JULIE BISLAND: Good morning, good afternoon, and good evening. Welcome to the DNS Abuse Mitigation PDP 1 Working Group call taking place on Monday, July 20, 2026.

For today's call, we received apologies from Luke Wood (BC), Volker Greimann (RrSG), Martina Barbero (GAC), Michaela Shapiro (NCSG), Jim Galvin (ICANN Board), and Farzaneh Badii (NCSG). The alternates replacing the members are Vivek Goyal (BC), Theo Geurts (RrSG), Janos Drienyovszki (GAC), and Edmund Brahene (NCSG).

Statements of Interest must be kept up to date. Please raise your hand or speak up now if you have an update to share. All right, seeing no hands. If assistance is needed updating your SOI, please e-mail the GNSO secretariat.

Members, alternates, participants will all be promoted to panelists. Please watch your screen for the prompt to be promoted. Observers will remain as an attendee and will have access to view chat only.

All documentation and information can be found on the DNS Abuse wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking, and as a reminder, participation in ICANN, including this session, is governed by the ICANN Expected Standards of Behavior, the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct. And with that, I will turn it over to our chair, Paul McGrady. Please begin, Paul.

PAUL MCGRADY: Thanks, Julie. Good morning, everybody. Not to put any pressure on you guys, but this is the last thing I'm doing before I head to the airport for a little bit of family time, which I am completely realistic about, as the ICANN application window closes. Probably not being the most stressful holiday, but there we are. Reg says, "We love you too." I know. I wouldn't miss this for the world. I will, however, not be here next week, and Nick will be chairing the call. So just FYI there.

Let's jump into what we're trying to accomplish here. The agenda, five minutes of welcome. That's this. We're going to do a quick PDP update, a third read of the Initial Report and the assessments. And we are going to then have AOB. So, pretty straightforward stuff.

The PDP update today. This is what we are looking at in terms of ICANN87 planning. We are going to have four sessions in Bali. By that point, we should have our public comment back, and so we will be spending our time going through that. We will also have a Prep Week webinar. I think that's probably an FYI for all of you, more of an action item for Nick and me. But do grab these times on the sessions for our working group in Bali, and please get them into your calendar. We are going to be doing quite a bit of work while there. So, good.

Where we are now, week 20 of July, third read Initial Report and the assessments. We will adjust language where needed. Next week we have meeting, if needed, and then the following week, a final read report adjustments, and then we'll do a consensus call middle to end of August, and kick-off the Public Comment period.

So, we have updated the Initial Report after our conversations last time, and to incorporate the agreements, and also to incorporate the situations where there was not agreement to make certain changes, so that is in there. We sent that around on Friday. Let me just very quickly go through what was discussed and resolved.

Thing one was registrars have reasonable belief that the domain name is not compromised. We talked about that. We could not get support for that so that change was not accepted. The next one was from Marc Trachtenberg, removed pertaining to the same abuse scheme and/or abusive actor. The first one was Michaela, sorry. Second one, Marc. That was language suggested to be removed, but it had been put in for a reason after back and forth quite a bit from the working group, and so that specific thing was not accepted, but we did agree to adding where relevant to that phrase that we kept. So that was a good outcome.

Marc suggested replace sole purpose with primary purpose on line 177. That was not accepted and we kept the original text.

Marc also suggested the definition of compromised domain name should be moved from the rationale into the Implementation Guidance. That was accepted by the working group, so that is incorporated.

Marc suggested move Implementation Guidance to Rec language in Rec 3. So this one was flagged previously as a discussion item, and the leadership team provided new language that the working group supported. So that one is done.

All right, moving on from there, we have third reading to try to get through the rest of the comments that remain outstanding. Again, as we

said from the beginning, relitigation of done and dusted issues. It's not the purpose of the PDP, but it's not the purpose of this rereading. What we're trying to do is see if there are glaring flaws before we finalize this text. So, we hopefully will be able to get through this without a lot of relitigation or, my favorite word, pontification. But let's see how we do.

Michaela, I see you have a hand up.

MICHAELA SHAPIRO: Hi there. Good morning. I wanted to come in because I know from the slides, and I know this was put together at the end of last week before I sent over my e-mail, but there was some language that the NCSG has been gathering cross-community support on or at least getting sufficient interest in bringing back up into the agenda for the working group's consideration. So, I was wondering if that could be something we could come back to as part of today's agenda, or if it's something that could be added to a later agenda.

But just to clarify, this is not relitigation. This is not necessarily new. This is a perspective that has come about based on the Holistic Review of the document as a whole. So we would like to just put that forward to the group as a proposed agenda item. So coming back to language that we had discussed last week but with a new twist on it. Thanks.

PAUL MCGRADY: Thanks, Michaela. This is the part where, if we allow ourselves to relitigate and relitigate and relitigate on these calls, we're never going to get done. What I will say, I did see the e-mail, and what I suggest is that

if you can work it out on the e-mail list and believe that—and not believe—and have sufficient support to change this language, which, guys, we have to remember we've been working on this language for months and months, then I would say make a leadership team aware of that. But burning call time on going over and over and over the same issue again, we don't have runway for that. So, I would say, Michaela, my encouragement to you is keep working on the list. If you think you can get there, great. All right.

Categories—I can't say the word—categorization of comments received. Leadership with support from ICANN staff reviewed all the comments, made in the Draft Initial Report, categorized them, so that we can hopefully pick up pace. We got stuck last week. No time to get stuck. So, comments have been grouped into substantive comments on Recommendations, Implementation Guidance, and Rationale. These are the high-impact items. You'll see a bright orange screen shortly on these. Then we have other substantive comments on Recommendations, IG, and Rationale. And then drafting and clarification comments intended to improve readability and consistency.

At this point, most of the comments should have been drafting and clarification questions rather than a whole lot of substantive questions on documents we've been working on together for months and months, but there we are. So we'll review the comments in order, beginning with the highest impact substantive comments, and we're progressing through the remaining categories. Hopefully, we get that done. If we don't get it done, then we will have that meeting next week.

All right. If Michaela is able to gather sufficient support on the list, we may have to have that meeting anyway. I think you guys should move it from penciled in on your calendars to maybe put it in ink, not stone, at this point, but maybe ink.

Okay. The review process for the Draft Initial Report today, 20 July, third read, go through the substantive comments, highest impact, July 27th, go through the other things. So it looks like staff's already baked in the 27th. Sorry, guys. We are having that call, and then a final read July 3rd. That's okay. We'll have the extra call. We'll make sure everybody gets a chance to be heard.

The review process for the third read. The next slide shows the high-impact items. This is what we're going to be going through today, and then we'll continue discussing reviewing those directly in the Initial Draft Report once we've been through them.

Okay. Before we move on to the high-impact item, I see Bruna's hand. Go ahead, Bruna.

BRUNA MARTINS DOS SANTOS: Hi, Paul. I just wanted to perhaps make a request that you and the leadership approach comments to the text the same way for everyone. I feel a little bit frustrated that the approach towards Michaela's request is "please fight for support" on the mailing list. While we have a couple of other comments or suggestions of amendments to the text that have not been presented to the mailing list so far. So if this is the approach moving forward, then let's use it top-down for every single one that

attempts to comment or relitigate issues or even suggest new things, and let's not just use that for NCSG.

Honestly, as for the extra call, if that's needed, then that's needed. I know it's summer for most of us, but let's just remember that the whole world doesn't really necessarily work on the north kind of patterns and other parts of the world are fully working in July and August, right? So, if that's necessary, then let's just have this extra call. And please let's just treat everyone with the same basis of equality because I really don't feel like this was necessarily fair to the points that Michaela was kindly trying to make to the text. Thanks.

PAUL MCGRADY: Thanks, Bruna. Yes, to the call on the 27th, but I will push back very strongly on the idea that NCSG has been treated unfairly. What NCSG is asking is to take back a subject that we spent 30 minutes on in the last call and put it on top of the other things that are on the orange slide. And, staff, move us to the orange slide. These are the things that have not had their hearing yet. Okay. So if we give NCSG another bite at the apple instead of asking them to work it out on the list, and if they can get support, bring it back for another bite at the apple, which I know is opening me up to all kinds of other bites at the apple for anybody that didn't get their way in the call to try to work it on the list and bring it back, I'm actually going the extra mile here for the NCSG, not the other way around.

So, Bruna, I'm going to push back real strong on the suggestion that NCSG is somehow being treated unfairly. In fact, it's the opposite. It's

already had its hearing. It didn't make it. Michaela wants to keep trying to get it there. I'm encouraging her to do that. If she's able to do that and garner sufficient support, then we're going to put it back on the list. Okay. So as much as you want to be treated fairly, I also would like to be treated fairly in the process. Thanks so much. Okay, great. Let's move on.

All right, line 293 and 396 of the Initial Report. I'm going to ask staff. I didn't actually do this. The Initial Report is somewhere. Can you put that into the link? We're going to have to toggle back and forth because that's the problem with organizing charts is that they're great, but they're—let's see. All right, we are going to go to line 293.

All right. Feo, please.

FEODORA HAMZA: Hi, Paul. Due to the edits and changes that the working group members have made, the lines are being shifted, just to note. Yes, my apologies, but we are trying to keep up to speed as much as possible. But the comment we are referring to relates now to 302, which you can see here. We, as staff, put that comment based on leadership discussion and advice to just clarify working group's intent regarding Recommendation 5 and 8, so it relates to both, but it depends on the working group where they want to put it in. And as you saw on the chart, there was some support in the document from working group members that this makes sense, but we just wanted to open it to the group for further discussion if needed or if this can be accepted, and we can move on.

In short, as discussed with leadership, it's just to clarify. We note in the recommendations that there should not be new data be generated, but

for registrars who don't have ADCs in place, the recommendation should not foreclose any work streams or documentation they need to build up for these new requirements. So we just wanted to make sure, based on leadership input, that this is clarified in either Rec 5 or Rec 8 or linked appropriately. So we added some suggestion text for the working group to consider. Just to note that. Back to you, Paul.

PAUL MCGRADY: Great. Feo, help me understand. Which line specifically are we looking at now? I want to make sure that this gets the full read.

FEODORA HAMZA: John, if you go back to Recommendation 5, line 302, that's the comment we are referring to. So we stay in that one. Where working group would put it in ultimately is in the rationale of this recommendation, and that would then be subject to whatever line. But it's a more holistic overall comment on the recommendation. But suggested language, as noted in the comment, would be added to the rationale.

PAUL MCGRADY: Okay. So we would add into the rationale in Recommendation 8 and/or Recommendation 5 that Recommendation 5 is intended to avoid creating a requirement for registrars to collect or generate new data solely for the purpose of conducting an ADC. Recommendation 8 recognizes that registrars must be able to demonstrate compliance with the policy through reasonable documentation, internal procedures, and records maintained in the ordinary course of business or developed as

part of implementing these requirements. The intent is to ensure that compliance can be demonstrated without creating unnecessary operational burdens for registrars or resulting in unnecessary collection or processing of data related to legitimate registered name holders. Recommendation 8 and 5 recognize that registrars, which currently don't have ADC procedures in place, may need to establish internal procedures workflows, and, where necessary, compliance records to demonstrate that ADC obligations have been met.

So, I guess does this comment from Nick and me do it? Let's take a queue. We have about 12 minutes per item, so I will cut the queue off in about eight minutes if it's still going. Gabriel?

GABRIEL ANDREWS: Hi, Paul. Thank you. I was reviewing this language, and I was hoping that folks could clarify. I'm not sure who originally drafted the must not requirement with regards to collecting or generating new data. I'm wondering if someone could help me to understand what is meant by new data and the intent behind that, and in particular, I'm really trying to understand, does new, for example, mean that if a reseller has the data but the registrar doesn't, would the reseller providing that data to registrar count as new? If there's data that's previously described in what is reasonably available to the registrar, if any of those categories contain new data, does that mean that they no longer need to be considered as reasonably available? I'm just sort of confused by where new does or doesn't come into conflict with those other categories' data that we've already taken a lot of time to describe. I hope that question makes sense. Over.

PAUL MCGRADY: Thanks, Gabriel. I know we've talked about that a bit. Ching, I'm going to ask for your patience and do that chair thing and jump to Reg, who put her hand up, I think, in response to Gabe's question and has sort of been the voice from the Registrars on this topic over the month. So, Reg, go ahead.

REG LEVY: I did put my hand up in response to his question, but now I don't see where he's actually reading it. Can I ask what for the line citation? I think—

PAUL MCGRADY: I'm sorry. I don't know that it's a line citation, Reg. I think it's in the comment that we're looking at. It's the second paragraph of the comment on line 302.

REG LEVY: Got it. Yes. Thank you. Okay. So, what is intended by new data in this context is if we're already doing it, great. If we're not, we don't need to start. And that we means whoever is responsible. Full stop. There's not really a difference here between registrars who operate as a wholesale and retail registrars. If they collect the data, great. If the data is collected on their behalf, great. If not, then it's new data.

PAUL MCGRADY: Thanks, Reg. And this was the subject of a significant period of time of discussion when we were together in Spain.

REG LEVY: And it keeps sneaking back in.

PAUL MCGRADY: Thanks, Reg. Yeah. And what leadership team is trying to do is to sort of put an end cap around it, explain that yes, there is—it's complex, right? We don't want registrars have to create new data. They do have to be able to show compliance. And if a registrar right now is not doing ADCs at all, guess what? They're going to have to start, and that they're going to have to show compliance. So hopefully we're able to capture that needle threading exercise.

Ching, go ahead.

CHING CHIAO: Paul, my comment is not related to the subject that we're discussing now so I'll be happy to wait. If you finish on line 302, I'll be happy to talk about my other comments.

PAUL MCGRADY: So, Ching, what do your other comments relate to?

CHING CHIAO: Actually, I would just like to explain the comment that I leave in the doc is that I'm seeing the bullet point in the recommendation. So I'm just a little bit confused, and maybe you, the leadership team, and also someone who drafted this can explain or help me, just to remind us why the bullet point is in the Recommendation, not in the Implementation Guidance, as we have seen in Recommendation 4. So I just don't understand. And I actually do not do not recall this part, so please remind me.

PAUL MCGRADY: Sorry, Ching. Thank you. Which bullet point?

CHING CHIAO: That sixth bullet point in the Recommendation. My question is that why are these bullet points are being placed in the Recommendation itself, not in the Implementation Guidance? This runs differently than the Recommendation 4 because we put the bullet points in the Implementation Guidance. So I'm looking at those Recommendations 4 and 5, how we arrange the text. It seems to be a little bit double standard. So this is what I see so far. But maybe someone can help me understand better on this.

PAUL MCGRADY: Okay. I guess it's here because that's how it evolved over the course of several months. I guess I'll push it back and say what's the harm in it being here, and secondly, just reacting to it, there are principles in here, right? And frankly, principles that the NCSG and others fought pretty

hard for to be in the recommendation. So, for example, I think there's a data minimalization topic in here, non-speculative indicators. These were hard fought for.

I see Feo's hands gone up. Marc, do you want to respond to Ching's question, or did you have your own thing?

MARC TRACHTENBERG: I just wanted to go back to the one we were talking about before, which was the new data thing. But I'll wait to get this resolved to avoid further confusion.

PAUL MCGRADY: Okay, great. We'll come back to you, Marc, on new data. Feo, go ahead.

FEODORA HAMZA: Thank you, Paul. Yeah, just to note, Ching, leadership has taken your comment into consideration, and it's definitely what's going to be part of the discussion. It just would be helpful to the group potentially if we focus going through the comments as listed, so everybody's on the same page, and the working group can take decisions on what to do next. But maybe just to assist a little bit, leadership, Paul and Nick, have taken IPC's concern into consideration for Rec 3, and there has been agreement and changes to what was proposed by you. So maybe that helps in explaining why this is here or if further changes are needed. But just to note that your comment will be addressed and is just like all the other comments made by other working group members. Back to you, Paul.

PAUL MCGRADY: Thanks, Feo. It's actually line four in the orange chart that we sent out on Friday, but I guess I kind of did a preview of my view of that request. Apologies. But we'll get to that on line four.

All right, Marc, back up to the comment here on the leadership suggestion about how to tie all this into a bow, with the caveat that we have three minutes left. If anybody else wants to talk about the leadership team's comments, then please get into the queue. Marc, go ahead.

MARC TRACHTENBERG: I think the confusion here, the issue that I and maybe some others have is new data is not really clear what it means. It seems like it's maybe being conflated between data that the registrar has to demonstrate or create while doing the ADC and its investigation versus records. And I don't know that data should mean both things. Data to me means the former, which is like what the registrar is looking at during the investigation, not the latter. I think maybe we address this by getting rid of and/or demonstrating compliance. That I think clarifies that the data referred to is solely for the purpose of the ADC and its investigation.

But I agree with Gabe and have made the point myself that I don't think we can say that registrars cannot or should not have an obligation to create new records to demonstrate compliance with the ADC, because otherwise, there will be no way to ever determine whether any registrar complied with the ADC, especially for registrars that are not currently doing ADC. If it's not part of their current business activities, clearly new

records will need to be created to demonstrate their compliance for a new obligation that is added that didn't exist before.

PAUL MCGRADY: Thanks, Marc. That's why we said that in the leadership team's proposed text. We say that at the bottom. And in terms of cutting out demonstrating compliance, I think that's the heart of this entire thing. So, I don't want to change that kind of big direction at the last minute.

Reg, go ahead.

REG LEVY: Thanks. There was something tangentially related to this in the chat that I just responded to. Chris asked if solely was necessary. And I had thought that throughout all of this, it was agreed that we don't have to create new records. ICANN Compliance is very well-practiced in asking for the information that it needs and from inferring from the records that we have and that we give them. We don't need to create new records just to demonstrate compliance. And forcing us to do so is just taking up time and effort that would be better spent actually reducing DNS abuse. So my understanding had always been that the purpose of this clause was very specifically, and that it was in the charter that we don't have to create new records just to demonstrate compliance.

Chris posted into the chat, "Does it have to be solely?" and I said yes because it may be that we are required to create new records by a different policy that may go toward this, and we don't get to decline to create those records just because it would also demonstrate

compliance. But we aren't in the process of just creating records for the sake of records.

When ICANN comes to me and says, "Did you do X and prove it?" I have things that I can give them. I have logs of when things got suspended. I don't need to create a list of all of the domains that my team looked at, just because they're looking at other domains. And so, as previously said by Volker on numerous occasions, we can have a policy that says every time we suspend a domain, we're conducting an ADC, and that should be sufficient, and that is sufficient for ICANN Compliance.

PAUL MCGRADY: Thanks, Reg. Marc, go ahead.

MARC TRACHTENBERG: I want to point out that I don't think we ever agreed that no new records would be created. The registrars have consistently pushed back aggressively on that and said that, but we never agreed on it because I've been saying this from the very beginning that there have to be records, and Gabe and others and people in the BC have as well. So this is critical. This policy is meaningless without some record keeping.

And for a policy that doesn't exist now, it is newly created, that clearly means that for compliance purposes, new records will have to be created. Registrars will have to be able to demonstrate if and how they comply with the ADC, which, for a registrar that's not doing ADC right now, how could the existing business records possibly cover these new activities and obligations that weren't covered before? And for registrars

that are doing it now, they may still not be keeping any business records of what they did with the ADC because they're not required to. So, I don't think it's reasonable to say that no new records can be created, that new business records will have to be created. Otherwise, there's no way to determine compliance.

PAUL MCGRADY: Okay, Marc. I don't know how else to say this, but I highly encourage you to actually read the suggestion that Nick and I have come up with because it addresses all those concerns.

MARC TRACHTENBERG: Right. But that's in Guidance, not the policy itself. That's the issue that we're kind of we're addressing now.

PAUL MCGRADY: So that's a little more clear. You're not actually concerned about the text that Nick and I proposed. You are concerned that it is going into the Implementation Guidance instead of into the Recommendation text?

MARC TRACHTENBERG: That is part of the concern and it seems to be not aligned with what's in the recommendation itself. I understand the whole discussion of Implementation Guidance, not reopening that can of worms, but Implementation Guidance should be consistent with what is in the text of the actual recommendation itself, and so it's not effective to have

Implementation Guidance that differs from that where it creates confusion. Maybe it should be clear in the policy.

PAUL MCGRADY: Okay, great. Thanks, Marc. All right. We're over time on this topic, and we can't get bogged down on one. This is a topic that we have talked about quite exhaustively over the months, and certainly open to tweaks to the language that Nick and I came up with which was designed to address all the concerns that Marc is raising. Again, we will go to Gabriel, and then I will make a pronouncement about this one, and we'll move on. Gabriel, go ahead.

GABRIEL ANDREWS: As suggested tweak, which I suppose I will insert into margin in a second, but I think what I'm hearing from Reg is that there's a desire to not create an obligation to create new categories of records while there's still recognition that instances of a record itself might be created as part of an ADC, right? Just as we're not saying that there's a new category. If you're already collecting logs every time that you receive an abuse report, for example, right? You're not having to create a new category of information, but if a new abuse report comes in, then you're going to have one new instance of abuse report that's generated. And I think maybe it would be helpful to just to make that distinction. Over.

PAUL MCGRADY: Thanks, Gabriel. All right, so here's what we're going to do with this one because we have to move on. We are going to go ahead and put the

proposed text from the comment into the document itself. If we have time, we will come back and give it a reading again. But here's the homework for Marc, because I only hear Marc and Gabe speaking of this. Much like the NCSG, take it to the list and see if you can get support. And if we can, we'll give it another hearing. But we have talked about this. This is the classic example of something that's been talked about and talked about and talked about in person, on calls repeatedly, and we do need to draw a line under it at some point.

So, let's put it into the document, we'll circulate that document, and then, Marc, if you think you can get enough support, come back with textual suggestions on how to fix it. But going around the merry-go-round over and over again to address something that's already been addressed. Of course, there are going to be records because you need them to show compliance. That's the middle part. If you're not doing anything yet, well, then you're going to have to start doing things, and that will naturally result in records. But that's different from the top line category, which is this is not meant to create a bunch of new reports and digging around and databases and other things, and that's been a principle from the beginning. So, let's move into the document. Marc, if you want to move the needle, you're going to have to do the homework on the list the way the NCSG is going to have to do the homework on their list for their issue.

All right. Next up is Brian Cimbolic, the lines are off now, but change "must" to "should". We have 12 minutes for this topic. Brian, you want to talk to this?

BRIAN CIMBOLIC: Yeah. Thanks, Paul. This actually maybe we'll end up saving some time because my two suggestions in a row are really kind of alternatives. The thought process here is that, as written what's currently in 310, you could create a compliance enforcement issue in that if a registrar did sort of too robust of Associated Domain Check, it could find itself within ICANN Compliance. I don't think that we're trying to create a ceiling, but I also recognize the importance of the protections.

So, really, you could do this one of two ways, noting that all of the things that registrars should do, they should avoid the risk of overassociation, they should avoid reliance on blah, blah, blah, blah. Everything that's here. Or, alternatively, the next change was, now that the numbers have changed, an alternative version of current 310 through 323, and that's just taking that exact same substance and changing the concept. And instead of what a registrar should or must do, it's in enforcing the policy, ICANN Compliance cannot require that a registrar do more than avoid break applicable laws or fail to respect privacy principles. So, really, it's just taking that same substance and recasting it. And instead of creating the ceiling for what a registrar can't do, it instead looks at how ICANN could enforce this against a registrar in conducting an Associated Domain Check.

PAUL MCGRADY: All right. Thanks, Brian. Let's take a queue on Brian's proposed changes. Anybody opposed? Top in line?

BRIAN CIMBOLIC: If I could just clarify. So, if either—I don't think you should have both. I think it's either you keep 310 to 323 as it is, except for you change must to should, or you strike all of 310 to 323 and use the alternative text that seem to have some support in the document from different constituencies, but obviously not just a handful of folks, not the entire PDP.

PAUL MCGRADY: Thanks, Brian. Yeah, the idea of striking entire chunks when we're supposed to be going through and looking at semicolons and dangling participles instead of relitigating everything sounds like a heavy lift to me. So, let's see if we can keep our good work. Any objections to the change that Brian is suggesting? I don't see any hands going up. Changing must to should. Going once, going twice. Okay, we did it. Great. We made some time up. That's great.

Okay. Next up is also a Brian. Provide alternative text. Didn't we just deal with that, Brian?

BRIAN CIMBOLIC: Yeah. I think if we ended up doing the should, but I see Feo put her hand up so she might be—

PAUL MCGRADY: And it went back down just like that.

BRIAN CIMBOLIC: Yeah. They really were alternative proposals. If we do should… The other language I think is slightly preferable, but I think doing must or should covers my concern sufficiently. We can move on.

PAUL MCGRADY: That sounds great. All right. As Jothan notes, that's a twofer. Okay, great.

Next up is a Marc Trachtenberg move, the non-exhaustive list to Implementation Guidance. Apologies that I shared my view on this when Ching raised it earlier. I wasn't looking at the chart when I shared my view, so I'll be quiet with my views. Marc, go ahead and tell us what problem you're trying to solve and how moving this to Implementation Guidance solves it.

MARC TRACHTENBERG: I think Ching already addressed this. I don't know that we need to go over this again. But in other recommendations, we took approaches where all the details were included in recommendation guidance, not in the recommendation itself. It seems like we're putting all the protections for the registrars into the recommendation itself, and then all the protections for everybody else goes into Implementation Guidance.

PAUL MCGRADY: Thanks, Marc. I can address that, but I want to give Ching his day in court. Ching, go ahead.

CHING CHIAO: Thank you, Paul. It is actually not a question. I just want to understand, and why it is put it this way, other than the way that we handle Recommendation 3 or 4. So, I just want to understand. Thank you.

PAUL MCGRADY: Thanks, Ching. My view of this, and again, I don't want to be in the role of speaking for the NCSG, who I think, if I'm remembering correctly, was the principal folks behind these things. So maybe they can join the conversation. But these are principles that are in here. These aren't implementation in the purest sense, right? These are criteria that contain principles. So, the principle of the importance of accessing data only when deemed necessary, the principle of usage of minimal information reasonably available, the principle of the potential impact on the domain name registered name holder.

Principles are exactly the kind of thing that should be in Recommendations rather than Implementation Guidance. If the working group wants to move it, we can move it down, but I think it fits squarely where it should. So, let's see. Is there support for moving it to Implementation Guidance? Let's get a queue. Raise your hand if you'd like to move it. All right, Reg?

REG LEVY: Sorry. You said raise your hand if you want to move it, and so I did.

PAUL MCGRADY: Okay, great.

REG LEVY: I'm kind of on the fence about it, but I don't see one problem either way, and I'm happy to support it.

PAUL MCGRADY: Okay. So we have Registrars, IPC, and BC saying, "Move it." I guess we should. We have Gabe saying, "Fine either way." Anybody opposed to moving it to Implementation Guidance? Nitin fine with moving. No hands going up. Anil saying, "I agree. Fine with moving." No hands going up saying, "Don't move it." No concerns from Brian. Rod saying that. Okay. We've got some hands now. Yao, go ahead.

YAO AMEVI A. SOSSOU: Good afternoon, everybody. Sorry to interrupt. I just want to understand. We've been discussing this issue in length, long, I don't know. And from the explanation we're giving, for me, from understanding, this should be in the Recommendation, actually. I don't understand why you think it should be in the Implementation. Because those principles are really supporting all the recommendations we're making, so I really don't see the need for it to be moved on the Implementation Guidelines. That's what I want to comment, I wanted to make. Thank you.

PAUL MCGRADY: Thanks, Yao. Gabriel, go ahead.

GABRIEL ANDREWS: Apologies if this is a tangent, but while we're here and doing this focus on these bullets, I just want to flag that the fifth bullet seems to be a restating of the fourth. And if folks are not in disagreement with me, then while it's being moved, maybe that could also be addressed. Over.

PAUL MCGRADY: I'm sorry. Gabriel, which bullet? Help me.

GABRIEL ANDREWS: If you read the fourth bullet, it says, "The importance of accessing data only when deemed necessary to perform the ADC." That is a very distinct way of saying it. The fifth bullet right after that appears to be saying the same thing in a more wordy way.

PAUL MCGRADY: I think that one is access and one is usage of data. I think that's two different concepts.

GABRIEL ANDREWS: All right. If that's the case, then I will stand down.

PAUL MCGRADY: All right. Okay. Well, we seem to have a nearly unanimous support for moving this to Implementation Guidance. You heard from Yao not to move it. I'm going to do a last call on anybody that would like to speak against moving it other than me, I don't think it should move, but I don't

always get my way. Raise your hand if you are opposed to this moving to Implementation Guidance. Yao, go ahead.

YAO AMEVI A. SOSSOU: No. I said I'm opposed.

PAUL MCGRADY: You're raising your hand. Okay, got it. Okay. All right. We don't have other members of the NCSG raising their hand. So, Yao, the good news is that I have been—oh, here we go, Christabel.

CHRISTABEL MEBAGHANDU: Just to second Yao's point, we're just opposed to moving it. Same thing.

PAUL MCGRADY: All right. Okay. Well, I think that the "move it down to Implementation Guidance" crowd took the day because it was most everybody, as Rod notes, we've already determined guidance is to be followed unless there's a darn good reason not to. So that is, ultimately, I don't have heartburn that it won't be followed because we've been around the block a lot and Implementation Guidance is taken very seriously. I'm just sort of disagreeing the principle because I think these are principles, not implementation. But okay. All right, we will move that down and move on.

That takes us to something from Natalie. "Replace list policy goal with new suggested language." What is our new number? Is that 390? There

we go. Natalie, what problem are you trying to solve, and how does this do it?

NATALIE HOWATSON: This is Natalie for the record on behalf of the Registrars. Thanks, Paul. We just feel here that this recommendation only appears to be measuring whether the registrars are complying with the policy, but have concerns that this should be measuring the effect of the policy on DNS abuse. So that's what our comment's about. I'll hand my time over to Reg to explain a bit further.

PAUL MCGRADY: Thanks, Natalie. Reg, please go ahead.

REG LEVY: Thanks. I've suggested in my comment a number of additional data points that could be assessed. I think that some of these are reasonable, whether we're conducting ADCs, sure, but a lot of it seems to stem from we actually don't know how to measure this, and so some of the recommendations—sorry, that Natalie included—were whether or not it's actually had an appreciable effect on DNS abuse. And Marc responded to that, "How do we do?" Well, we're here because there is some sort of an assumption, presumably some data, to support the fact that there are blocks of domains with similar characteristics that are registered at single registrars, so we're not talking about cross-registrar campaigns, and that this can be identified. And so, to the extent that that is correct, that's why we're here. We're here to curtail that.

So, if we start seeing differences in trends of DNS abuse, I think that is a point of showing that there has been some success here. We don't know how many of these campaigns exist. Perhaps we will get some of that information. But the point is that there is a trend and that it can be observed to be changed. We all, I hope, know that we are not going to solve DNS abuse through this PDP but we are hoping to disrupt it, and that disruption ought to be identifiable in the data.

PAUL MCGRADY: Thanks, Reg. I think that the parenthetical at the end of the comment is sort of the key thing to understand that we don't have to declare the policy a failure if DNS abuse goes up because there are things that are here now and things that are coming that could have an upward effect on DNS abuse, and that doesn't mean we failed because we were able to disrupt some of it, hopefully, a good chunk of it.

REG LEVY: I strongly agree with that statement. But I would argue that just creating obligations for ICANN Compliance, as these five bullet points do, that won't actually provide any information about DNS abuse isn't the way about it. And so that's why I provided additional bullet points.

PAUL MCGRADY: Terrific. Thanks, Reg. Theo?

THEO GEURTS: Thanks. What you just said, Paul, if you are actually trying to assess the impact of a policy, doesn't that include a definition of what is a failure or what is a success, as you mentioned? Thanks.

PAUL MCGRADY: Thanks, Theo. I think that Reg and Natalie are trying to get there by saying an appreciable effect on DNS abuse trends. Maybe it's missing a word. Appreciable positive effect on? Something like that. But the point is that it can't just be a raw number or else we're doomed to declare something a failure even if it's having good effects, and we don't want to do that. Gabriel, go ahead.

GABRIEL ANDREWS: Hi, Paul. I just want to say that I don't think that we object to the additional bullet points that are being proposed by Natalie in the margin. However, it does seem that she's suggesting that they would replace the pre-existing five, and I think that that is something that we wouldn't want to see happen, but certainly don't mind there being included alongside the original five. Over.

PAUL MCGRADY: Thanks, Gabriel. I guess my question to Natalie and Reg are: could your additional two bullet points coexist with the original five or do the initial five need to go in order to get these next two? Because it seems like everybody likes the next two.

Reg, go ahead.

REG LEVY: I definitely think that we should be paring down a number of the five. I think that the first two are reasonable, and that the final three ought to be replaced with our suggested two.

PAUL MCGRADY: Thanks, Reg. Well, that's an interesting hybrid. Let's all take a minute and see if everybody thinks that the two new ones capture all the concepts of the last three initial bullets, because those were discussed at length. And let's have a queue on the hybrid proposal of keeping the first two and replacing the last three with the two new ones. Boy, it's hard. Isn't ICANN hard? All right.

Gabriel's hand is up. Gabriel, go ahead.

GABRIEL ANDREWS: Sorry. I'm just premature, but I invite others. I am reading these, and I still like the last three. I don't know that the new ones do take the place of those. I think that it's still a valuable contribution, and I'm certainly not trying to snub the contribution. But I don't want to take away from the importance of some of those other bullets that are already existing. Over.

PAUL MCGRADY: Thanks, Gabriel. Just a thought about the final bullet, whether the policy or related Implementation Guidance should be updated in light of changes to DNS abuse patterns, methodologies, or operational

practices, that to me is not the subject of the review. That's the trigger of the review, and that's a decision for Council. And so, I think that's the weakest link of the initial three. I just don't think that's a review. I think that's Council. But others may have a different view, and it has survived to date.

Reg, go ahead.

REG LEVY: Thanks. I tried to combine the first two into my first bullet point. I apologize. I haven't yet finished my first pot of tea. And the final three don't seem to be things that can easily be measured, or at all, which is why I suggested the new second. Rod says in the chat that 3 and 4 have to do with how registrars are doing across the Board, but there's no indication of how that's actually going to be reviewed or how it's going to be captured in any way.

So, I was trying to get us out of the realm of fantasy and into the realm of what can be accomplished. It's one thing to say ICANN should make sure to count how many abusive domains there are in the entire world every day, but whether or not that's something they can actually do is not… I'd rather have them spinning their wheels on something that can be produced and that can be used.

PAUL MCGRADY: Thanks, Reg. I'm going to go to Rod here in a second. But I think it's worth reading those bullet points again. So reading 3, 4, and 5 of the initial bullet points. Whether associated domain names identified

through ADCs are being addressed consistently with existing DNS abuse mitigation obligations. That, to me, feels like I mean it says ADC, but it feels like a DNS abuse mitigation item rather than an ADC item. But I think that is open to interpretation.

The next bullet point. Whether the policy has improved the consistency of registrar ADC practices across the industry. Well, that's an interesting one. But can somebody please point me to the consistency data that we have about registrar ADC policies as of today? I don't know how to measure that if I don't have a baseline. But maybe other people can point me to that. So I think that's not a particularly strong bullet point.

And then the last bullet point I've already talked about seems like a trigger to me of that's a Council thing, about whether or not to do a review in the first place or when the timing of the review, rather, or what the bit of a scope of the review.

Anyways, I'm not suggesting that we kill those. Those have been discussed at great length. And if the crowd wants to keep the five bullet points and reject two bullet points from Natalie and Reg, which I actually think are quite helpful, that's up to the crowd. But I'm just saying, as you're making your decision, take a look at the strength or weaknesses of those last three bullet points in exchange for what Natalie and Reg are offering, because I think what Natalie and Reg are offering, there's more accountability for registrars in there. Anyways, that's all. I don't mean to be speaking for the Registrars. That's the end of my commercial.

Rod, go ahead.

ROD RASMUSSEN: Thanks. This particular recommendation is the hardest one I think we have to deal with because measuring stuff, especially the effectiveness of a policy, and we talked about this earlier, is really hard to do. My comment on 3 and 4, actually, particularly it applies to number four, I think that one of the things we're trying to accomplish here is bringing registrars who don't do ADCs up to some sort of level with those who do. So, number four really talks to that.

Now, how you measure that? Yeah, good question. But I do think that in using something that has been brought up before, Compliance knows how to get information from registrars and could potentially be able to say… and discussions with registrars seeing if they've complied with doing ADCs will have a pretty good idea of who's doing it and who's not, and who's effective and who's not to some extent, and may be able to help with that just because they have that ability to have those direct discussions. So, in particular, number four for me makes a lot of sense in some form or fashion of how to measure it. Three could take or leave, I guess.

But the idea of being consistent, I think, is really important. Just from a how is the playing field being evaluated? Because again, the overall objective here is to get folks who are allowing this stuff to slide by and not really taking care of these large blocks of registrations of malicious registrations to do their work to get them with the rest of the industry and do the job correctly. Thanks.

PAUL MCGRADY: Thanks, Rod. Before you go, can you help me? What does old bullet point four offer that new bullet point one doesn't?

ROD RASMUSSEN: I guess it depends on how you read them. I guess I'll answer that one that way. It depends because there's a consistency is different than doing, right? So are you doing something? Are you doing the bare minimum? Are you like, "Okay, yeah. I looked, I didn't do anything," as my answer all the time. Well, one could argue that's doing them. Am I doing them and actually having an effect? That's a different metric.

PAUL MCGRADY: Gotcha. Okay. I guess my reading on old four and new one is that new one is old four but with teeth.

All right, Feo, go ahead.

FEODORA HAMZA: Thank you, Paul. This Fedora from ICANN Org. Just to note, the suggested text below, starting in line 399, relates to something similar, but is from a different commenter and was made later when Natalie and Reg made their comment. But it touches on what the working group just discussed. So when deciding on next steps, maybe to take that into consideration as well to kind of have a two-in-one moment, but just noting that for consideration. So, back to you.

PAUL MCGRADY: Okay. Thanks, Feo. I think this needs some more work, especially with Feo saying that the chunk beneath it, which is not on our orange chart, relates to it. And I think Nick is going to have to take this one back up in the next call. But in order to do that and understand what we're dealing with, let's not try to understand if we have agreement on the deletion or reordering or those kinds of things.

Let's do a queue on the actual bullet point text themselves from Natalie and Reg's proposal. Is there anybody who thinks these bullet points—and they can answer your question separate from what happens to the original five—does anybody think that these bullet points are a bad idea and we should just say no to them no matter what? Or can they be possible ingredients for the next call as Nick tries to unbake and then rebake lines 390 through 411? Raise your hands if you think the new bullet points in the comments are a bad idea.

Okay. Nick, you've got the universe of ingredients for 390 to 411. Have a good time. Sorry I'll miss the executive chef moment. All right. So let's put a question mark on that. Move on.

We have a Trachtenberg item, "Proposed changes to DNS abuse definition and glossary." What's our line item number on that? So we can get to it in the text. That is—

MARC TRACHTENBERG: I think it's 506 now.

PAUL MCGRADY: 506? All right.

MARC TRACHTENBERG: The problem I was trying to solve here is we've been saying from the very beginning that this policy couldn't be too rigid. It had to be flexible because DNS abuse and nature of it and how it's done and everything else changes so rapidly. And so, I don't think it makes sense to bake in a rigid definition of DNS abuse, which could change over time. I don't know that my actual textual change fully captures my comment, and so it may need further adjustment.

But the point is that to the extent that the definition of DNS abuse changes then this policy shouldn't be stuck on an old definition. The glossary doesn't need to say, "For the purposes of the RAA, the RA, and the ICANN Advisory Committee." Those documents stand for themselves. I think it's more clear to say, "For the purposes of this PDP, DNS abuse means the following." But there should be flexibility to accommodate whether the definition of DNS abuse changes. And maybe it won't, but it might.

PAUL MCGRADY: So, Marc, let's see if I can… Sorry. I've got an old man option on a bigger screen in front of me so I can actually read the thing. Help me understand what you're asking for in your last dependent clause doesn't just happen automatically when the RAA, the RA, and the ICANN Advisory on Compliance with DNS abuse obligations may be updated from time to time.

MARC TRACHTENBERG: That's what I'm trying to accomplish. I think the previous language didn't do that. It locked into what the current definition is. I'm trying to accomplish what you're saying, which is to make it so that to the extent the definition of DNS abuse changes in those documents or another ICANN policy, that that is reflected in what we end up with.

PAUL MCGRADY: Okay. So, from your point of view, if you got the text that says DNS abuse means the definition of the term in the RAA, the RA, and the ICANN Advisory on Compliance with DNS abuse obligations, as they are updated from time to time by the community or whatever that does it, and we don't need this last dependent clause?

MARC TRACHTENBERG: Exactly. Which currently includes whatever. I mean, it's already defined in there. I think your language or something close to it accomplishes that. As it's defined or updated in the RAA, the RA, the ICANN Advisory and Compliance or other ICANN policy.

PAUL MCGRADY: Okay. All right. So that's the ask. I'm not advocating for it one way or the other, but that's the ask.

Reg, go ahead.

REG LEVY: Thanks. I'd like to agree in part and disagree in part with the proposed changes, and then agree in full with my proposed change that you guys seem to have gotten to eventually. I think Marc is absolutely correct. For the purpose of this PDP, DNS abuse means the definition that already exists. I would say full stop because I don't think we need which currently includes because that seems to lock it in. I would have ended it after that blue text with a period instead of with a comma, but I'm fine with as may be amended from time to time, which I feel like is where this got to eventually. So, if that's where we are, I'm good with it.

PAUL MCGRADY: Terrific. All right, Michaela?

MICHAELA SHAPIRO: Very short and sweet. Just coming in to support Reg's suggestion there. Thanks.

PAUL MCGRADY: Terrific. All right, Gabriel?

GABRIEL ANDREWS: Just noting two things. One is that this is a step that we're going to have to repeat for other definitions below for every definition that has as defined in the RAA. And I do agree that we do not want conflicting definitions, especially if we anticipate one might change in the future for any of these. But there is still value to the reader to having these defined as they go through these documents, and so I don't know how

best to address that. But even if it's a footnote or something to the effect that says what the definition is as of this writing, I think it's still helpful to have in the document so we're not constantly telling people to go elsewhere. Over.

PAUL MCGRADY: Thanks, Gabriel. I'll ask staff to pull that text out and put it in footnotes. It's a good readership issue, but having in the text, I think that'll make the Recommendations and Implementation Guidance quite bulky. Okay, great.

Then I think our last item of the day, 442 to 448 as a Marc Trachtenberg issue. Actually, old line 442. But I think it's new line 470 on the glossary. Marc, what is the problem you're trying to solve, and how does this solve it?

MARC TRACHTENBERG: For clarity, it's not just me, but also the IPC and some others. But the issue I'm trying to address here is that I think these glossary terms are very important because they are the anchor for all the other recommendations, and especially when we're referring to certain terms in those recommendations. Because it's the anchor and it determines how the recommendations are interpreted, I think that the glossary itself should be in the Recommendation.

PAUL MCGRADY: Okay.

MARC TRACHTENBERG: There's no or less argument about what the things meant, right?

PAUL MCGRADY: Thanks, Marc. Chris, go ahead.

CHRIS DISSPAIN: Thanks. Hello, everyone. I may have misunderstood. If Marc is saying that the glossary itself should be a recommendation, I think that's quite challenging, because apart from everything else, it implies that the ICANN Board would have the opportunity to reject the glossary, which doesn't really make a whole heap of sense. It's an overarching piece of the Introduction or an Appendix, I would have thought, but maybe I've misunderstood.

PAUL MCGRADY: Thanks, Chris. Yeah, no, I mean that's where it sits now. It's part of an overarching idea. Marc's suggestion is to move it into the Recommendations, which would lock these things in time. For example, whatever was a reasonable period of time in 2026, if this policy is five years old, I don't know what that means, if it's in the Recommendation, I understand maybe it's a little… Maybe Implementation Guidance somewhere might be a better fit. But I've not seen glossaries in either of those two.

So, let's have a queue. Who is in support of moving the glossary into the Recommendation text? Raise your hand. We got Marc. His hand will go up. Anybody else? Janos is for it.

JANOS DRIENYOVSZKI: Sorry, Paul. If I may, just a question. If I understand what we're trying to do is to move the glossary to the section where the recommendations are. Is that the proposal?

PAUL MCGRADY: Yeah, it's sort of more than that. The proposal is to make the glossary part of a recommendation somewhere so that they are locked in as recommendations, policy recommendations, definitions as policy recommendations.

JANOS DRIENYOVSZKI: I see. Okay. Thanks.

PAUL MCGRADY: Janos, your hand went down. Okay. So not for it. Marc, IPC, BC. Mary Penn says she supports it too. Okay. Going once, going twice. All right. Well, we don't have support for creating a brand-new recommendation at this point so we will not do that.

All right. That takes us to the end of the orange chart. Lawrence, your hand is up. Go ahead. Lawrence, is that an old hand? Okay. I'm not

hearing from Lawrence. His hand's not going down, and he's not saying it's an old hand either, so I'm going to move on.

I'm going to go off script. Ha. Staff, I know you want me to jump into the next chart but I'm going to use—we need the last five minutes for AOB and such, so that gives me 12 minutes. I'm going to use my 12 minutes how I see fit. Isn't it fun? Michaela, guess what? We had an extra 12 minutes. Would you like to socialize the thing that you are going to be trying to gain support on the list for?

MICHAELA SHAPIRO: Hi. I am happy to. Apologies, I have a little bit of donut in my mouth so I'll just finish chewing. Thanks so much.

PAUL MCGRADY: I'm going to give a little commercial first. We got through all the orange lists. All the orange listers had a chance to be heard. There's some back and forth on the mailing list. We have some extra orange list time. Nobody's being treated unfairly because all the other orange listers who may or may not want to keep trying to get their orange list item through the mailing list, they've not started that process yet because we just got through them. This just happens to be the most mature of the orange list items.

So, with that said, and trying to keep myself from accusations of mistreating anybody or treating anybody separate or different, I now bring you our special guest star, Michaela, who is going to socialize what she's trying to accomplish on the list. Michaela, please go ahead.

MICHAELA SHAPIRO: Thank you, Paul, and I love that title, special guest star. I'm going to use that on my business cards. Yes, donuts for the class.

Just clarifying that question first. So here what we're trying to do is from speaking with a number of our friends on the registrar side, we understand that prior to triggering an ADC, there is the ability for registrars to do a very initial kind of almost like a gut check to see whether to do an initial sense on whether something is compromised or abusive. Again, the idea is to just put this step that a lot of registrars already take into practice. And where there are cases where it's unclear, we understand the consensus of the group is that it should still be mandatory to do an ADC. But what we're saying is let's save time, money, effort, and operational resources, and not make it mandatory that an ADC be conducted in cases where it is pretty clear cut that the case of the domain is compromised. Again, nothing is stopping a registrar from conducting an ADC there, and where it's clear it's compromised, that's where we can save some time and energy to really hone in on doing a full and much more well-evidenced, stronger, time-consuming, and evidence-based ADC.

So those are the kind of initial ideas that we had. We're open to language suggestions, but this is a language that came out of discussions with a number of folks who seemed really interested in a potential language on this. And to reiterate, this is NCSG-, NCUC-, and NPOC-supported language. So there's three groups here who are supportive of this. We understand not everyone will be thrilled with this particular language, but we want to understand is there's initial support,

thoughts, or feelings on here already, and would be keen to hear more here. Thanks.

PAUL MCGRADY: Thanks, Michaela. I have a couple clarifying questions. I don't know that we're going to open a queue because I do think the work needs to be done on the list, but I wanted to give you a chance to present what you're asking about, and maybe we can have some—let's just take these as clarifying questions if people have clarifying questions rather than argumentative positions. Because I do think it will be unfair if we don't do the homework on the list. Because in order to get back on for a substantive conversation, we do need to do the homework on the list for all the orange items.

So, that having been said, I have a question for you, which is, is there anything in here that would prohibit a registrar from doing an ADC if the initial look reveals that it is a compromised domain? Is that what you're getting at, it would be a prohibition? Or could the registrar say, "Oh, that's compromised but there's I'm still afraid that there's something here and I want to keep looking"?

MICHAELA SHAPIRO: If I understood correctly, it's the latter. So yes. The aim is not to stop an ADC from taking place if you're not, let's say, pretty substantially sure based on the evidence at hand whether this is compromised or not. We're not trying to prohibit from doing an ADC there. Again, the NCSG might have preferred that this be mandatory, but again, we're ceding to the interests of the group that here there's still an interest unless you

are super sure and ICANN Compliance can still say, "Hey, let's ask to see the evidence here," and they can make their own judgment as well. But nothing is stopping you from doing the ADC still if you're not 100% sure.

PAUL MCGRADY: Thanks, Michaela. Any questions for Michaela? I don't want to get in a bunch of argumentation but questions. Marc, go ahead.

MARC TRACHTENBERG: This is a question. Would your view of this and the changes you're making say that the registrar is prohibited from conducting the ADC even if it determines that it is a compromised domain? What I seem to be hearing was you were saying, well, the registrar is not fully sure after their initial check, they can still do the ADC. But I want to clarify whether in your view the ADC would be prohibited if a registrar determines it's compromised because maybe they want to look anyway because they're worried about other compromised domains.

MICHAELA SHAPIRO: Absolutely, Marc. Yes, you are correct. We are not saying it's prohibited. Again, this is not my personal view per se or the NCSG's larger view. But we're trying to come up with compromised language, so we understand. Yes, if you are not sure, or even if you find it as compromised, but you still have some nagging doubts or concerns about it being broader, you are allowed under this policy to do so, as the language that we've understood. We are not prohibiting you from still doing that ADC.

PAUL MCGRADY: Thanks, Michaela. I see some interesting comments in the chat from Rod worth noting. Ching, go ahead. Questions, not argumentation, please.

CHING CHIAO: Sure. Of course. I'll make sure that I follow that instruction. So thank you again, Paul. Thank you, Michaela, for this revised notes, and we had a response. I'd like to get to know more of your thoughts on the terms that you use indicating reasonably determined. Could you elaborate a little bit more on how do you see on this can be processed or being executed by the registrar? Thanks.

MICHAELA SHAPIRO: Paul, is it okay if I come in?

PAUL MCGRADY: Yes, of course. Go ahead, Michaela.

MICHAELA SHAPIRO: Cool. Thanks, Paul. Thank you, Ching. I really appreciate, first of all, your really thoughtful and constructive feedback in the mailing list. I just wanted to acknowledge that first.

Secondly, again, I'm not a registrar, but my understanding when speaking with the registrar folks, who I'm very happy to defer to here if they'd like to come in, is based on the well-evidenced abuse. They can already do a very initial sense of this, so it may be the kind of information that comes in from the abuse report will make it pretty

clear, one way or the other. Again, not necessarily definite, and again, we're not stopping anyone from still doing this check. But my understanding, again, from speaking with the registries and registrars, is this is something that can be done relatively quickly. It's less onerous and less data-intensive than the actual ADC itself.

I do see Gabe's hand so I'm also very happy to turn to him here. Thanks.

PAUL MCGRADY: Thanks, Michaela. Gabe?

GABRIEL ANDREWS: Hi. Thanks, Paul. I wonder, do we have someone from Compliance on the call? Because I have a question that's sort of would be routed towards them, but I'm curious what they would think about any situations in which a registrar was in bad faith arguing that they came to the conclusion that it's a compromised domain when the Compliance disagrees that that's a reasonable conclusion. Whether or not this is an easy lift for them to push back on that, whether or not it's a hard lift, I would find that sort of input would be valuable. Over.

PAUL MCGRADY: Thanks. I was just scrolling through the names. I don't think we do have anyone on from Compliance on this call. But, Theo, can you grab this and take it back to them? It's interesting question. And then feed it out onto the list where Michaela will be trying to build con—I almost said consensus. Oops. Widespread support because consensus is a magic

word at ICANN so I don't say that. But if you can do that and feed it back.

Marc, you're going to get the final question from Michaela. Michaela, you're almost out of the hot seat. Don't worry. And then we're going to wrap this thing up. Marc, go ahead.

MARC TRACHTENBERG: I think it was maybe actually a question for the registrars whether, I guess, there's no time to address on this call, but maybe on the list they could, like what Michaela referred to about how the registrars have an easy way to do this. It seems like that starts ADC in order to make the determination of whether the domain was compromised or is malicious. You have to look at the other domain names in the portfolio. You have to look at the registrar, the registrar history, the payment history, all these other things. That's basically the ADC. So, I'm trying to understand what this means in practice and how this could be implemented, and how the registrar is going to make this reasonable determination without actually basically doing the ADC. So I'd love to hear that maybe on the list.

PAUL MCGRADY: All right. Thanks, Marc. Good question for the registrars on the list. Great. All right. Well, we don't have time to start anything else, and I'm now cementing my reputation as a chair that doesn't stay on the rails. Sorry, staff. Feo, don't chastise me too hard. Your hand's up. Go ahead.

FEODORA HAMZA: Thank you, Paul. No, I just wanted to note that for the working group, when they review the Draft Initial Report, as you've seen, the document is changing very quickly and the lines, so it's becoming difficult to follow on the fly. Ideally, if you don't like text that you see on the screen or in the document, please do not delete it. Please add a comment suggesting that you would like this to be replaced or removed, and then add your preferred language. Otherwise, it may look like to the rest of the working group that this has been agreed on, that it should be removed, or it won't be taken into consideration for whatever reason. So, just as a best practice and to help everybody when reviewing this.

In addition, there have been also some sections moved at times and ended up in in the header or footer. So just be mindful of when you work in Suggestion mode, it still changes quite a lot and has impact on the document. So just to note where you're making your comments and changes to help the working group work with the document. Thank you all for taking that into consideration. I move back to Paul.

PAUL MCGRADY: Thanks, Feo. Yeah, these documents are getting wild. Agree entirely with that.

Next step. Staff will update Preliminary Recs and Draft Initial Report based upon today's discussion. We had one item with the five old bullet points and two new bullet points that we really didn't finish off. So that will be the remaining orange item for next week, and then Nick will jump into the others. You all should look at the comments in the draft of this report. The changes by the 24th, and as Feo said, provide some

support, non-support, and considerations using the method that she just described so we can try to maintain some order into the documents.

And although it is not mandatory to engage with Michaela on the mailing list on the topic, I hope you do. We can certainly resolve issues on the mailing list. They don't all have to be live. Michaela, thanks for getting yourself back in the hot seat at the end on a surprise basis.

Any other business? Anybody? Hands from anybody? Okay. I will not be here next week but Nick will be. And I'm looking forward to listening to the recording. I will see you all on the list. You all have a good day. Bye.

[END OF TRANSCRIPTION]