ANDREA GLANDON: Good morning, good afternoon, and good evening, and welcome to the Registration Data Policy Implementation IRT call being held on Wednesday, the 12th of February, 2020 at 1700 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room. If you are only on the audio bridge, could you please let yourself be known now.

Thank you, hearing no names, I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this, I will turn it over to Dennis Chang. Please begin.

DENNIS CHANG: Thank you, Andrea. Welcome everyone. So, thank you to Alex for pointing out the importance of the agenda and sharing and communicating. So, we're going to start a new process. What we're going to do is we are going to share the agenda on the Wiki and that's not a change.

But what we are going to do is when Andrea sends out a meeting invitation and reminders, she is going to add a link to this Wiki, but also copy and paste whatever agenda we have at the moment with the recognition or maybe a small note that says agenda is in development and it could change. So, Andrea, when did you say you were going to send those out? Can you remind us?

ANDREA GLANDON: Sure, what I normally do is like right after today's call, I will send the next meeting invitation for the 26th. Then I will do a one week reminder, a one day reminder and a 15 minute reminder.

DENNIS CHANG: So, you will probably see the agenda starting out maybe blank and then partially filled out, then more filled out, reflecting what we're going to do on the meeting. So, we're going to try that and see if it will help you to get all of us on the same page quicker. And what's nice about this is that, and I'm sharing my screen on the IRT Wiki page. And I don't know if all the IRT members are tracking things here, but this is where we publish all of our publicly shareable documents.

So, Andrea makes pages for each meeting where she captures the agenda, meeting presentation, attendees, apologies, and recordings and transcripts. There's a lot of work going on behind the scenes to support the IRT here. So let's get started. Here's the agenda. Alex, you have a question, go ahead.

ALEX DEACON: This is Alex. I just wanted to thank you for responding and putting this new process in place. And I think we should continue to do it if Andrea can include the link at a minimum in the invites moving forward, I think that will help us ensure that we're on the same page and are prepared for the meetings. I will note though that since I've seen this agenda, it has changed.

So there's several items on this policy language draft that we may or may not be prepared to discuss because it came in after the meetings we've had over the last few days, but either way, I think this would be helpful.

Maybe as we as we move forward we could try as hard as possible to not add things after perhaps the Friday or the Monday before the meetings and if we do, we add them in a section that indicates that these came in late, and they'll be discussed, but they may need further discussion, moving forward, or review by the team moving forward. Thanks.

DENNIS CHANG: Understood, so the way we work is that we are discussing, but if you need more time for discussion, you can always ask that and you can always ask to postpone a discussion, you can always ask right now to add things to the agenda. That's how we work this dynamic project pace.

So we do not work in let's say meeting by meeting or week by week we actually work daily. When you see the discussion topic some of these things are pretty agreeable and you probably wouldn't feel very comfortable looking at it and making your suggestions or letting your opinions be known. So, at this point, this agenda that you are seeing, do you have any suggestions?

I added #3 for the process for handling the disagreement that Marc Anderson asked for. You may not recognize it as this, but this is what I

meant to do and I want to put that at the end and get to the webinar presentation first. That's coming up.

And I wanted you to see the slides that we put together and kind of what we have in mind. All the members of the IRT should be very familiar with what this product is and I think it's fair that you see this slide, as well as the co-host, who is going to present with us. That's the first thing, and you can see the rest here. Any comments on the agenda? Raise your hand if you want, is there someone raised their hand? Laureen, go ahead.

LAUREEN KAPIN: Asking if we could start with 10.6 and 10.7. Regrettably, I have a conflict starting at 12:30 and I was hoping to be able to participate in that discussion, particularly.

DENNIS CHANG: Okay. Any objections? Let's get to it, then. Let's get to 10.6, oh yes. This is the proposed replacement for the above language in 10.6 through 10.8, so what we did is after reviewing the 10.6, 10.7, 10.8, we were able to make the language more concise and I'm happy to see that Sarah is okay with this.

But you asked the IRT last time asked for more time, now that you've had more time, what we would like to do is set this in the box the new proposed replacement as the baseline language to replace what we have in 10.6 and 10.8. Any comments? Alex, go ahead.

ALEX DEACON: Thanks, Dennis. Yeah, this is Alex. I think we're okay with this language in the box. I think there's some text elsewhere in this section that I think we need to discuss at some point, but specifically regarding this text in the box, I think from our read we're comfortable with it. Thanks.

DENNIS CHANG: Thank you, Alex. Sarah?

SARAH WYLD: Thank you, yes, I am also comfortable with the changes and I just wanted to speak to my suggested addition at the end of 10.7, too. It's just not always applicable. So the language here is taken from the rec and I think because not every request needs to have that weighing done it's important to maintain that language. Thank you.

DENNIS CHANG: Laureen?

LAUREEN KAPIN: I'm agreeing with Sarah's suggestion. I couldn't have said it better.

DENNIS CHANG: Anyone else on this box? Okay then, that was the agenda we had. On the other items, we especially like the 24-hour response time. We are creating a rationale doc with all the inputs that we have collected so that we can have a separate more substance discussion after viewing

the rationale docs, that's the plan. Okay, next on the agenda was the webinar.

So let me go through this with you very quickly. We have one hour on the 24th and what we were thinking is we would do maybe 45 minutes of presentation and then allocate 15 minutes for Q&A. So, generally the agenda looks like this. We describe the implementation team activity. Give them some substance of reports on the studies and then other activities, timing and milestones, and then what's the look for at ICANN67.

So, in the beginning these are actual slides that we've shares before that you all looked at, so I recycled a lot of the slides heavily. So this is really nothing new here, you know all about this. What the Board resolution and recommendation is, what the interim policy is, and this is what I like to call the rainbow. It was recommended that the Rainbow Bridge is not very professional so we are retitling this as the Policy Transition Stages but I may slip and say the Rainbow Bridge and you know what I mean.

And then we are going to talk about what the team has been doing, how the IRT is made up of all these different affiliation diverse group of 28 members. And I think it's important to the audience what the ITT is, what the IRT does and sort of a step by step process of the implementation planning. Most audience are probably not aware of the steps that we follow.

So this is a good opportunity for us to share that. And sort of a general accomplishment to date, what we've done, on which dates, and what

the outstanding activity is and tell them about the Wiki so they can refer to it after, and TRD status for data retention bigger and natural person will be doing about Recommendation #27, and a little bit more about Recommendation 27, that is the one recommendation that has the big impact. So we will spend more time talking about that.

In terms of the DPA, I asked Beth to help us present this, but this is the status that we have, this is what's happening. And so she can talk about this. And then we will get into the implementation timeline discussion. And this is where I think the most interest is, I don't know how many people signed up, but we have a very large number of people signing up, the interest level is very high here.

So I think this is why they are tuned in, when is it going to be done is the question that I'm getting daily. So I think that we will talk about what we've done in terms of timeline. We all know that we have consistently told everybody that please let us follow the process to determine the timeline. I thought it would be worthwhile for them to realize it's not just one thing that we're doing.

There's multiple parallel activities going on and then as you can see, we're not telling them what the timeline is because we're only sharing what the activities are. We're not sharing any dates. The reason that we're not sharing any date is because we as a team have not decided what the dates are. So we will continue to talk about it and once we have a realistic schedule that everybody is asking for, then we can share.

And then we'll tell them about the two working sessions at ICANN67, they can also come and we'll give them some opportunity there for them to listen to us, watch us how we work, and then ask questions if they choose to. And then we'll get into Q&A. Questions? Any comments?

So, the players are, well, I say players, the people who are presenting, here are hosts, me, Diane, Karen, Sébastien, and Beth. And here is the general allocation of the time. And this document, of course, is tied to the document that I already shared with you, it's Task #85, so if you click on this, you can get to this document, and this has been changing. So we're trying to sort of the slides out to see who's going to present which one, and how much time it will take. Beth, go ahead.

BETH BACON: Hi, everyone. Thanks, Dennis. I just want to say thank you guys for putting together the slides. I really appreciate it. I did see that my name is now popped up in different things. So yeah, let's keep reviewing that allocation of tasks, because now I see that you have me saying Rainbow Bridge. So, you just want to keep it alive, I get it.

For the actual slides, I did notice that the RDAP profile was on there. Is that one of the items that's still with the GNSO? In the RDAP RA/RAA SOAs conversation and we're actually talking about the profile and how that gets updated, and I don't recall us discussing that a whole bunch in this group. So I just was looking for some information and it might just be because I'm foggy on the memory.

DENNIS CHANG: Well that's okay, you're right, we haven't discussed RDAP profile. I mentioned it in passing, but we see it coming our way. But, Karen wants to speak about it. Go ahead Karen.

KAREN LENTZ: Thank you, Dennis. I guess I don't have much to add from what you said, but you're correct, we haven't really discussed it here in the IRT, but that's why it's on there as something that needs to be discussed and agreed on in the IRT. So that's in the bottom row that you can see on that slide, it's included there as a discussion item.

DENNIS CHANG: Yeah, we're going to talk about it later. Anyone else? Okay, let's move on to our next topic, which was tech email. So Mark, are you here? We've been holding off on this item.

MARK SVANCAREK: I am here.

DENNIS CHANG: You are here. Okay, this is 11.1.1. So, IRT had a discussion at one time and it was sort of generally in agreement that regardless of what happens on the tech contact, that even if tech contact was required and we decided to use the tech contact logging the tech email is not useful. What say you?

MARK SVANCAREK:	Well, I think it's equally useful to log in the registered name holder, I mean if the one is useful the other is also useful for auditing purposes, you know, was the contact made? Was processing done of personal data, et cetera?
	I would point out that, if I remember correctly, the intent was really that they both be logged. Although the final wording does not say that, I will grant you that, so if you want to get down to the pedantic final wording, I guess I'm out-voted on that. I would point out that in many cases the registered name holder and the tech contact are really just different contact points of the same entity.
	So if we want to be really pedantic, in the case of Microsoft.com, for instance, logging the email to the registered name is the same as logging the email through the tech contact, they're the same entity. So, that's my argument. I don't know if it will carry the day but that's where I'm at.
	Also, just by the way, it doesn't cost any more to do this, it's not easier to write a system that logs one and not the other, and whatever amount of storage is required is marginal. So really, you're just making more work yourself, but that's all I have to say. Thanks.
DENNIS CHANG:	Next, Roger?
ROGER CARNEY:	Thanks, Dennis, this is Roger. I can't argue with Mark, I have no idea what the intent was and I think I'm the one that started this comment

on this line, it's not in the recommendation so I would say that, you know, that being the case, if that was the intent then rationale doc should be together to leave this in here or not. But I think if Mark is right, and that was the intent, then so be it, but since it's not in the recommendation we should explain why we put it in. Thanks.

DENNIS CHANG: Yeah, Mark just gave us some rationale, we can document it. Alex, go ahead.

ALEX DEACON: I agree, Mark, it was my impression that it was the intent also that both of these correspondences, if you will, be logged so we know that the forwarding of this email is happening correctly when issues arise. And again, I think the issue around, it seems to be, we seem to be focused on the definition of registered name holder.

I think in a lot of cases, the registered name holder to contact and email contact are the same entity, the registrant contact are the same entity, so it's not clear to me, I guess I don't quite appreciate, other than the fact that it's not explicitly stated in the policy I don't quite appreciate the reasoning or the logic behind why this should be deleted. I agree with Mark that it's going to be no more difficult to log this than it would be to log the registrant email functionality there. So, yeah, I agree with Mark's points. Thanks.

DENNIS CHANG: Roger?

ROGER CARNEY: Thanks, Dennis, this is Roger. Again, just to add to that, I think that just because some people think it's minimally more effort, it doesn't mean that it's right. The recommendation doesn't include it and obviously for data minimization, it still falls within that realm and why keep it if we're not supposed to keep it? So again, I would think that to add this we're going to need some reasoning behind it. Thanks.

DENNIS CHANG: Anyone else? Okay, so we have gathered our input for now, let's keep it and we are going to have to produce some rationale that we've heard, and document and share it somehow. We have to do a rationale document on tech contact and we're working on it right now, that had more to do with consent, but perhaps we can leverage that document or we may have to do it separately. But either way. I think there is all the rationale there that we can gather, that we've already gathered.

Let's move on. Next one is Scope 2.2 and 2.3. So, we were looking at this comment from Alex, and this is sort of the benefit of having fresh eyes because now that we're looking at this, Alex is absolutely right. I agree with Alex. These are not Scope statements but these are indeed requirement statements. So, I and everybody here we're going to look at. We all agree, we should move this down to the requirements section and not keep it in the scope section. Any comments on that?

And I have to tell you that I don't have any idea how we're going to do that yet, whether we have to create a new section or this can go under

an existing section. We're not sure. But here's the table of contents. Let me hear some thoughts from you, Mark. Go ahead.

MARC ANDERSON: Hey Dennis, this is Marc Anderson. I'm not objecting to this at all. I just want to point out that previously both of these were included in the body of the recommendations but they didn't fit cleanly into a particular section and so you had moved them out to the scope as a way of indicating that those recommendations applied to the entire scope of the registration data policy.

And so I guess I'm just pointing out that it had previously been in the body of the registration data policy and then came out and now we're sort of undoing this. So, again, not a recommendation, I'm just pointing out that we're backtracking here on something we previously discussed.

DENNIS CHANG: Thank you. Thanks for that, you have a good memory. I do remember now. We did move it to indicate that it applies to everything at sort of macro level, is what we discussed. Yep, well, but I think looking at it now, I think that that Alex is right, we have to find a way to move it out of the scope document and put it into the requirements document and we'll find a way. Alex, you have a recommendation? Let me hear from you.

ALEX DEACON: Yeah, if that's the case, then I would just suggest that we put them toward the top and I'll just make a brief statement, without getting into

a long winded observation, but the fact that we have decided to use these normative terms from RFC2119 kind of changes the way I think we need to think of these documents. We could definitely have a scope section up top that kind of sets the scope, if you will, and discusses the document as a whole. But that text would be informative.

It may reference further requirements, but all of the normative text, all of the requirement text I think should be in the body of the message and be very clearly marked with one of the words from 2119. This is just the way one creates a document when using these words and I think it's still kind of new to the ICANN space, less so to those of us who have been using them in the ITF space for a long time.

So I think we just have to kind of wrap our heads around how that works and the best way to make it very clear what is informative text that informs the reader and then what is normative text, which is text that actually sets the requirements. Thanks.

DENNIS CHANG: Thanks, Alex. Roger?

ROGER CARNEY: Thanks, Dennis, this is Roger. I agree with Alex, I think everybody's in agreement. These can move, we just need to find the right spot for them. My only other comment is, I did have a comment on this from a while back saying this isn't the wording from the recommendations and I think that we should revert back to the wording from the recommendation.

And Alex actually agreed with that. So I think that we need to put back in the words from the recommendation that are missing and in my comment I put it in there, but not obligated to do so. So, just my comment. Thanks.

DENNIS CHANG: Beth?

BETH BACON: I have a comment that's not specifically on this edit. So once we're done discussing it, it is on the scope section, you can just come back to me.

DENNIS CHANG: Okay, I don't see anyone else commenting on this. So let's move to you and what do you want to talk about in the scope section. Go ahead.

BETH BACON: Okay. And I don't think we should, we can flag this for our next call, we just can put in on the agenda. I don't want to add things. But we have several times put in and then taken out, and then put in, and then taken out, without discussion, another point in the scope, which was contracted party shall adopt data protection terms substantially similar to those as found in exhibit whatever, to this policy and we've commented on it in a few different iterations. Did that move somewhere else, or is it not there? That's my question.

DENNIS CHANG: Is this Section 5 you're referring to?

BETH BACON: No, we've put in the scope and then it's been taken out several times. I think it started out as 1.3. Just saying that for recommendation for the DPA, acknowledging that we are going to enter into data protection terms. And it says contracted party shall adopt data protection terms substantially similar to those found in exhibit blank, because, you know, it wasn't finished, to this policy.

And I'm just wondering, did we take it out, did we move it, or did we take it out pending discussions in the DPA in the working group working on developing that DPA and see how that's going to be operationalized? So is it just pending? And again, I don't want to add it to this call, because we have an agenda. So maybe we just flag it for the next one. Thank you.

DENNIS CHANG: Yeah, Beth, so we can talk about it later. But I think we were intending Section 5 to do exactly what you had in mind. So if the words are not there, and it's not finished, obviously, until we have a data processing term that we can produce for IRT to review, I don't think could finish this Section 5, but that is what we had intended to do. And you being very familiar with data processing terms is probably in a good position to craft the word for us.

So let's talk. Let's put that on the next meeting's agenda and let's prepare to discuss that at our next meeting. And then we'll move on to our next agenda item, which is the Definition 3.7. I think this was a similar comment that we have mixed the definition and the requirements in the same section and what we're proposing is deleting the second sentence here as I have suggested. Any comments from the IRT on this? Go ahead.

BETH BACON: Sorry, old hand.

DENNIS CHANG: Yeah, I think this makes sense. Thanks again, Alex, for the suggestion. So, we're going to go ahead and delete the second sentence, the fact that we have already captured the requirement found below where it should be.

Next item on the agenda is Retention Duration Section 12. So Section 12 had our 15-month retention and we had picked up a comment from who was it, I forget now, but somebody pointed out sort of a loophole and then we looked at that and we agree and we wanted to refine this language. Instead of just saying 15 months following the life of the registration and we registrars may not know about the law of life of the registration because they don't own it, they don't know.

So, what we changed it to is what you see here, 15 months following registrar sponsorship of the registration and we thought this would

satisfy those who are concerned. Comments on this? Yeah, it was Luke's comment. Brian, go ahead.

BRIAN KING: Thanks Dennis, it's Brian. Yeah, that's a good point. This is better language. Thanks.

DENNIS CHANG: Anyone else? No? Okay, let's move to the next one. Oh, there's someone else. Beth, go ahead.

BETH BACON: It's me, per usual. Thank you. I really apologize, I didn't have a chance to look at Luke's comment but sponsorship just sounds a little strange to me. Would it be execution of the registration? Quite frankly it's a fine hair, but sponsorship sounds a little strange. But if it works for the DPA, okay.

DENNIS CHANG: Yeah, Beth, registrars probably understand this better because this is RAA language. We'll pass it on to Sarah.

BETH BACON: Yeah, registrars are okay that's fine with me. I just was wondering where it came from, or if it was a traditional term they used.

SARAH WYLD:	Hi this is Sarah, my hand was not up to answer that specific question, I this language is familiar to me in a way that suggests this is normal wording, but I would want to double check that before I said so for sure. I'm not 100% certain.
	I just wanted to mention that I do still have an open comment on this whole section that we have not yet discussed as a group, I understand that this is not the moment for it because it is not on the agenda right now and I just hope that it will be on an agenda sometime soon. Thank you.
DENNIS CHANG:	Yes, thank you. Brian?
BRIAN KING:	Thanks, Dennis. This is Brian. I can speak to that. I think we use the word sponsor all the time, I rarely see it as sponsorship, But essentially, what it means is that following the registrar's management of the domain name. So the registrar sponsors the domain and the DNS is the term that's used. So, sponsorship is fine. We don't often see the word in that form but that's what it means and it's good. Thanks.
DENNIS CHANG:	Thank you. Anyone else? No? Recognizing, I just want to acknowledge Sarah that yes, we have not yet discussed the TDRP purposes versus all purposes and that has to be discussed and it wasn't part of the agenda, but we will put it on the agenda soon. Thank you. Next item is Appendix for URS, so let's get to the Appendix for URS.

So last IRT meeting we had some discussions about this, and I think we have an improved language here for your review. I don't know whether we received any feedback on this, but I would like you to provide me your input here. I think it's improved. Basically, the concept was agreed last time we just put it in words, this time. Sarah, go ahead.

SARAH WYLD: Thank you. Yeah, it just seems pretty different from the recommendation, although thinking back to last week's meeting. It does seem similar to what we talked about, but I just apologize, I didn't have a chance to review that content until, I haven't yet, so I think I just need a little bit more time now to look at the new language. Thank you.

DENNIS CHANG: Yeah, go ahead. Yeah, you have more time. So, anyone else? Marc Anderson. Go ahead.

MARC ANDERSON: Hey Dennis, Marc Anderson. I also haven't had a chance to look at this one, but looking at it now, in the 1.2 language, I'm wondering what the pursuant to Section 1.1 of Appendix A is intending to accomplish. It looks like that's language that's not needed. So I'm just wondering what that's trying to accomplish.

DENNIS CHANG: Roger?

ROGER CARNEY: Hi Dennis, it's Roger. I don't know if that maybe is my issue with it too. I don't know that, again, just looking at it quickly. But I think the issue is the registry provider in 1.1 needs to provide whatever information they have. And if that's not enough for the URS provider, then they should request the extra data from the registrar.

How it's worded right now seems like if they don't get what they wanted from the registry, or they can actually exclude it, but they're going to get it from the registrar. And I think what the recommendation is saying, the registry needs to provide whatever data they have to the URS provider. And if that's not enough information and they should get the rest of the information they need if possible, from the registrar. Thanks.

DENNIS CHANG: Yeah, that's exactly what we were trying to communicate and Section 1.1 of Appendix A was trying to maybe clarify that they have to go the registry operator as Section 1.1 indicates. Alex, I'll give you the floor.

ALEX DEACON: Yeah, thanks. I think I agree with Roger, maybe that pursuant to Section 1.1 text can be clarified, but think the reason why we're kind of struggling with this is we've decided for a reason I don't quite appreciate to remove a reference to the thin registry. If you read the policy language in the final report I think it's pretty clear.

Read the reason why you need to do this and jump through these hoops is because if it's a thin registry, you're going to get data that the thin registry has, and then you have to go to the registrar to get the rest.

I think that the suggestion was made that we don't want to use the word 'thin' in this implementation and so we've removed some context I think that used to exist, and we just need to make sure that it's clear what we're trying to do here, which is essentially deal with thin registries, where the provider will have to contact them first and if it's a thin registry, if all the data is not available from the registry, then they'll have to go to the registrar to get it. I think with some text changes which I don't have off the top my head, we should be able to do that. Thanks.

DENNIS CHANG: Okay, so let's put this on the next agenda again and by then maybe we'll have some more refined language that we can agree on. The important thing here is the registrars to understand they actually have a requirement now, before they didn't. Next on the agenda, Brian go ahead.

BRIAN KING: Thanks, Dennis. This is Brian. If you're going to move us along, that's fine, but I would just suggest as a constructive suggestion here, if language is confusing or problematic to us, do we want to just say that the URS provider should be able to get the data from the registrar? Just get rid of the if language, but if we're moving on, or if that's going to be controversial, then we can take it offline. Thanks.

DENNIS CHANG:	This is an important concept that we all have to agree, the concept is that they are to go to the registry operator to get the data first. That's a requirement. And if and only if they cannot get it from the registry operator then they go to the registrar. So that is the concept that we're trying to write into the requirement.
	Next on the agenda is Implementation Notes. I remember there was a general comment made that these implementation notes are not necessary, and they should be just deleted, and I want to remind the IRT we spent a lot of time crafting these words and agreeing on these words, because we thought it was useful for those implementations that are not in the IRT, obviously, and then would be looking at this policy for the first time.
	So, unless there's a really good reason that they should be deleted, I am going to keep them and push it to public comment. So, not necessary is not a sufficient reason for us to delete it, because if it's not necessary for some of you, and even for most of the IRT. If there is someone who finds it useful, I would rather keep them and then the thing that I was really interested in is if you felt that the implementation notes any part of it was so important that it needs to go into the requirements body of the policy above.
	So I don't think I have specific comments. I think I saw an email from Roger that I think basically said that the Implementation C is ok to keep up everything else should be deleted. Let me hear your feedback on this. Go ahead. Alex, go ahead.

ALEX DEACON: Thanks, it's Alex. I guess I was confused by the section because it's an Implementation Notes section in an implementation document. So if there's important implementation requirements in this section, it shouldn't be broken out here, it should be placed up top, again, in the main body of the implementation spec.

So I think before we start deleting these, we need to make sure that doing so wouldn't somehow delete obligations that were set in the policy. I took a look at this late last night and there's a lot of good stuff here. So I would be kind of hesitant to delete these outright at the moment.

And if there is important information that would be helpful for implementers, then it should be moved from this section and moved up top and again I'll raise this issue about the difference between kind of informative language that kind of gives the implementer context as to what's going on and the reasonings why the obligations exist, that's separate from the obligations that use the normative language the capitalized should and should nots and must nots, et cetera. So I'm just a little bit wary of deleting this at the moment because we may be missing out on something. Thanks.

DENNIS CHANG: Beth?

BETH BACON: Hi guys, this is Beth. So, Dennis you emailed last week and it was on the list of things I believe it was last week, asking, because we did say previously we discussed the implementation as before saying that as implementers the registries and registrars having this section is a little confusing.   We actually already discussed these parts of the recommendations. You can see where they're highlighted, and we said, no, we don't need this. It's not a requirement. It just confuses things.

So let's take it out, but we moved it instead to the implementation notes because people didn't want to delete things right away. Our view is that we did email in response to your homework assignment last week and we felt that we said that a few of them good sense, and I can dig out my email again, but the other ones there were others, most of them either cause confusion because they're adding information, is the word I'm going to use, but without any requirement.

So, that doesn't actually clarify. I think it makes things more confusing when you're implementing. So I'm happy to talk about this more, but I'm not sure what value this information adds or what value it adds, even if it's put into the body, because again we already took these out of the body and agreed they weren't substantive so we didn't make them requirements. But I'm happy to discuss it more.

DENNIS CHANG: Yeah, let's discuss it, because we were getting kind of input on both sides. We should make it more clear that's information, that's not a requirement.   So we should have that information somewhere and therefore implementation notes is the right section. We have taken

language from implementation notes and moved them up to the language of the requirements, because we all agree that was important and there was a requirement.

Examples is a good thing to talk about. Does the policy document provide examples to clarify what the requirements really mean. There's two schools of thought. One school says no, you should not have any examples from the policy document. It doesn't belong there. Two is yeah, the examples are very important so that we understand when you say something what you really mean. So, it's two different ways of doing things.

But I do want to hear from those implementers who may be looking at this and it's going to be difficult because you already know the requirements for you to judge, but try to put yourself in those people's shoes who are not involved and getting it for the first time. And that's a way we will use the public comment to gather that kind of input, is implementation notes helpful or confusing. So think about that, too. But I do want to hear from Roger and then Beth. Go ahead, Roger.

ROGER CARNEY: Thanks Dennis, it's Roger. I think I want to agree with both Beth and Alex in that I think that if it's important information, it should be up in the language. And I think as Beth mentioned, this was language that we moved out of there. Down to here because it wasn't important. So I think all we need to do is take a look at it and make sure that it's not important, and that's what we did for homework last week, and that's what we came to.

I would recommend for everyone else on the call to look at that and make sure that they agree with that. But that was the whole purpose. Last week's homework was yes, look at it. And make sure it doesn't belong anywhere. And where we came to last week, and that's the email I sent earlier this week. Thanks.

DENNIS CHANG: Okay, thanks Roger. Beth, go ahead.

BETH BACON: I just put mine in the chat. Just wanted to highlight again and previously we spoke about this and the other concern was not just because, you know, it's a little confusing. You know, if it's not a requirement, why is it in there? But also what is the weight of an implementation note?

If it's in the consensus policy, it's hard to say, well, it's this part, but it's that part, which part becomes, is it in any way a chance of becoming some sort of extra requirement or extra information that perhaps one implementer thinks is required and one doesn't and then it causes confusion for compliance and that sort of thing.

That was the conversation we had and Alex keeps quoting RFC2119 and I appreciate that. But when we asked this question before, Dennis, that wasn't your answer. You said, I don't know, let's discuss it, and then we did. So if we are going with RFC2119 and that's how we view implementation, then that's helpful information. But that's not the answer we received from the ICANN team before. Thanks.

DENNIS CHANG: Sorry, I'm a little bit confused. But let's do this. I remember Roger's email saying keep C in the implementation notes and delete everything else. Was that email representative of all the contracted party house or was it just from Roger? Okay, so let's do this, how much time do we have? We have another 30 minutes? Do you want to allocate, make sure we have enough time to discuss Item #3.

Let's do this. Here's what I would like to do. I do want to talk about this implementation notes and it's important that we understand that, for example, Implementation Note A, whether or not that is a requirement and that is not a requirement, and we have different vehicles that we can carry this information and we can either move it up to the body of the language or we can move it out, meaning deleting from this policy language and put it into some sort of an educational material that we're going to work on.

But before we get into that discussion. I do want to talk about this item before we run out of time. And that is #3, Process Of Handling Disagreement. This is a suggested agenda by Marc Anderson and I want to take you to Task #77, which is this document we created for review, comment guide. And this is Section 3, what happens when there is a disagreement, we call it conflicting interest.

But we received many inputs and some are conflicting and we are trying to establish a baseline language to go to the public comment. Obviously we want to try to resolve it as best we can here at the IRT. But if we cannot, what happens?

The first thing what we're trying to do, we're trying to do right now, as Marc Anderson pointed out, we're trying to create rationale docs and we have a new folder on the IRT drive called Rationale Documents and we will add to them and assign it to you for your review. We have one out right now, it's on the redaction for privacy, Task #89.

Once we provide this document, and we have sufficient time, what the IRT considers sufficient time to discuss and we see that there is no additional information coming and the IRT inputs are made clear and opinions are made clear, then what do we do if there is still a disagreement? Then #2A, if we continue to have a disagreement within the IRT we can do one of two things.

We can proceed to public comment and see what comments we receive, and B, we can escalate it to the GNSO Council, but when we do that with the IRT agreement that said we should do that because we feel that IRT believes that would be helpful, for example. So let me open it up for discussion. Maybe I'll give the floor to Marc Anderson to see if he has further questions or comments on this. Marc, are you there?

MARC ANDERSON: Yes, I'm here. I did look at this and I guess part of my reason for raising this is I was concerned about the Option A that you described, just continue the discussion and proceed to public comment. I don't see how we can proceed to public comment when there's a disagreement on the implementation of the policy recommendations.

In fact, I think you can't go to public comment when there's a disagreement. The purpose of the public comment is not to settle an IRT dispute. I don't see that it's realistic to think that public comments will solve that. I think if there continues to be disagreement then the only option, the only path is to escalate to the GNSO Council to resolve that dispute. So that was the point I wanted to make and my purpose for raising that.

DENNIS CHANG: I see. Yeah, I get your point now, Marc. Yes. I guess the point that I'm trying to make is, yes, that certainly is an option, but it's up to the IRT to decide that, also. So, as far as I'm concerned, it doesn't automatically go to the GNSO council. If there are IRT members who wish to continue discussing and who wish to push it to public comment, we have to entertain that option as well.

We cannot escalate to GNSO council if not all the IRT members agree to do so, is what I'm trying to say. So we'll get there. We'll have -- probably will have an option, we'll have an item that we will have to consider on three and we'll have to make a decision and we will make a call for the IRT to see which option we would choose. Go ahead, Marc.

MARC ANDERSON: Thanks, Dennis. You know, I just wanted to, you know, to know -- you know something you've said many times, of course, our job is just to implement the policy. And so, this also can turn into another opportunity to rehash the policy recommendations. You know, if we

have disagreements on what the policy language actually means, that's one thing.

And that, if we can't agree on what the policy language actually means, then we must escalate it to the GNSO council for them to resolve that impasse. But we have to be careful that this doesn't turn into – or, I guess I should say, we don't fall into the trap of trying to re-litigate what was already decided in the phase one recommendations.

You know, the rationale, you know -- once we have the rationale documents for the different interpretations, I guess it would be a little clearer to see where we go from here, but, you know, we are still waiting for that.

DENNIS CHANG: Yeah, I agree with you. I think everybody on the IRT would agree with you. But I think you're right. The test cases when we have a specific item, and we will see whether we're arguing about a new policy development or we are arguing about the interpretation of the policy that we have to implement. But – so, we'll get there and we're test our process out then. Okay?

Okay. So that was -- I'm glad I was able to cover that and we have plenty of time left. So let's go back to the policy document and talk specifically about implementation notes. Alex made a request, not to delete anything until he has some time to review it. So let's agree that we won't delete anything for now.   But let's talk about the implementation note A.

Is it important information that we want to capture in the policy language document that will be published forever? So this is the first thing that I think about. Right? There was hours and hours of discussion that went on, because some people were concerned that things like, what is it, contact author info, right, was not in the list of the data items that was in the recommendation.

And we've heard that it wasn't an intentional or missing, but it was assumed that those data items would be collected anyway, but with the recommendation language did not need to specify that. So after much discussion we agreed to add this information in the implementation note, section A.

So, let me hear from the IRT who believe that this information is no longer helpful but confusing. And, I like to hear the other side too. If this information is important, then should we move it back to the policy language where it came from, where it once was? So, I'll open it up for your discussion. Go ahead. Who's next? Beth, go ahead.

BETH BACON: Hi, thank you. So we removed it because it was confusing. I'm not sure why, who put it back if it's confusing. And if it's in confusing in one portion of the document, I would think that it remains confusing in another portion of the document. I just think it's superfluous. I don't think we need it.

I'm 100% open to hearing why someone would really value us keeping this in and understanding what clarity they think it brings. I do think that the requirements are listed and they say, "Do these things," and

everything else is not done or optional depending upon your [inaudible] choices. Thanks.

DENNIS CHANG: Roger.

ROGER CARNEY: Thanks, Dennis. It's Roger. I'm going to agree with the lines that Beth was going down. It just seems odd that we would put in a policy language document things that aren't required. That seems like that would be an endless list once we get started. So, it just seems odd that we would start anything with. And these aren't required to do. So, just my two cents. Thanks.

DENNIS CHANG: Thanks, Roger. Anyone else?

BETH BACON: Dennis, I just also wanted to note. So, I did go through the email archives quickly. And the email that I sent, I think it was February 3rd, where the contracted parties did say, "Without everything except for C, could probably be deleted." I just wanted to note that that was our evaluation. Apparently, it didn't go through the IRT list. So I will double check with staff later to see if I've screwed something up in the email list.   But yeah, I think, I just wanted to share, that was the CPH comments, that everything but C felt like it was kind of extra. Thanks.

DENNIS CHANG: Anyone else? There were questions raised at one point. Does this mean that we cannot collect, you know, credit card information? And if this policy is silent does that worry the registrar, that they cannot collect credit card information anymore because of this policy? And this note was written --

To answer that question, but if they thought this is not helpful to the registrar and it's more confusing, then we definitely should not have language that is there. It's interesting to me that we worked on these words for many, many hours and find that they're not important anymore. So that's interesting. But, you know, you realize things after a while. The thing that you worked on was not really needed. Susan, go ahead.

SUSAN KAWAGUCHI: Oh, I guess I'm now unmuted. I may be confusing this with the discussion into different PDP, because it all sort of melds into one memory, but I know there was, well, I know there are registries that require other information to be collected. And, you know, other than, you know, the registrar data, for example, and those are gTLDs.

And so, you know, some of that could have changed recently. It's not something I've done a survey of and checked. But, you know simple registrar data isn't always the only thing required in a registration and that is published.

So this may have come from someone weighing in per specific registry requirement they have and I think that's what it's sort of addressing here.

And then the registrar, you know, obviously, I mean, you made the comment about the credit card, but there is a registry, a new gTLD that actually collect credit scores, because that's something in China people want collected and displayed. So wouldn't fly in the US, probably, but --

So, I think this was a catch all to ensure that no one goes back to this policy and the implementation. It says, "No, no, no. It doesn't say that here, so you can never do that. You know, you cannot change what is collected even though it's the registry agreement. That, or the registry has made a decision here." So, and that's, you know, I don't think I'm helping here but that's my recollection of this.

DENNIS CHANG: Actually that was helpful, thank you. Matthew.

MATTHEW CROSSMAN: Yeah, everyone. So, I think, sort of to what Dennis said before, I think it is kind of a circumstance where now, seeing this all together, I don't think the policy is actually silent to these issues. I think, if you take what we've said in the scope section, up top, in section 2.4, that any processing for purposes other than the purposes identified in the data processing terms is beyond the scope of the registration data policy.

I think that covers this idea that this policy, and things like credit card data, that are not for those purposes, which has been defined, are

outside of the scope of this policy. And then I think the flexibility to kind of what Susan was flagging, the flexibility for registries who are collecting additional elements, that comes through purpose seven, that's in that initial report, which allows for the collection of additional data elements for validating that our registrar meets policy eligibility criteria and we've captured that now in section five -- I'm sorry, section six, I think it's 6.6.

So yeah, I think it really is a -- we did debate this a lot and we went through maybe carving out these examples. But I think now that we've done the work and put this all together, my view is between what we said in the scope section and then that sentence in 6.6 that allows for the collection of validation elements as per purpose seven in the final report, I think we're probably covered.

DENNIS CHANG: Thank you, Mathew, that was very good. Yeah, you're making me see things in a different way with your comment, and I appreciate that. I think I tend to agree with you. I remember specifically about this authinfo code.

I don't know if you guys remember, but the beginning of our policy when we were talking about collection, a lot of the technical folks came to me and go, "Oh my God, there was a mistake or a problem with the recommendation language because they left out the authinfo. We can't do this without the author info, it's not possible, technically possible."

So we actually, IRT, consider adding the authinfo into our data elements. But then we were told, I think advice by those who were in

the EPDP phase one, that they had intentionally, was not a mistake, they had intentionally not included it, because they assumed that those things will be collected anyway.

Well, the people who read the recommendation language did not realize that, it wasn't obvious. So, when we were doing policy language, we thought that we had to dress that directly, so we don't get the same kind of response. And that was the reason, I just wanted you to think about that before we go ahead and strike it.

So, I'm not opposed to removing the implementation notes, but I just remember the reaction that we got in the beginning. And, if we get the same reaction and have to explain how to handle authinfo. We have to think about that. Maybe we can do it proactively with the educational documents or whatnot. Training --

But, think about it then -- and as Alex has asked for, we're not going to decide right now. Let's think about it a little more before we go ahead and strike it. And we'll put it on the agenda for our next meeting.

Matthew, go ahead. Four hands. Okay. Oh, that's no problem. No problem. Let's talk about number B, transfer of registration data. For example, this ITF to wrap reference was specifically requested to be added by an IRT member during our progress here. So now that we're talking about deleting it, I feel like we are forgetting that request. Comments from you. Go ahead, Marc.

MARC ANDERSON: Hey Dennis, sorry. I got a little lost. What are we talking about now?

DENNIS CHANG: We're talking about implementation note B. It's okay if you don't have comments right now. I do want to talk about implementation note C, because that's a particular interest of mine, now that I've received the comment from Roger.

So what about this implementation note that you felt was important enough to keep it as an implementation note and not delete it and not move it to the language, the policy requirements language. Can I hear some reason/rationale for that, Roger or Beth?

ROGER CARNEY: Yeah, hi Dennis, this is Roger. If we go back a couple months, I think we can remember that I suggested no implementation note and everything go where it needs to go. So I'm not saying this needs to stay as an implementation note, I think this is useful information that may be put into the body.

Especially when in the past, we were talking about breaking 18 out. Obviously the publication of data was important. So to me this could go back into the body. So I'm not saying it needs to stay here, I'm just saying it seems like useful information. Thanks.

DENNIS CHANG: Oh thanks for that clarification, that makes sense. Okay, Beth.

BETH BACON: I think we ended up moving this out of the body and into the notes because it's more of a onetime thing, as opposed to an ongoing policy requirement. Because it dealt with registrations pre-existing as policy. So that's why it was put into notes because it's essentially expired. And we felt that it was more clear if it was in the notes, but I believe that's the only reason we did that.

I'll leave it open to some of the other [inaudible] on this call to respond. In my mystery email that has disappeared, we did say that C made sense to keep in the notes. But if others feel that we should put it somewhere else, great.

DENNIS CHANG: Thanks Beth, I do remember that, that was helpful. Alex.

ALEX DEACON: Thanks, Dennis. Yeah, it's Alex. I'll just remind people that we, on the Phase 1 EPDP spent a lot of time talking about the details that are in C, I forget where we were. So I agree that this is important language. I agree with Roger too, that because of its importance, it should probably be moved up to the section that makes sense, I forget off the top my head what section that is, but be moved into the body of the language.

If adding some text that indicates this is more of a one off thing and not an ongoing thing, makes Beth happy, then I think we should definitely do that. But, you know, these details were hard fought, hard negotiated and important, and thus I think they should be kind of promoted to the body to kind of reflect that. Thanks.

DENNIS CHANG: Thank you for that input. There's nothing more on C, we were talking about -- oh Beth, go ahead.

BETH BACON: I just want to say, I don't have any particular feelings on where this lives, it was just that we noted that C was an actual requirement and an actual action so we agreed that it should live somewhere. So, if we can figure that out amongst the team, that's great.

DENNIS CHANG: Yeah, I think I'm getting the general consensus of the input that this is important and it should be kept. Then it should be moved up to the requirements section of the policy, even if it's one time and maybe with a note that it is a onetime thing. I think that's the input that I'm getting.

I'm also getting the idea and getting comfortable with the idea and we're finished this, D and E and F, that maybe we can go ahead and you know, move all these implementation notes, language either up and out of the documents, or have no implementation notes section at all.

I think that's a possibility that I'm now considering, but let's talk about the retention of registration data implementation notes, section D. What do you think about this? Go ahead. Anyone? Sarah, go ahead, your turn.

SARAH WYLD:	Thank you. Hi, this is Sarah. Yeah, similar to the other sections, I think this really could be removed entirely. It doesn't add anything that is not already documented or included elsewhere, such as in that waiver link. So I think we do still have some work to do around the data retention section, but I think this particular implementation note could be removed entirely. Thank you.
DENNIS CHANG:	Thank you for your input, Sarah. Anyone else?
	E, section E, Reasonable Requests for Lawful Disclosure of Non-Public Registration Data implementation; section E, balancing tests, factors to consider. What do you think about this implementation note? Sarah. Go ahead.
SARAH WYLD:	Thank you. So generally, I think we don't need to replicate sections of other laws in our policy. So I would take out section A, people can go look up the GDPR themselves. And for section B, it's not an exclusive or exhaustive list. So while interesting, I think it is not necessary to include in our policy. And so, yeah, I just think that can be removed entirely as well. Thank you.
DENNIS CHANG:	Thank you for your input. Any others? [AUDIO BREAK]
	Beth, go ahead.

BETH BACON: Thanks. I wanted to support, Sarah. I agree. And with regards to the EB, which hilariously are my initials. B was, we'd actively said that should not be in the policy. That B should not be in there. A was redundant, but B should not, so I will say that I agree, most heartily on B. Thank you.

DENNIS CHANG: Thank you, Beth. Marc Anderson.

MARC ANDERSON: Beth and Sarah covered what I was going to say, I'll just drop my hand, I was just following on.

DENNIS CHANG: Thank you, and as I said before, IRT, we will give you some more time to look at this and come back with further input. So don't feel like you have to make a decision right now, but we'll get a general sense of the IRT going one way or the other. I think I'm more concerned about deleting any language out of the document than moving.

I'm much more comfortable with moving it from one place to another. But if we lose the language, I want to make sure that they're really not important for the policy language and we capture that useful language somewhere else. Like we need to come up with a name of this document that our team's going to create, the educational document.

Let's talk about F, the last section. [AUDIO BREAK]

Sarah, go ahead. [AUDIO BREAK]

SARAH WYLD: Couldn't get to the mute button, sorry. Data Processing Terms; don't we have sections in this policy that require data processing agreements? Like, if anything, it should be a must. And actually, it just shouldn't be there because there's other sections of this policy that cover that. Am I missing something? Probably. Thank you.

DENNIS CHANG: I don't think you're actually missing anything. I think it's a really good point. I forgot why we added it there in the first place now. Oh, we wanted to address section recommendation 19 at one point, it may be before we created Section 5, now that we have Section 5. So that may be the reason. But Section 5, I think is data processing terms, we have a whole section on it, so probably not need that implementation note anymore.

Beth, go ahead. [AUDIO BREAK]

Beth, did you want to speak? No, okay. Well then, also three minutes to the end and I will take any questions. So your final remarks before we conclude the meeting.

SARAH WYLD: I just have what I think is a quick question, if we're doing that.

DENNIS CHANG: Yes.

SARAH WYLD: Our meetings in Cancun, when will we have an agenda for those? I just want to be able to plan ahead and possibly mention it in a blog post. Thank you.

DENNIS CHANG: Oh, good question. Right now, my mind is consumed with the webinar that we're going to have where we have to talk about what are we going to do in Cancun. I think that is the final slide on our document here. So generally, the working sessions that we have been running is our working sessions that the IRT continues. Wherever we are at the moment, we are going to continue.

So we are doing the same thing that we've done today, but in person face to face. That's what we do. The difference is these are limited to the IRT members only. The ICANN sessions are open to public so you will have an audience who do not normally participate.

A lot of the observers come and we do allocate some time for a quick program overview and then some time for Q & A, and we invite whoever wants to provide input to us to take the opportunity to give us input. That's what we typically do. What we will do exactly discussing at the working session, whether we're going to be talking about implementation notes, by that time we may not have any implementation notes to discuss.

Whether we will be talking about the important key issues such as transfer or 24 hour response time or text contact, we do not know yet, because we don't know how much progress we will be making. So, your guess is probably as good as mine at this point, but as we get closer it will become more clearer. Marc Anderson. Go ahead.

MARC ANDERSON: This is Marc Anderson, quick question. I know previously you had been targeting March 1st for publishing the draft policy language for public comment. I assume where we are that's no longer the case. But I wanted to confirm with you.

DENNIS CHANG: I'm sorry, I think I missed the question. March 1st was our target date for public comment opening, but based on where we are with the amount of issues that we have and the possibility of escalating to GNSO council, I don't think it's doable.

So right now, we don't have another date and we're trying to come up with a date. We'll see how we do at the next meeting, and maybe we'll put that on the agenda for our next meeting to come up with another target date now that March 1 does not seem feasible to us.

We do have to also work on the Implementation durations. We haven't done that. We haven't had a chance to do that but I do want to go ahead and talk about that also. And also we have to start putting together the public comment form. We started working on it and we're

going to share that with you as well. So that's where we are. I think that's where we are. Anyone else? Sarah, go ahead.

SARAH WYLD: No, that's an accidental hand, I'm sorry.

DENNIS CHANG: Okay, it's the end time. So thank you everyone. I'll talk to you online. And we'll see you at our next meeting, wherever that is. But I think it'll be in a couple of weeks. Bye now.

ANDREA GLANDON: Thank you. This concludes today's conference. Please remember to disconnect all lines, and have a wonderful rest of your day.

[END OF TRANSCRIPTION]