: Yeah. Thanks, Michael, as for the moment there are no further comments I think on this specific section, I think what staff would like to do is bring this into the overall write up for one and two, so

that the group has kind of the full document to look at. And of course, you can all then still discuss further whether or not this recommendation needs to change or indeed specify what work could be done in the interim, either as a staff in between assignment two and three, or already as part of assignment three. But it is important to kind of call that out, because I think that assignment does foresee that this now goes back to the Council for review, and to review the specific recommendations on what needs to happen next before kind of work commences on the next assignment.

So if the group is disagreeing with that, we can take what we have here and kind of move that into one document. So again, it's all in one place. And that may make it easier as well for everyone to review and see the complete picture of the write up for assignments one and two.

MICHAEL PALAGE: Okay. Do we have any other comments in the section doc?

MARIKA KONINGS: No, not on this one.

MICHAEL PALAGE: Okay, let's close it out.

MARIKA KONINGS: Alan, I don't know if that's a new hand.

ALAN GREENBERG: That is a new hand. T y. I just wanted to note that the concept of pausing and waiting, if we're going to wait to see if we get an answer from Data Protection Board, from a point of view of data, the optimal answer is they'll say, "Yeah, sure, you can do anything you want like that." And then we actually have to do it, which is going to take probably a year to two years to get some real data. Are we really wanting to pause for a year to two years? If not, we have to rethink about why are we pause again? What are we going to get out of it? What do we need to unpause? Thank you.

MICHAEL PALAGE: Sarah, you have the floor.

SARAH WYLD: Thank you. I guess I'm just a little bit confused. I like Alan asking, what would we need to unpause? That's a good question. What do we need to proceed? Like if we're not sure whether we can do the methods of measuring the success of current requirements and we're waiting for input as to how we can measure that, then what else, practically, could we do? Which I guess is the same question that we're looking for input from the GAC team. So I'm sorry for being repetitive. I'm just all for doing work. I just don't quite understand what work that would be.

MICHAEL PALAGE: So I think just in the interest of time, we will move this to the final document. We're not finalizing anything at this point in time. And yeah. Laureen, you have your hand up. Go ahead.

LAUREEN KAPIN: I just wanted to respond to Sarah's question, which I think is a very good one, and observe that there are different ways of thinking about measuring this. And actually, this has been the topic of some discussions within the GAC small group recently. And in addition to getting an assessment of the accuracy of what's there, I'll just put that under a big umbrella with that shorthand, the other question, of course, is, what measures are in place to make sure that someone just can't register a domain with inaccurate information? And that's something that could be tested. That's something that a system could be set up where different registrars are actually tested by providing information that is accurate and information that is inaccurate and seeing basically whether you're able to register a domain name with information that's not accurate. So that is another way to look at this issue and work that could be done in the interim. So I just wanted to add that thought, is it's not only measuring what's there, it's measuring what's in place to ensure that the input received is actually accurate data.

MICHAEL PALAGE: Sarah, you have the floor.

SARAH WYLD: Thank you. I guess I continue to be confused, because finding out what measures are in place to make sure that people cannot

register a domain with inaccurate information sounds like assignment two. Isn't that what we were supposed to be doing? So I kind of love this idea. Maybe here's another suggestion that we haven't yet seen in our list of possible ways to measure if the current requirements are sufficient. Let's register a bunch of domains with different types of data and see what happens. Maybe that's part of our assignment. Thank you.

MICHAEL PALAGE: Provocative. A sting operation, seems to me. So, thoughts on that? I think that is an interesting, thought provoking suggestion. Has anyone ever thought about allowing ICANN to go out and register 100 domain names or X number of domain names across X number of registrars? Owen, you're an alternate, you're not allowed to raise your hand. But I always let you speak anyway. So go ahead.

OWEN SMIGELSKI: Thanks, Michael. Yeah, I know, I'm an alternate. But this was actually something that I considered when I was working at ICANN Contractual Compliance. It turned out that a number of people who were there actually had never registered a domain name before. And so we looked at whether or not we could use ICANN funds to let people go through and register domain names. And there were a number of concerns that came up. First of all, using ICANN money to go to registrars. How do you pick them? How do you determine them? And then also, some of the problems were what happens if you discover compliance issues, things like that? So I know it's been considered and it was rejected

at that time. Perhaps it might be different for a study or something like that. But that's just the experience that I had when I was there. Thanks.

MICHAEL PALAGE: So Owen from ICANN Compliance, how did ICANN go about choosing the current registrar for icann.org?

OWEN SMIGELSKI: I have absolutely no idea how ICANN picked to use GoDaddy for that.

MICHAEL PALAGE: I'm just saying ICANN can register domain names in its own name. So it can do that. It has done that in the past. So as I said, any other—so you have concerns—is there—Marika?

MARIKA KONINGS: Yeah, thanks, Michael. Just to note that I think we still have the original proposal document where we asked people that had specific proposals to kind of [write that] out and provide specific details on what it would look like, what will be some of the pros or the some of the cons, what would be expected to measure, so that the group could have a more wholesome discussion around there, whether or not it would be worth taking that proposal forward. And that's what we, for example, did with the registrar survey, that a registrar audit idea. And of course, we still have a number of proposals there that are kind of, to some degree, paused,

because we're waiting for the feedback on whether or not a personal data or registration data could be used to do some of that work. So it may be worth asking Laureen to maybe look at that document. And if she wants to expand on that proposal so that this group can reconsider it, that is something that should be brought into the picture and incorporated into the report. That is, of course, something that the group could still decide to do. So that might be a way forward, if there are ideas that are worth exploring further to kind of go through the same path as we did with other proposals previously.

MICHAEL PALAGE:

I think that is a good suggestion. And as I said, I just liked that as a topic, I actually think it is quite informative. And what happens is in the best scenario, ICANN can control what information is being registered, we can make sure there is no PII, we actually can create a rather interesting little microcosm there. Anyway, I think we're done with this document. Alan, you have your hand?

ALAN GREENBERG:

I do. The last little bit of discussion has been really interesting, I thought, because it may be reasonable to revisit some of our early [inaudible]. As was pointed out, we were asked, what could we do? And the concept of registering domain names to test, to try to register illicit information or bad information and see if anyone catches it, according to the current rules, is interesting. Whether that's a good idea or not, I'm not going to comment on.

But it may be reasonable to revisit it and say, given what we now know, a year later, N months later, are there other things that we could do which may be good tests? I mean, one that came to mind as I was listening over the last few minutes is you remember one of the questions we asked ICANN was whether registrars are obliged to monitor bounces. And the answer was no. But we know some registrars do monitor bounces.

And that, in fact, is a measure of whether they have accurate email addresses or not. Knowing what the rate of failure is of those on the reminder notices would be a really interesting measure of whether—if the email doesn't bounce, we don't know if it goes to the right place and anyone looks at it. But if it does bounce, we know it's bad. Or at least there's a problem. And that kind of thing, we never suggested before. Maybe it's time to quickly revisit before we tie everything up with a bow and say, knowing what we know now, can we augment the suggestions we made at the very beginning of this proposal, this process? Thank you.

MICHAEL PALAGE: So if I can summarize, sort of do a checksum of our work to make sure that it's still ...?

ALAN GREENBERG: The work we've done may actually have been productive enough that we learned something since we started this process. That's a radical idea. I know.

MICHAEL PALAGE: IT would help justify how we all collectively spent the last eight months of our lives. Okay. I think now Marika, you can close this document. Okay. And we can now move on to the write up for assignments one and two. We can pull that up.

And I am not diligently checking the chat. Let me see what's going on in the chat. Marika, I'm going to be reading through the chat. Do you want to sit there and tee up where we are in this document and who has the last comments?

MARIKA KONINGS: Yes, so as we discussed during the last meeting, the staff team went through all the outstanding comments in this document where in some cases, there was a bit of a kind of back and forth, some agreeing, some disagreeing. In other cases, comments were made, but no reactions were received.

So for each of those, we provided a proposed path forward to kind of close out these items. And we asked everyone to look through that, and basically flag on the list if there were any items that either groups could not live with, or where they have alternative proposal for how to kind of move forward on those.

And I think Beth was the first one to send a message to the list, I think she flagged two items, one of them actually is further up in the document. And that related to the cross-field validation work. And I think Beth has sent some language or kind of a status update on that work that was undertaken. So our suggestion is to incorporate that here. So at least there is some information on where that stands, if I understood correctly from Beth's email.

Work has been undertaken in that area, but it's currently paused. And if I remember correctly, I think after the EPDP work is completed, it's the intent to kind of revisit that conversation. So I think that's probably a fairly straightforward way of addressing I think the comments and questions here about the status of that work.

MICHAEL PALAGE:

Marika, real quick on that point there, and maybe if Sarah are one of the registrars would comment on that—is Volker on today? I don't see Volker. So my recollection of the cross-field validation, I think there was an RFI or RFP that was issued. There were proposals collected. I think it then went back. And my understanding based upon what I believe Volker had said previously was that it was agreed that it was not economically viable. So that was my recollection. Sarah, Roger or Owen, could you confirm what happened back in 2008 with that cross-field RFI or RFP, where that ended up?

OWEN SMIGELSKI:

Hey Michael, I forget Volker was not going to be here. So I guess maybe I am alting for him today. So that way, I can actually speak. But no. So I participated in a call—I think it was probably in January or so with ICANN Org, on behalf of the Registrars Stakeholder Group about the status of the cross-field validation. There were two RFIs that ICANN Org did in 2014, I think 2017 were the dates, looking at if this is possible, what the effort would be, things like that.

And there were some concerns that it would not necessarily be something that could be applicable everywhere for everything. There was no solution that could actually work in all situations. And also, there were some cost considerations as well, too.

And so at that point, the efforts were paused, and then the whole GDPR temp spec thing came up. And so after that, there was a pause. Once the EPDP phases one and two, and I guess also 2A, have been implemented, that's something that ICANN Org and the registrars agreed that's something they do plan to look at again and see whether the landscape has changed. It's been, obviously, a couple of years since that has happened. So the intent is to do another RFI to see, is there a solution? Has technology updated in the last eight to six years or whatever? So that's the status as I know, again, it is paused. And so that was kind of reflected in that comment that we provided to the policy team. Thanks.

MICHAEL PALAGE:

Thank you, Owen. incredibly informative. And again, I know Lori and Scott had both raised this point before in the past. Could you perhaps document that or point to some documentation where they were talking about looking at it or issuing another RFI? Could you point to that so that we can include it in our documentation? I think that would be very important. I think even Melina had raised this concern before in the past. So if in fact there is an indication or a willingness or a previous agreement by ICANN and the registrars to revisit this, it would be nice to point to that authoritative commitment or representation if we can include it.

The second question I had for you, again, tapping on your either former ICANN Org hat or your current registrar hat, my recollection, in looking at this work previously, was that the vendor was going to take access to the publicly available information to do its work. At any point in time, has ICANN ever thought about getting a service and allowing the registrars to access that service? So instead of ICANN having to touch the data, could they just provide for a third party and then let the registrars check the data? What was the actual dynamics of how the cross-field validation would have worked in the past? And is it possible with what I just mentioned as an alternative to be more GDPR friendly and minimize the movement of data?

OWEN SMIGELSKI:

I don't know what the solutions were that were proposed or what was considered or how it would work with GDPR. But my recollection is that it was supposed to be something applicable to all registrars. Whether or not it was something that ICANN would provide or registrars would access or be part of the thing, I don't recall. And I certainly can't speculate. And I think in light of how the first time this was considered and information was requested, and this was 2014, I think we can't really speculate as to what and how it would operate now. And also, it's not really necessarily within our scope as well. Thanks.

MICHAEL PALAGE:

Well, our scope's accuracy. So, I'm going to push back that—I would say that it is in our scope, we're focused on accuracy, there is a specific reference in 2013 about cross-field validation, which

by its very definition refers to accuracy. So I guess I would probably push back. But I will let Lori perhaps speak to that. Sarah, you have the floor.

SARAH WYLD:

Thank you. Thank you, Owen, for reminding us of the status of the cross-field validation work. I am not sure that we really need to put more thought into this. There was a suggestion to add some explanation to the document about what is going on with that work. We the registrar group have—or the contracted parties, sorry, have suggested text that could be used for that via email. I've just pasted that into the chat. If there is a desire to include links to where the existing work was held on the website, I'm sure that Marika or the staff team could find those links for us. I don't think this really needs much more thought at this point. Thank you.

MICHAEL PALAGE:

So I hear you, Sarah, but the reason why—again, I want to be mindful of the comments that Lori had made. And I think this actually goes back to some of the comments that Alan had made earlier. It's really easy to pause. How do you unpause? How do things get lost? And there is a such a minimum set of 2013 requirements in the RRA, and this being one of them, I think it's important that we don't lose sight of this and perhaps Lori will not oppose to your alternate language. And if she has no objection, again, just trying to be the neutral chair. She's not here so I just want to play devil's advocate and perhaps recognize her previous comments in this area. Let me see. Alan, you have your hand up. Becky, you're next in line.

ALAN GREENBERG: Okay, thank you. I just wanted to comment on this being out of scope. I think it's very much in scope. It is a requirement. It's one of the few requirements that was put into the RAA. And there was a conscious decision made that Compliance would not enforce it. My understanding, and it may be wrong, is that it was considered economically unviable or impractical for registrars to do this. That implies to me that I can never volunteer to do it and offer it as a service. And maybe that's a recommendation that we need to make. If indeed this is a useful way of ensuring that data is accurate to make sure that the various pieces mesh together and fit, then it is not at all unreasonable to say that it has to be done. And if it's not economically viable, is there a way that ICANN as a consolidator can have a contract with a service to do it? So I think that's quite within scope and a reasonable thing for us to look at. Thank you.

And just as a note, when I make an online order, there are plenty of stores that look at my data and say that doesn't match with what the post office says or whatever. So there are ways of doing this that are not particularly expensive. It's something we can look at. It may not work in every country, but it may work in some places. Thank you.

MICHAEL PALAGE: What I call the old 80/20 rule. Becky, you have the floor. Hopefully you have arrived safely in The Hague.

BECKY BURR:

I have arrived safely in The Hague. My plane was five hours late departing Dallas, so I'm a little bit jetlagged. So I'm going to take my board hat off and recall that in 2013, I represented the registrars in the RAA negotiations, and I can provide a little bit of background on this.

The cross-field validation issue was a request that came down from law enforcement and from others in the community. At the time, the registrars who were negotiating the RAA said, we don't think that this is possible. But we're willing to put it in on the theory that we can look and see whether it is possible to do this.

And I think what it came down to, Michael, is not the 80/20 rule, but like the 10/90 rule, which is to say, yes, Alan, you can do this in the United States, and you can do it in Canada, but you can probably not do it in very many other places in the world. And so my understanding of the state of affairs here is that it wasn't just an economics issue, but that literally the kinds of information and the kind of standards that you need to do cross-field validation don't exist in all countries. And so as I said, you can do it in some countries, probably for something that is not economically insane, depending on your margin. But my understanding is that that is the exception rather than the rule. And that is consistent with my experience in sort of identity verification and authentication worlds when I was at Neustar.

MICHAEL PALAGE:

Okay, so what happens, I guess I perhaps have a different experience than you, Becky, and perhaps this is just some of the work that I've done with the UPU. So the Universal Postal Union,

the S42 standard, which corresponds to an ISO standard, with the address of format, I believe has been implemented in all 192 member states that have signed the postal treaty.

And in fact, perhaps, Brian, if you could go back and verify this with ICANN Org, I believe that when the ARS was in fact in place, ICANN actually had a contract with the UPU to do the address validation. So I believe the ICANN was already paying the UPU to do the address validation as part of the old ARS.

So, again, I don't know what it is. But this is something that, again, I'm not trying to argue Lori's point. I'm just trying to be respectful of the points that she had raised. And let's get this additional work. Let's get these additional data points.

So Brian, I guess that's a task I'm kind of asking of you. Could you confirm the role that the UPU previously played in the ARS and what they did and if or how that data was available? And if I could, Becky, one other question I have for you just quickly off the top my head. One of the things that Volker and others have raised when we had talked about this cross-field validation before, Volker had raised concerns about the cost and economics and what's viable.

I know ICANN, in advance of ICANN 73, had hired an economist. Is this something perhaps—I don't know if the economist has been given any specific assignments. I haven't seen anything reported. I'm sure he's busy doing something. But is this perhaps something in his remit that he might be able to look at as far as what is or is not economically viable in the marketplace? I don't know. We still have that new economist on ICANN staff. Is that correct?

BRIAN GUTTERMAN: Sorry, Michael, is that a question for me?

MICHAEL PALAGE: Or —yeah, as I said, I guess it would be—yeah.

OWEN SMIGELSKI: Can I jump in here? Because we're down a really far path here. And I don't think we need to be here. Because I don't think we need to—and Brian, I don't think you need to do this work because—

MICHAEL PALAGE: Okay. So I'm going to let you talk. And then we're going to sit there before you—So first off, Owen, so what I've been told before—and we've enforced this against the GAC. So prior to a meeting, when I believe Lauren was not notified, she was not able to move up. I'm letting you move up. I don't believe there was a previous thing. I'm going to let you speak. But go ahead.

OWEN SMIGELSKI: Okay, sorry. So, yes. So the WHOIS ARS did use the UPU for when they did that, and I was on the steering committee at ICANN for the WHOIS ARS project. So they did process that, and actually, they did find pretty much basically all postal addresses that they reviewed in that were deliverable and contactable, as accurate in there. So I don't think we necessarily—I was just trying to jump in here because I didn't want to have Brian have to go

through and go through this process and look and dig stuff up. But yeah, they did use the UPU for that and stuff was contactable.

MICHAEL PALAGE: Thank you. So my question is, I think you said most, correct? I think the address was in the—I believe it was in the 90%. It was not 100%. Is that correct?

OWEN SMIGELSKI: Yeah, of the stuff that was sampled, it was found that—I do think you're probably right, about over 90% of addresses that were in the data set that was analyzed were deliverable addresses.

MICHAEL PALAGE: Okay. So that's good. And if you can, based upon your previous role in ICANN Org, I believe ARS survey was about—I think it was a low four-digit number, 1000 or more, it was not much more than 1000. Is that correct?

OWEN SMIGELSKI: No, actually, it was more. So I remember it was—and this is—going to say I can't pretend to be a statistician. But I recall the way that the NORC—that was the provider that did the analyses, I think the original sample was something over like 100,000 domain names because they wanted to make sure that they got things that were registered prior to the 2013 RAA, things that were registered post 2013 RAA, new gTLDs, legacy TLDs, etc. It was sub sampled down from there. And again, I can't pretend to even

understand how they did this. I heard the explanations and kind of like made my brain explode. But I do think the actual analyses were several thousand domain names, but it was a representative sample. Just because it's a small number doesn't mean that was an inaccurate or not representative of the global whole. I think the confidence levels were like 95-98% of how it was a representative sample of the entire Internet domain name ecosystem.

MICHAEL PALAGE: And I do not feel alone, whenever statisticians speak, my head explodes as well. So I'm glad we're in the same company there. Beth, you have your hand up.

BETH BACON: This is Beth. Thanks, Michael. I wanted to say I appreciate Becky's background and I think that's really helpful to the discussion as well as Alan's. I have a concern that Lori's comment was we remember discussing this, let's capture the fact that we discussed this issue in the text. And now we've gone off the cliff and we're into questioning or evaluating the quality of the work that was done by a different working group. And trying to figure out if it's good enough or—I think that we've strayed from the point. I think that we have discussed cross field validation, we are now trying to capture that we discussed it. And if and just speculating about the how it was done and whether the work is appropriate, is maybe not something that we need to do here.

I take Alan's point that yes, it was in scope to review. And we did and we talked about it. But now, as we draft a draft initial report,

then I don't know that picking apart the work of a past group is the best use of our time. And I also know that this seems to be a consensus of most of the working group members, that the language that we sent to the list is an appropriate measure and capture of our discussion.

And Michael, as chair, you're asking a lot of questions, and I appreciate your thoroughness. But I don't hear a lot of support to dig back into this work. So I just wanted to kind of maybe pull us back to, can we agree that this edit? And then if there's more work to be done, then maybe we do it in an inappropriate way, in a more comprehensive way and not just speculate and ask questions about a report we don't have in front of us. Thanks.

MICHAEL PALAGE:

So, Beth, I guess the reason I'm asking these questions is we have people right here on the phone that were able to answer them. We had Becky taken off her board hat saying I negotiated this provision on behalf of the registrars. I think we need to capture that. And we need to sit there because as we said from the very beginning, we're about fact gathering. Right? So these are facts. And I think it's important that when this report goes back to the Council, that we have that. So yeah. Let's see what else we have here. I think Marika, you can continue driving forward.

MARIKA KONINGS:

Yeah, thanks, Michael. So the only other item that was flagged, just scrolling through there, is one that I think we've already discussed a couple of times previously as well where there is

language that is here in a footnote that was I think, provided by ICANN Org in one of the responses that the Compliance team gave here that I think the GAC team had suggested moving up in the description of accuracy that the group also worked on extensively.

Initially, there was no objection to doing that. So staff had flagged this as a change that we would go ahead and apply. But it was then subsequently flagged by the Contracted Parties House, and I think Beth has inserted here a comment for why they don't believe that should be done. I don't know if Melina and Beth have had a chance to maybe talk about this. I think we suggested on the list it might be worth seeing if there's a way forward that both could agree on.

I think, as said, the group has already discussed this, I think previously. And if I recall correctly, I think actually, the footnote was a bit of a compromise solution that was found, at least at the time when the description a conversation was held. But we did of course agree, I think at that point, that the group would be able to come back to it when it will be inserted in the write up for assignments one and two. So this is the only other item that was called out as needing further conversation. So I'll just pause there and see if there was any agreement on how to move forward on this specific item.

MICHAEL PALAGE: Beth, you have the floor.

BETH BACON:

Yeah, so I just wanted to comment—since Marika did note that there was a little bit of email back and forth. Unfortunately. I mean, I put the comment in, but it's for the CPH. So the CPH wasn't able to loop back and discuss Melina's comment before this meeting, and I think Melina is not able to join today. So I wouldn't want to exclude her from this conversation unless Laureen or Kenneth feel comfortable taking up the mantle for this.

I did want to note that Maria, I think your summary was accurate in that we did discuss this when we agreed on the description that this would be a footnote, and we do reference it, we referenced the point, but then we expand upon it in the footnote.

And I think that, I guess, some of the Melina's concerns were that she feels that it may be buried if it's in a footnote. But I think that it's simply an expansion upon, a little more detail on what we have already in the text. And there's no bearing and it's just a footnote.

So we would like it if it stayed in the footnote, simply because that's what we agreed previously. And we think that we already captured the requirement in the description. But if Laureen or Kenneth have other points that they want to share, happy to talk about that.

MICHAEL PALAGE:

So if I can jump in here, Laureen you will have the floor next. What I'm going to ask—We're making good progress. I think we're almost done. So I do not want to prematurely cut this off. So I am going to ask if Olga, can you and Marika continue on with the rest

of the session? Olga, would you be able to do that? Marika, you should be able to walk through most of this?

And then Olga, if there's anything that needs to be done, I know you I believe you are remote, but would you be able to step in and handle that?

Okay, so Olga is probably not able to speak. So here's what happens. Marika, could you please continue on? Is there any objection to Marika continuing this discussion? I do not want to end it here. I want this to continue on. I will listen to the last 20 or 30 minutes of this call afterwards. So unless there's any objections. Marika, do you—Yes, I know. Laureen is going to speak next. But do you have any problems to continuing on?

MARIKA KONINGS: No, I don't. I think this is the only point. So let's see if we can resolve it. And otherwise, I guess we need to take it forward to our next meeting.

MICHAEL PALAGE: Yep. So with that, I'm going to turn the floor over to Laureen. I'm going to drop off. I look forward to seeing many of you face to face next week in The Hague. Safe travels everybody. Laureen, you have the floor.

LAUREEN KAPIN: Thanks. And I know probably people are wanting to get back to all their prep. And Melina is best positioned, but in her absence, I

think the gist of this really is if there's agreement about the content here—and this is an important point. We're a little bit at a loss to understand why it shouldn't be in the text. And I think that that's really—this is not complicated. There was agreement on this language. There aren't objections to this language. This is a matter of placement and I think we all know that things are more likely to be looked at and read if they are in the primary text of a report rather than a footnote. I won't use the buried language. I myself read footnotes and rely on them. But the reality is that it's more likely to be seen. And it is an important point. Therefore, our preference is to have this in the text.

MARIKA KONINGS:

Thanks, Lauren. Appreciate you sharing that, I guess on behalf of Melina. I do recall that we had this conversation previously. And then I think the original position—and Beth or Sarah or others can correct me if I'm wrong—I think, of the contracted f parties, was not to include that language at all, as it does not appear in the agreements. But it was included in the compliance response. And I think that the compromise that that was reached was to include it in the footnotes, to have a middle ground of not having it at all versus having it in the main text.

I see that maybe that compromise agreement no longer holds. And again, I don't know if what Lauren has just shared, if that has convinced the contracting party colleagues here to change their view, and if they're amenable to moving this to the main text, or whether their objections still stands.

maybe I can encourage everyone to take the time between now and our meeting at ICANN74, and maybe preferably in the hallways in The Hague to maybe reach out to each other and talk about this and see if there's a way to find an agreement on how to deal with a specific point because, as said, I think this is the only outstanding item that has been flagged left in this document. Owen, please go ahead.

OWEN SMIGELSKI:

Thanks, Marika. So I think the concern with the Contracted Parties about including this wording is because this is supposed to be reflective of what the current scope of the landscape is. And the reason we've been talking about this stuff, the things we've been bringing forth, have been the definitions in the RAA and what working things are going on. And that's why we objected to having this as part of the main text is because it patently is not part of the RAA. It's not in there.

It is, indeed, something that ICANN Compliance did flag. And yes, while they did do that, from my Compliance experience, these patently false examples are an extreme outlier in there. And even Compliance did admit that as well. It's not something you see all the time. It's something that's raised because it happens once in a blue moon kind of thing. And so I think it's not reflective of what is actually happening in there. And that's why we didn't want to have that in the main text. We agreed to put it as a footnote, because yes, it is something that can happen. But it's not something that is the main driving force behind it. And so that's a concern there.

And so we can certainly have discussions and stuff like that but I don't think that the Contracted Party position is really going to change on this. Thanks.

MARIKA KONINGS:

Thanks, Owen. And appreciate you restating the rationale for the Contracted Parties House view on this. Laureen, I don't know if that's a new hand or an old hand. Do you want to respond to that? I'm guessing that was an old hand.

So I don't see here how we can maybe quickly resolve that unless there's someone else that has an amazing solution that may satisfy both point of views. Maybe I can ask you Laureen to take the views of the Contracted Party House back to Melina and the other GAC colleagues to see if they're willing to accept that and keep it as a footnote in line with the earlier compromise. And maybe, on the other hand, Contracted Party colleagues can also consider the arguments that Laureen made in relation to the GAC's view on the footnote and the language there.

And as said, hopefully, there's an opportunity for you to as well talk about this in the hallways in The Hague so that hopefully, by the next meeting, we can come to an agreement on how to handle this, I think, one remaining item. I'm just going to pause for a second to see if anyone else has anything they want to share on this particular item.

LAUREEN KAPIN: Just chiming in Marika. I'm happy to confer further with Melina and the Contracted Parties as needed. I appreciate the specificity of both your comments and Owen's.

MARIKA KONINGS: Thank you, Laureen. I very much appreciate it. So with that, I think we've gone ... There are there were no other items that have been flagged. So what we would propose to do is then to resolve all the comments that were not flagged and add in the language on the Cross-field validation I think in the relevant section where it was flagged, integrate the 2.1.2, the proposal section, and I think we'll leave that the common that that is in there from the GAC there as a reminder that that is an area where the group I think wants to have some further conversation around, is there something else that the group could or should be doing, either in the interim between assignments two and three, or is there already work to commence on assignment three, and then if so, you'll be able to identify and write that up. I think we'll also assign that as an action item. so those that have to get on the plane have something to think about. And hopefully, we can then focus on that during our meeting at ICANN 74.

So as said, we'll produce an updated version of this document, which should, to a great extent, be clean, accept all the remaining comments and edits apart from those that are still open, and integrate the other parts. So you'll have one document to look at. And of course, if there's still any items, especially kind of editorial, minor edits, feel free to flag those as well. Hopefully, we have left kind of the major issues behind us apart from those that are outstanding and can focus the ICANN 74 session on finalizing this

document and hopefully getting it ready for a submission to council shortly thereafter.

So with that, I actually don't have anything else at this stage. I don't know if there's anything else anyone else wants to raise. Terri, do you maybe want to speak about the logistics for the actual meeting in The Hague and the reminders that people may need to be aware of?

TRERRI AGNEW:

Thank you, Marika. I sure will. So shortly after the end of this call, I'll go ahead and send out just a reminder of when the meeting is going to take place for this team. Some helpful reminders. If you're in person, you've responded to the survey that was sent out a little while ago. So we have your name for an in-room attendee, you'll be sat at the table, we'll ask that regardless if you're in person or remote, that you connect your computer or device to the Zoom room. If you're in person, don't connect your microphone. Of course, if you're remote, you'll connect your microphone. And everyone, regardless if they're in person or remote, will use the Zoom raise hand. We will not be raising hands physically in the meeting room. When you're in the meeting room, there'll be some large screens, you'll be able to see the Zoom meeting on there as well. Please remember to state your name, Speak slowly. Everything you know to do normally. So those were my helpful reminders there.

MARIKA KONINGS: Thank you, Terri, very much. Appreciate it. With regard to meetings after ICANN 74, I think that is a bit of an open question because to a certain degree it depends how far we get during the ICANN 74 meeting. Our hope is that we'll be able to resolve most of the issues and have a near final draft by that time. But of course, some have indicated that there might be some issues that may need further discussion. And so we need to see when to continue if necessary those meetings.

Another action items that we noted down—and Laureen, hopefully, you can assist with that—is indeed provide some further details on the proposal you suggested. So that might also be something that the group can look at during its session and see if or how that needs to be incorporated as a specific proposal in the document.

So with that, I don't think I have anything further. Just seeing if there are any hands, anything else anyone wants to raise or discuss. If not, you're still getting 20 minutes of your time back. So for those that are traveling to The Hague, safe travels. For those staying home, enjoy your time and enjoy the lack of jetlag, and hope to see you all in the Zoom room next week. Thank you everyone.

TERRI AGNEW: Thank you everyone. Once again, the meeting has been adjourned. I will stop the recordings and disconnect all remaining lines. See some of you soon. Safe travels. Stay well.

[END OF TRANSCRIPTION]