MICHELLE DESMYTER: Welcome, everyone. Good morning, good afternoon, and good evening. Welcome to the Consolidates Policy Working Group meeting on the 18th of March, 2020.

In the interest of time today, there will be no roll call. Attendance will be taken via the Zoom room and will be updated on the wiki after the conclusion of today's meeting.

With that noted, we do have apologies noted from Maureen Hilyard, Dev Anand Teelucksingh, and Joan Katambi.

Before we begin, I would like to remind everyone to please state your name before speaking and to please speak clearly for transcription purposes. Please also keep your phones and microphones on mute when not speaking. We will also have RTT for today's call, so, if you would like to follow along, I will post a link in the chat periodically throughout the meeting as well.

At this time, I will turn the call over to Olivier Crepin-Leblond. Olivier, please begin.

OLIVIER CREPIN-LEBLOND: Thank you very much, Michelle. In fact, for the RTT (Real-Time Transcription), you can also select this on Zoom. There's a little thing to the right of Share. It says More. And you've got subtitles: View Full Transcript, Subtitle Settings, etc.

Anyway, welcome to this call. It's, again, a very busy one where we're first going to hear from Alan and Hadia on the Expedited PDP Phase 2. After that, we'll have Justine Chew and her small team speaking to us about the Subsequent Procedures, another regular item that we have. After this, Jonathan Zuck will take us through a recap of ICANN67 and the At-Large DNS abuse activity. There's a follow-up that's needed, so Jonathan will take us through that. Immediately after this, we'll have a discussion on the BCorp status with regards to PIR (Public Internet Registry): a change in legal structure to a for-profit company from the current structure that it has, which is a not-for-profit. And then—if I could please ask for whoever it is to mute—we'll have the policy comment updates. There are a couple of them in there that have a short deadline: of course, the SSR2 (Security, Stability, and Resiliency) draft report, and also the report on the EPDP, which is the reason why Alan and Hadia are going to be spending much time with us today. Then, immediately after that, Any Other Business.

Is there anyone who wishes to make suggestions for amendments, changes, or additions to the current agenda?

I am not seeing any hands in the room, nor any comments on the chat, so the agenda is adopted as it is currently is. We'll swiftly move on, since we're very pressed for time today, to the action items. There are three that are remaining. One is for Cheryl-Langdon Orr to present on the PDP 3.0. We'll have to see after the 23rd of this month. So perhaps next week, depending on how much workload we have. Judith will present on the travel guidelines on the Subsequent CPWG call. We were going to have Judith Hellerstein today on the travel guidelines, but, since the deadline is a bit further down the road, we have opted to

move it until next week. Then Laurin Weissinger was to present on NextGen with the drafting team on Subsequent CWPG, and this is probably something we need to focus on this week because, if I look correctly, the NextGen topic is actually until the 31st of March. So we do have to look through this Google of the draft statement today. We'll try and do it if we can. That's the three remaining action items.

Any comments or questions on these or indeed on any of the other action items that you might have?

Not seeing any hands up, that means we can then move to our third agenda item. That's the Expedited PDP. Lots of things going on. Hadia Elminiawi and Alan Greenberg have a slide deck for us and they have 30 minutes with us. We're starting at 19:05 UTC, so you have until 19:35 UTC. Over to you, Hadia and Alan.

ALAN GREENBERG: It's Alan. Hadia, do you want me to start and you can add comments?

I think Hadia is with us.

HADIA ELMINIAWI: Yes. Sure, Alan. Go ahead.

ALAN GREENBERG: Okay. Thank you. We're at the stage right now where are a report has been issued, or an interim report, on Phase 2 on the SSAD (Standardized System for Access and Disclosure). We have a public comment open

with a very tight deadline. The official closure of it, I believe, is next Tuesday. There was a significant discussion at the meeting yesterday on whether we should be deferring this in light of all the activities around the world and the fac that, for many people, there are higher priorities right now than ICANN and SSAD. We ultimately decided to not change the formal period for reasons I'll go into a minute. The staff will be somewhat flexible in incorporating late input within some limits. The problem is ICANN has said there's no funding past June. Moreover, the current Chair we have, Janis Karklins, who's doing, in my mind, a very good job, has other commitments starting at the beginning of June, and therefore will not continue in the role past that.

So, given the funding issue, which is significant, and other pressures on the policy staff, we are still trying to have a report out for early June. If we slip this comment period, that would be effectively completely impossible. So we're still aiming at it, but understand that there are pressures around the world. Nevertheless, I believe the ALAC is in a strong position to have its comment in effectively on time, and that's our intent now.

There are 19 recommendations for the SSAD having to do with various aspects of it. I strongly suggest that anyone who has an interest in these things go to the document and take a look at it.

Hadia and I have identified six areas where we believe we want to make a comment. What we'd like to do today is outline those. I've asked for 30 minutes. I'd like to not use all of it. We'll try to limit our presentation to a minute or two for each one and then have any opportunity for questions or comments.

I'll start right away. Can we have the first effective slide? Next slide, please. The first comment that we're making is on accreditation. The whole concept of the SSAD is that people or entities will become accredited to use the system based on some credentials and identifying who they are and will then be able to access the system and make requests. Only credential-accredited people will be able to use the system.

The system has a variety of [timings] and deadlines and performance constraints on it, but we feel the accreditation could well be a limiting aspect. There are very stringent controls on what the accreditation agency must do and under what conditions they will accredit someone, or de-accredit someone, for that matter. But there are no timelines in it. We feel it's essential, if this is going to work, that there must be some level of control over the accrediting bodies to make sure that they are working in a timely manner. I don't think we're in a position to give specific times because they may vary significantly based on the type of accreditation we're looking at. Nevertheless, we need some level of control.

I'm going to open it up for questions for each one so we can keep them focused. So, if anyone has any comment on this. You can see that the draft comment is on the screen for each of them.

I—hold on; I'll scroll down—don't see any hands, so … We have Matthias. Please go ahead.

MATTHIAS HUDOBNIK: Hello. Can you hear me?

ALAN GREENEBRG: Yes, we can.

MATTHIAS HUDOBNIK: Great. I just wanted to ask you, Alan, is there already a structure? Who will do this accreditation? Which organization or entity? Or can we also, I don't know, [inaudible] some comment related to the [inaudible]? Or is it too early to comment on this?

ALAN GREENBERG: The answer is yes and no. ICANN will be the accrediting agency, but ICANN is surely go to farm out this specific work to different groups. So it is conceivable that WIPO might be the accrediting agency for intellectual property people. We're told that that the Anti-Phishing Working Group is looking at becoming an accrediting agency for cybersecurity people. So the actual work is likely to be farmed out to a large number of different groups, but it will be done under the auspices of ICANN, either directly or through a contract that ICANN issues to someone.

Hadia, I didn't give you a chance to add any comments, if you have anything on this particular one. Please go ahead.

HADIA ELMINIAWI: No. Thank you, Alan.

ALAN GREENBERG: Okay. I see no other hands. We're ahead of time. Let's keep going. Next slide, please. The next recommendation we're looking at is contracted party authorization. The recommendation requires the contracted parties to determine if the requester provided legitimate interest and lawful basis and if the data requested is necessary for the purpose. So, essentially, the data will only be released if you have a good reason, and a whole bunch of other conditions are met.

The specific way that the recommendation is worded is you have to check whether certain things are true and, if you meet all of these conditions, you then look at whether there is a lawful basis. That's a technical term within GDPR to release the data.

However, if there is no personal data involved, then you don't need a lawful basis. The GDPR only protects certain classes of personal data. So we believe that you should first look at the data, assuming you have access to it. Now, the SSAD itself will not have access to it, but contracted parties will. So we believe the first thing you should do is look at the data. If there is no personal data involved, it should be released. You don't need to through a lot of hoops to see if information that is not private under GDPR or other privacy legislation needs to be released. We believe that the order in which we specified these tests to do be done will cause delays and in fact will probably cause rejection of some request when in fact there was no personal data involved and, therefore, there was no reason to keep the information redacted. So we're suggesting that the order be flipped. This is not the first time we've made this suggestion, but, every time that this suggestion has been made—Hadia has been a strong advocate of this—it has been

ignored. So we hope that, by putting it in the public comment, it will be a little bit harder to ignore.

Hadia?

HADIA ELMINIAWI: Thank you, Alan. You have perfectly covered this. Also, changing the order would give the opportunity to automate this. Honestly speaking, going through a whole process to disclose information that includes no personal data makes no sense. The necessity, legitimate interest, and lawful basis applies only to information with personal data. Thank you.

ALAN GREENBERG: Thank you. I'm not sure that allows automation because the SSAD, which will be the automated part, will not actually have the data to judge whether it's personal or not, at least under the current design. It would allow automated under the contracted party side if those judgements could be made.

In any case, we believe that the order should be respected to make sure that we don't hide information that is not necessarily legitimately hidden.

I see no hands or comment. I see a comment from [Lutz] agreeing with us.

We're making good time. Let's go on to the second item. Those of you who have listened to these descriptions on the CPWG before know that Hadia and I have been very strong advocates of allowing for automated

disclosure when it is legal and implementable. We believe that, if you didn't have any level of automated disclosure, we would never meet the performance targets that are going to be necessary for certain classes of requests. Moreover, the volume of some of these requests which are automatable will be high enough that, if we can automate them, we're significantly reducing the load on contracted parties. And that's in everyone's benefit.

At this point, we only have two particular types of requests that are automatable, and they're very, very specific ones. It is not likely that we will have guaranteed any others that go forward. Now, we're in an interesting situation. The data protection officers have said clearly that, if we ask them vague questions, they're not going to make any rulings. If we want them to judge something that—there's no guarantee they will anything ahead of time—then we have to be specific. Yet the only ones we want to put in the automation list are ones that everyone, including the contracted parties, feel absolutely sure that there's no liabilities, no vulnerabilities, in automating them.

So we're in a position where the data protection people have said, "Give us specifics if you want us to pass judgement and tell us whether you can do it or not," but we're not likely to tell them anything that's iffy and questionable. So that's a Catch-22. They might be willing to give us advice if we have specifics, but we're not willing to put specifics into any policy because they may be risky.

What we're suggesting here is that we come up with some method of proposing to the data protection authorities the kinds of potentially automatable situations that we think may be legal and try to see if we

can get any answers out of them. I believe, if we don't start that process going, we will be in a position where we would automate more thing but we're never going to feel comfortable enough to actually do it. So we're basically saying we need some level of process to enable us to test theories without actually committing to them.

Hadia and then anyone else.

HADIA ELMINIAWI: Thank you, Alan. I have nothing to add.

ALAN GREENBERG: I see a note from Laurin on fee structure. We'll talk very vaguely about fees but not the details as we go forward.

Next slide, please. This is one on determining the service-level requirements for SSAD. This says, "How much time do we give a contracted party to respond?" Since this is pretty general, the timeframes are pretty long for the average request. We're hoping they'll be done faster, but they have a fair amount of time.

However, there's a class of requests where they're described as: "Imminent threat to life, serious bodily injury, critical infrastructure, or child exploitation are critical things that we want responses from very quickly. The current SLA that we're proposing is one business day. Given that holidays and weekends are involved, this could end up easily being three days or even longer in certain circumstances. We're pointing out that the RAA already has provisions for certain classes of urgent action specifically to take domains in certain urgent cases where the registrar

must staff this 24 hours a day and provide response within one day. We're saying that this category of requests should be essentially in the same pile and that one business day is not sufficient.

I'll open the floor.

Olivier, please go ahead.

OLIVIER CREPIN-LEBLOND: Thanks very much, Alan. On this topic, I recall—I don't remember whether … It was a call with Janis and with some members of the group. I mentioned this, and his answer was, "Well, it's up t[wo]". So obviously, in 99% of the cases, it would be faster than that. Is this still in the order, or is this …

ALAN GREENBERG: Of course it's up t[wo] and it could be instantaneous, but, unless you put a requirement in that it's something to be done, you can't guarantee it. So yes technically is right in any given instance, but it might be 30 seconds. But if the requirement is only that it be one business day, then chances are it's, in many cases, going to be closer to one business day, which might involve several calendar days. So the answer is that both of us are right.

OLIVIER CREPIN-LEBLOND: Okay, thanks. Yeah, it makes it sense. Thank you.

ALAN GREENBERG: Anybody else?

Okay. Next slide, please. We're going to give you back a lot of time at this rate, Olivier. Next slide, please. Okay, sorry. You flipped. I didn't. Financial sustainability. There's a lot of discussion ongoing and a lot of work going on as to what this is going to cost and how it's going to be funded. There is significant worry initially that we are building a Rolls Royce engine that's going to be very, very expensive and it may not be easy to fund this. The current feeling, I believe, I that much of what we're doing is similar to other things that are already in place. We're not really inventing a lot of new technology, and the costs should not be outrageous. We have already the said things such as "Accreditation will be funded by those being accredited." So that will be a break-even operation.

The words on operational financial sustainability are a little bit more complex. There have been some very strong statements made particularly by contracted parties and then NCSG that registrants not bear the costs. To use the wording that the NCSG uses, people should not pay to have their own data given out. That sounds like a nice theory, but the only money in the system in contracted parties and therefore in ICANN is in fact money that comes from registrants.

So, ultimately, registrants are paying for this service, just as they are paying right now to have contracted parties releases their data under some conditions. We don't see that changing. There are some good statements in the financial sustainability recommendation that this should not be a cash cow, this should not be a profit center, where we make money by giving out data, either for ICANN or for the contracted

parties. We've already established that certainly the contracted parties are paying money right now, and they will continue to pay money for doing their part of this overall task. It is reasonable that ICANN fund part of this cost also, although the details have not been worked out.

The problem is there is a phrase included—this is a phrase that was much-debated in the EPDP—saying, "Data subjects must not bear the costs for having their data disclosed to third parties." That sentence, amongst other ones which say contracted parties will continue to pay and ICANN will pay part of the cost … Our concern is that these two statements, depending on how they're read, may be viewed as conflicting with each other. That is, if no money that goes into the SSAD or into releasing data may come from registrants, which is how that sentence could be read, then we have a conflict because there's no other place to get the money. We have said that requesters may pay a fee for getting data, but clearly they are not going to pay the whole cost. There's got to be infrastructure costs that are associated with this. Clearly the requester is not going to pay money which then goes to the registrar to pay them back for their staff.

So we're in a quandary, and I believe that the sentence as written is to subject to misinterpretation and therefore it overrides other statements in the recommendation. We're recommending that it be changed to something to the effect of, "Registrants should not be subjected to explicit additional charges associated with operation of the SSAD." That is, some of their registration money will go to this operation, but they shouldn't be levied a new fee because we're releasing data to third parties.

Laurin, please go ahead.

LAURIN WEISSINGER: Hi, everyone. I hope you can all hear me. I'm a bit unsure about this one, as I've already said in the chat, for the following reasons. Number one, charging law enforcement for access to this information according to some lawyers I've spoken to is questionable if that is actually implementable in this way—according to them. I'm not a lawyer. I asked other people.

The second one is I think we as ALAC have to think about that most of our users are not registrants but users. They have a public interest in cybersecurity, anti-abuse—all this type of stuff. So I'm wondering, could there be something we can say about these [C's], these costs? Should they be levied on parties that do serve this public interest or not? I'm not talking about interests that would be commercial right now—only really research related to cybersecurity and anti-abuse, etc., etc.

So these are just my two cents. I recognize this is a really difficult topic. I just wanted to put it out there as someone who cares a lot and does a lot of security-related stuff.

ALAN GREENBERG: Thank you, Laurin. I think the recommendation actually already covers that to a pretty good extent. It does note that governments may have a problem in paying for services, which has been said a number of times. However, it's quite clear … We've known from other surveys we've done, for instance, that many law enforcement agencies subscribe to

domain services in the past, where you could get WHOIS information there consolidated and analyzed. And they paid real fees to access this kind of data.

So it's not clear to what extent there are rules against government agencies paying anything, but, nevertheless, it is understood that, in some cases, there may be restrictions on that, and the current recommendations allows for it.

We've also discussed things like whether consumer agencies might be exempt from certain fees—data protection officers, for instance. We've already had cases where data protection officers have requested information that they believe is legitimate and in fact being refused by contracted parties.

So there are certain classes which we're expecting the implementation to be reasonable free of services, and other ones that may get it a differential price. The pricing will certainly not be uniform. Most of the cybersecurity people, including the representatives from SSAC, have already agreed that it is not unreasonable for security people to pay some level of fees. So I don't think we're going to change that direction.

So I think, to the extent that we can at this level, we've already covered those kinds of issues, maybe not as well as we would have optimally liked to see. But I think the current wording is reasonable.

I see a large, long queue now, so I guess we'll have to speed up a little bit. We're at the half-hour already. Olivier, please?

OLIVIER CREPIN-LEBLOND: Thank you, Alan. I'll be very quick. Two things. You mentioned "should not be subjected to explicit additional charges." I think that you should mention in the statement that, currently—tell me if I'm wrong—WHOIS is paid for by whom. So it is paid for by ICANN? Is it paid for by the registrars/registries/registrants? I'm not sure. One needs to say.

ALAN GREENBERG: Regardless, all that money comes from registrants.

OLIVIER CREPIN-LEBLOND: Exactly. Correct. So that's one thing. Of course, this new system is set to replace WHOIS, so we're not looking at learning two systems in parallel. Therefore, this shouldn't be seen as either a way for the industry to continue selling domains at the same price and make that little bit extra. By the way, you're talking pennies, probably, per request.

Secondly, I think it's important to mention that the charging should not be a barrier to obtaining that information. You mentioned law enforcement paying for this. I've also spoken to some law enforcement agencies that are very cash-strapped and are basically saying, "If we have to start paying significant amounts of money for this stuff, we're not going to be able to go after that many bad guys. We'll have to make a choice." Thanks.

ALAN GREENBERG: Olivier, I think I got it. The recommendation, if you read the whole thing, does recognize that certain government agencies may not be able to pay. That may include law enforcement in some cases. I don't think

we're going get it more specific than this. I believe what is in there is acceptable to the cybersecurity people and the GAC at this point.

HADIA ELMINIAWI: If I may just add, I got out the recommendation. Just to note that the GAC representatives did actually raise this matter during our discussions. We ended up with this sentence that they do agree to. It says, "The EPDP team also recognizes that governments may be subject to certain payment restrictions." We must also keep in mind that the fees will be determined during the implementation phase. But this sentence gives the possibility to exclude some entities from paying fees.

Also, the recommendation says, "The EPDP team recognizes that the fees associated with using the SSAD may differ for users based on request volume or user types, amongst other potential factors." Again, the fees will be determined the implementation phase, but this paragraph gives the flexibility that we are looking for.

ALAN GREENBERG: Thank you. Laurin?

LAURIN WEISSINGER: I just wanted to quickly respond. I think what we need to keep in mind here is that not everyone who does this type of public interest research, like industry, has a lot of resources. I think, as ALAC, we should speak to ways of how to include, say, certs in developing countries from paying, that we recommend to make this more explicit. The same is true for academic security researchers. We don't have the money to pay for this.

If you look at what's coming out of some universities, it would be very sad to lose that. I just want to reiterate I really feel, from an ALAC perspective, we have to recommend to clarify this more and to have clearer carveouts for who can be/should be excluded and how. That's just my reading of the report.

ALAN GREENBERG: Noted. We'll add such a statement. Greg?

GREG SHATAN: Thanks. A couple of hopefully quick thoughts. First, it might do to rephrase this statement in the singular to say that a data subject must not bear the cost for having its data disclosed to third parties so that there's no direct charge. I'm not even sure that I would want to go so far as the next sentence goes, which is to say that registrants are the major source of revenue. While it is true, the point is that the money that goes into the contracted parties' revenue system is not controlled by the registrants. To say that somehow registrants get to rule the roost because they're paying registrant fees I think is ridiculous. I'm not sure how best to refute it, so I won't start now. It's sophistry more than anything else.

Lastly, a minor suggestion, maybe, in terms of law enforcement paying for something, is to look at fees that could be charged on an annual or subscription basis as opposed to a pay-per-drink basis. So, in some cases, there may be some subscription fees that would be payable by some entities. Thank you.

ALAN GREENBERG: That's already there. Greg—I'll say this in general—this has been a subject of untold hours of discussion, and what we have there is very much a compromise and something we could settle on. Ultimately, I believe the words in that one phrase we're calling out did not quite make it the way we intended to. We're not going to change the whole structure and decision process right now, but most of what people are suggesting is already there. There is no question that this is necessarily going to be on a fee-per-request basis. There will be all sorts of options. That's going to have to be worked out.

Next, please? Matthias?

MATTHIAS HUDOBNIK: Hello. Just very quickly, since I'm currently wording at the prosecutor's office in Austria, I can just let you know that, if a law enforcement or a government wants to have [inaudible] data, for example, they pay a regular fee which is depending on the national law. So they pay per request. It always depends on the state, but usually they pay some certain fee. It's not hindering them to file the request to the [inaudible]. Just to keep you updated [inaudible]. Thanks.

ALAN GREENBERG: Thank you. Holly?

Holly, we cannot hear you if you're speaking.

HOLLY RAICHE: Sorry. Can you hear me now?

ALAN GREENBERG: Yes.

HOLLY RAICHE: Good. Where would the privacy-proxy services fit in this [inaudible]?

ALAN GREENBERG: This is unrelated to privacy-proxy services.

HOLLY RAICHE: Okay. So if there are additional charges for privacy-proxy services, that's quite a separate issue. Is that what you're saying?

ALAN GREENBERG: I'm afraid I don't know what you're asking.

HOLLY RAICHE: Okay. We're talking about data subjects bearing the costs for having your data displayed. Now, if I am using a privacy-proxy service and I may be paying for it, that is a completely separate issue. Is that what you're saying?

ALAN GREENBERG: It is a completely separate issue.

HOLLY RAICHE: Thank you.

ALAN GREENBERG: We're looking purely at the operation of the SSAD in this case, and the SSAD only looks at data that the registrar or registry has, not what a privacy-proxy service may have.

HOLLY RAICHE: [Good. Thank you].

ALAN GREENBERG: I see no more hands. Hadia, any final words?

HADIA ELMINIAWI: No thank you. I was also confused by this question related to the privacy-proxy because we are not here talking about the registrants and whether they're privacy proxies or not. So I also did not see the relation. I did not understand the question put by Joanna also in the chat.

ALAN GREENBERG: Sorry. I hadn't read the question in the chat.

All right. We have three more items. We are somewhat over time already, and I promised Olivier we would not do this.

[Lutz], if you have a comment, make it very, very briefly.

[LUTZ]: Hi. I hope you can hear me.

ALAN GREENBERG: Me can.

[LUTZ]: Very quick comment. I always [inaudible] [advocating] for WHOIS, so do not collect the data [samples] [inaudible] do not pay money for [central storage] distributed to the registrars not only to registries and keep the data there where they are collected and they are quired under local law so we can have the fees on the local law, too, and everybody is happy. Thank you very much.

ALAN GREENBERG: Thank you. By the way, Olivier, one point you said—we're not going to run two systems in parallel—is not correct. WHOIS is still there for the data that is part of the public system. So that doesn't go away.

All right. We have three more slides. Next slide, please. This is the mechanism for evolution. "Mechanism" is a euphemism here for a group of people or some sort of process by which we can decide going forward that additional cases can be automated. As it stands right now, it is not clear exactly who this mechanism, who this group, would report to and if it would simply make a decision and it would be implemented or it goes to some other group. I think we need clarity here because there are people who do believe that anything it says must go to the GNSO for approval. What we're saying is that the policy allows for the evolution. Therefore, that's as far as the GNSO goes. The GNSO is

responsible for gTLD policy. Our policy already allows for evolution, and this group should be able to make decisions. It would have to have the support of contracted parties because they're the ones who are at risk. I think actually it should say, "Contracted parties as controllers, as appropriate." I think it's important that it not go on to the GNSO lists that the GNSO has to look at and debate these things each time a decision is made. So that's a relatively simple statement. I'm hoping that there won't be any disagreement.

[Lutz], is that a new hand?

I'm guessing not. Any other further comments?

Next slide, please. We are adding a general comment. The ALAC notes the importance of Priority 2 issues. Those are the issues that … You might recall that Phase 1 of the EPDP deferred some issues such as level versus natural to Phase 2. Phase 2 is now running out of time. And the issues are not critical for the SSAD. So we are basically saying we're not going to answer them. They are going to go back to the GNSO, and the GNSO may choose to ignore, may choose to charter a new PDP or something. Whatever it is, if it happens, it's likely to take a long time. We are restating here our dissatisfaction that things like legal versus natural, like accuracy of data, is being deferred into some future unknown time and unknown process. I'm not sure we can make a stronger statement than that, but I think we have to make the comment.

I see no hands. I'm assuming there's agreement. Next slide, please. Last slide. Some of you who have been paying a lot of attention may know

that, in Phase 1, we came up with a number of purposes for having the data and processing the data. That's an integral part of GDPR. The Board did not accept our wording for Purpose 2, which was ICANN's use of the data, because the European Commission had commented that we were conflating our use purposes with those of third parties, and specifically we were saying we need the data so we can give it out.

I believe that that, in fact, is an ICANN purpose in many cases because ICANN's responsibility for the security, stability, and resiliency of the DNS is essentially outsourced by cybersecurity people and others. So they are, in fact, by requesting data, supporting our mission.

However, that argument has not had a lot of traction and is not one we can use at this point.

The European Commission … We have an untold debate over this with NCSG and others saying we don't want any specific lists, and contracted parties saying we need specific lists because otherwise we can't be specific enough in our usage agreements.

The Board has recommended that we use words provided by the European Commission, and that is that we can access data to contribute to the maintenance of the security, stability, and the resiliency of the domain name system in accordance with ICANN's mission. This has the support, I believe, of everyone except the NCSG, who wants more specificity. Of course, if you start being specific, then you run the risk of omitting important things.

I'm happy with this. I think Hadia is happy with it. We just wanted to have everyone see this because I think it's the best we're going to get. I

think, in fact, it's a pretty strong statement because it's all-encompassing.

Any final comments, Hadia or anybody else?

HADIA ELMINIAWI: I would just agree with you, Alan, that the purpose as it stands now covers ICANN's main role and mission, which is the security, stability, and resilience of domain names and does allow [for other] processing of the data for such purposes.

ALAN GREENBERG: Thank you. Matthias has one comment, and then I'll tell you how we plan to go forward on this. Matthias?

MATTHIAS HUDOBNIK: Hello. I think, from a practical point of view, the purpose is good, but, from a legal point of view, it's too weak because you need to be as specific as possible. The thing is you can [chalk up] a lot of things under security, stability, and resilience of the domain name system. It's not very specific. That's why I think NCSG said, no, it's not specific enough: every data protection authority will also just say, no, this is an unlawful purpose because it's very general.

But I understand your point. You're just saying the more specific we put it in, the more we kept to this. But, from a legal point of view, I think it's too general. Thank you.

ALAN GREENBERG: Thank you. I'll simply point out that the wording came from the European Commission group that drafted the GDPR law. That's number one. Number two, contracted parties have looked at this and said, "We would like more specificity, but we're willing to agree to this."

So, at this point, you're probably right, but it's likely to be the best we're going to get. And it's certainly much stronger than what some other people wanted to see, where they in fact wanted to see no purpose for ICANN whatsoever.

MATTHIAS HUDOBNIK: Yeah, I know what you mean. I know the paper and I know the problem. I agree with you. Thanks.

ALAN GREENBERG: Hadia, please go ahead. Last comment.

HADIA ELMINIAWI: I was just going to say that this recommendation came from the European Commission, so we shouldn't worry much about its legality.

As for making it more clear, we could always describe some processing activities associated with the purpose. But this is just [the] purpose.

ALAN GREENBERG: Yeah. The bottom line is we're not going to get approval for more details. And everyone from this point, with the exception of NCSG, is willing to accept it. I think we have a good endpoint here.

What our intent is then is we will clean up the language, add a few points that we have talked about here, and put it out onto the wiki for the comment by anyone on the lack, anyone in At-Large--any of the recommendations we have not commented on here that we are accepting as written.

Last comments?

I see Matthias, and Hadia had her hand up but now put it down. Matthias, is that a new hand?

No? Hadia, please go ahead. Final comment.

HADIA ELMINIAWI: I was just going to note that I was trying actually to put this on the wiki page, but I'm not able to [inaudible] for some reason. So maybe [inaudible].

ALAN GREENBERG: I'll handle that later today.

HADIA ELMINIAWI: Thank you.

ALAN GREENBERG: One way or another. Olivier, back to you. Sorry for taking far more time than I promised.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan. Don't worry. We will charge you just as one of the recommendations says.

ALAN GREENBERG: On a per-slide basis, I assume. Do I get one charge for the year or do I have a charge on a per-slide basis.

OLIVIER CREPIN-LEBLOND: I'm not sure. We'll go with the consensus [inaudible].

ALAN GREENBERG: If's the latter, I'll point out that Hadia drew up the slides.

OLIVIER CREPIN-LEBLOND: You work it out between yourselves. Let's move on now to the Subsequent Procedures update. Thank you so much, Alan. [inaudible]

ALAN GREENBERG: Olivier, if I have to start paying for this, you know what's going to happen, don't you?

OLIVIER CREPIN-LEBLOND: What? Are we going to get a statement from the ALAC or something?

ALAN GREENBERG: No. You might need to find a new EPDP member.

OLIVIER CREPIN-LEBLOND: Oh, dear. Okay. We'll see that with Jonathan. Let's move on. Let's go to the Subsequent Procedures. Thank you so much, by the way, Hadia and Alan. It's an enormous amount of work yet again. I keep on following the discussions on that mailing list as an observer. I'm sometimes so glad that I'm just an observer and just reading this because it's not fun in many cases. It sounds like a real battle. So great work there.

Let's see. The deadline for this is very short. I just invite everyone to give their feedback quickly on this. Of course, the statement and so on is being drafted under the policy work.

Justine Chew, you're next with the Subsequent Procedures updates.

JUSTINE CHEW: Thank you, Oliver. I hope I can be heard. I'm assuming that I can.

OLIVIER CREPIN-LEBLOND: You can indeed.

JUSTINE CHEW: Thank you. I'm just going to jump into Item 4.3 in the interest of time. I'm going to try to take as little time as possible. But I do want to raise two items today, if I could.

The first one is I want to speak to you guys about closed generics because there's some interesting things happening there. It'd be great if people could provide some feedback on where the working group's thinking is going at this point in time.

Just by way of revisiting closed generics very briefly, the 2007 policy which [we built] then did not disallow closed generics. So closed generics was available. It was allowed during the opening of the 2012 round.

What subsequently happened is that the GAC came up with a communique—the Beijing communique—which raised, basically, concerns about generic strings being applied for and used in possibly a closed manner. So they came up with a non-exhaustive list of such generic strings. In fact, it affected 186 applications that were received via the 2012 application round.

When we talk about generic strings, there is a working definition that we apply now which states that a generic string means a string consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations, or things, as opposed to distinguishing a specific band of goods, services, groups, organizations, or things from those others.

What happened after the GAC communique came out is that ICANN then went back and [read] the responses from the 186 applicants on

their plans to use operate the strings as closed generics. So basically they were asking the applicants, “How are you going to use the strings exactly? Is it going to be closed or is it going to be open?” A large majority of them came back and said they’re going to use it as an open string, meaning it would follow the natural traditional business model of reselling second-level domain names. I said a large majority came back and said it would use it as an open string, but there was a small minority which did come back and say that what they planned to use the string for was in fact closed in nature.

What happened was, then, the ICANN Board came up with a resolution. I’m not going to go into specifics of the resolution. You can probably find it and read about it. What it effectively meant was it banned closed generics for the 2012 round. But I would point out that that particularly ban would apply arguably to the 2012 round because that particular resolution also talked about the GNSO to come up with policy on closed generics for subsequent rounds.

So, in terms of where we stand as a default, it’s unclear because there are arguments on both side to say that 2007 GNSO policy which allowed for closed generics should apply versus the 2012 implementation, where the ban the Board by closed generics should apply. So this default position, being unclear, is at the moment being put aside, suspended, in the time being, but it may come into play again if the working group isn’t able to move forward the discussion and come up with a clear recommendation on what to do with closed generics. In that event, it may be left to the Board to decide whether the ban should be reinforced again for the next round or not. So just bear that in mind for now.

We can go to the next slide, please. In terms of where the discussion within the working group is headed at the moment, what we're grappling with now is the question of, is there a way forward for closed generics? In terms of what ALAC [stated] in its statement to the initial report, we basically expressed caution or cautious qualified support for Option 2 and 3 in the spirit of finding a compromise. But, in the event that we were not to support the outcome of the discussion now in terms of Option 2 and Option 3, then would revert to not supporting closed generics, which is Option 1, if I'm not mistaken.

So there is still no consensus at the moment, but we obviously tried to get to some consensus. Just to highlight that Option 2 talks about closed generic public interest applications. This is important because some of the cases that we're looking at would have an element of public interest involved. Option 3 is to have closed generics with a code of conduct in place.

So, as of today, or yesterday—at least post-ICANN67—as I said, there's still no consensus on the path forward as of yet, but we are discussing it further. What the SubPro PDP Working Group leadership has attempted to do now is to try and find a level of support to develop a fresh policy recommendation and looking at deliberating on a call for proposals for consideration in respect of whether to allow closed generics in some way or another and what would the [GAC roles] be.

Next slide, please. In terms of what I would like to get people to think about at this point in time is—I'm going to present on four policies/four proposed use case for generics for consideration … Again, the backdrop

would be to consider some of these questions or have them in mind when you think about the ramifications of the four use cases.

The first thing. Obviously the question is, are there any circumstances or use cases for which we would agree to allow for qualified closed generics? The second question is, if the answer is yes—of course, we're going to have look at the proposed use cases or any other uses cases that other people might come up; to me, the answer is, yes, we would consider allowing qualified closed generics—then can we find a way to describe those circumstances exhaustively? So, again, there's an involvement of public interest involved here and the concept of GAC, which I mentioned earlier.

And how do we implement this question related that is mandating an explanation of how the application for closed generics supports the public interest enough to assess it? Do we just rely on the applicant telling us, advocating how they're going to use in the public's interest? Would that be enough to assess whether that should be the case or not? And specifically how would that be done? Would it be offered through registry commitments, which is formally known as PICs? If that goes through, then who is meant to assess and decide on whether something is in the public interest or not? Would that be the ICANN Board or would it be an independent panel that is contracted or engaged to do this? And how should such [inaudible] commitments be used, if at all, in terms of monitoring and compliance?

The next question would be, what sort of additional contracted requirements should be proposed to enforce compliance? For example, if you say that, if any applicant offers the registry a commitment that

they're going to do something in the public interest, then what needs to go into a contract to ensure compliance? In that respect, can we also just simply rely on the PICDRP process? Sorry, there's a typo process. It should be PICDRP, not PICCDRP. So these are the questions that you have to keep in mind in terms of providing an input going forward.

Let me just bring you through some use cases that have been raised to date. Can we go to the next slide and the final slide, please? Obviously I am not advocating for any of these uses cases. I'm just reading it for people's consideration because this is what the working group is grapping with at the moment.

The first use case is the string.[disaster]. Arguably, it could be supporting a public interest rationale if, for example, the string were to operated by the international Red Cross for purposes of, I don't know, disseminating information on disasters or relief. In this proposal, it was mentioned that the Board could decide on whether to allow this application or not by either supermajority or overwhelming majority. As [of this] presentation, 90% of sitting Board members [raised it]. And that position should be appealable.

[Coming] to the issues, there has been [inaudible] on this particular use case, should the Board be the party that decides on the public interest rationale? That's something that we wanted to [think about]. Even so, would it be feasible for the Board to decide? For example, in the last round, there were about 186 strings or applications that could potentially raise issues in terms of closed generics. So are we then asking the Board to look at all 186 applications if they were to be

repeated for the next round? So it may not be feasible for the Board to look at so many applications.

I see a couple hands up, but I just want to get through the presentation and then I'll take questions.

The second use case is .heart. The example that was raised was that it could be an applicant who is developing a service to do with pacemakers. So what [we] could possibly propose would be that the applicant is raising a community to support with the devices and the system communications with pacemakers via an easy handle. So people using that service could just to go .heart or have a SLD under .heart in order to connect their devices to the system. So I would be operated presumably by a single user as a function, not a consumer product. So there won't be any selling of SLDs. The applicant could assign SLDs to patients or to manufacturers but not resell their SLDs. It would be up the operators to secure use of TLD.

One question asked was, why do we need to have .heart as the "platform," so to speak? Why can't we just the dot-brand? I'll give you an applicant who's running that service under, as a brand name, ABC. Why can't use they use .abc instead of having to go and apply for [end use] and secure .heart as a closed generic?

The third use case is for if an applicant wanted to do some beta testing for a service, for example, that would not force the customer to register and manage SLDs in a conventional way. The conventional way I'm talking about is what we [see on e-mail], which is the reselling of SLDs,

where a registrant would have to register and would have to manage it accordingly. So this particular proposal is to sidestep that.

The applicant, of course, could conceivably want to transfer the SLD to the end user at a later point in time after having consulted with them in proper registration policies. At the moment now, there is a provision within the RA for a registry operator to reserve 100 SLDs, but arguably 100 may not be sufficient to do probably testing. How this would work would be possibly an approved launch program across a period of many years in order to facilitate the beta testing. If we were to entertain the possibility of this, then what guardrails or registry commitments should we require to apply to this kind of model?

The last case that was raised was what I call a proof of concept where an applicant could have an innovative idea that they wanted to, again, test but in fact is probably [prevented] from doing so, given the prudent additional implementation [inaudible], which is the reselling of SLDs. So this particular model would allow for tests to happen during and via different components of the application process, which could be [pre-]RCEP or [pre-]SLD registration launch or anything in between, I suppose. As I said, for this model, we'd look at allowing experimentation of innovative business models by passing the open generics argument.

Along with it would be the—the person who raised this, anyway, has suggested that guardrails could[n't] be put in place, including two-step number of [test links], which won't count against the existing or allocation of [100] SLD reservations of have a specific test space. So, if we were to entertain this possible model, then we need to consider

whether there's any harm or additional restrictions to take into consideration. [Would] something like this help facilitate competition?

Sorry. I've not been following the chat, so I might have to go back and do that. But, in the meantime, I will take questions.

Alan, I don't know whether you have a question or if you want to add what I just presented on, but please go ahead.

ALAN GREENBERG: Thank you very much. Largely some comments. I'll make a comment the four options since they're displayed right now. "Disaster" is one that I actually made a proposal on close to what's here. I said I don't really think it's a viable domain because, although it works well in English, it doesn't necessarily work well in other languages. Therefore, I'm not sure it's all that applicable. And there are other agencies other than the Red Cross that might have a problem with that.

That being said, I don't think we can come up with a way of defining the public interest. We've never been able to before, and we're not going to in this case. Therefore, I suggest that it be the Board that decides. I also suggest that it has to come from a non-profit because, if we allow anyone, as Justine said, we're going to get hundreds of such requests. Each company thinks their private purpose is going to be for the public interest. I also suggested that this not be appealable. If this is something the Board is going to decide and is then subject to endless appeals, it's just not going to be a workable process.

So I believe we could allow closed generics in very specific cases, but it's going to have to be really narrow and something that is indeed implementable without unreasonable things.

.heart was a case that the person who proposed said in passing, "Well, the domain may not even be visible to the public. It may be inward-facing only," at which point I said, "Fine. Then you can use a random character string instead of "heart" if no one is ever going to see it." I just don't see why picking "heart" as opposed to something else or simply a second-level domain on .org would not be just as acceptable. Yes, it's not what someone may want, the word is imperfect.

On the last two, I could accept something being closed for a certain amount of time and then it gets opened, if indeed we need a testing period. But it's going to have to be well, well-defined and very, very finite.

If we can go back to the previous slide for a second—I'm almost done—the PICDRP is not going to be acceptable in this case. PICDRP requires harm. If you say something is in the public interest demonstrating harm because they are not following their rules, it's going to be very difficult to do and probably not going to be winning proposition. So I really don't think PICs can be used in this kind of sense. I think it's going to have to be something a lot stronger than that and can be strongly reinforced. Thank you very much.

JUSTINE CHEW: Thank you, Alan. I have Jonathan next in the queue.

JONATHAN ZUCK: Thanks. We had some discussion about this as part of the CCT review. There was a survey that went out to end users. Obviously it was very early in the program, and people's opinions may have changed, but there was a very strong preference in this international end user survey for this huge expansion of strings to represent some kind of taxonomy.

So the idea of a closed generic would be interesting to end users if what we meant by that was restrictions on who could apply for it code-of-conduct style, such as .bank, as opposed to these other more generic considerations. I think that we've got plenty of open generics now. I think there would be a real interest among the public in seeing top-level domains that become predictable and trusted spaces. Obviously, there's been a cost implication to this, as John pointed out in the chat, and that's one of the recommendations that we made in the CCT recommendation: to somehow make it more economically viable to do a specific generic term that could potentially increase public trust.

Some of it comes down, I guess, to what "open" or "closed" means. Closed in a sense of .bank in that it shouldn't be run by a bank that can exclude other banks but open in the sense that any bank could apply, I think, is a very interesting type of closed generic. Google had some really interesting ideas for .app, for example, that ended up becoming really difficult for them to implement because of these rules. I think things like that could be very interesting to the public if we just made it about restrictions and we didn't make it economically ridiculous to have a closed generic. I think that's why everybody ends up shifting back to an open generic: they're not making money to cover the $25,000 minimum fees and things like that.

So I just wanted to bring that up from the surveys we did. I think end users would love for .doctor to mean a medical doctor and not necessarily a spin doctor. Thanks.

JUSTINE CHEW: Thanks, Jonathan. Let me just clarify what you described in terms of .bank: it's not technically a closed generic. It's more a verified TLD because the operator allows for verified parties to apply for SLDs. Closed generic talks about single registrants. So there is only single registrant to be [inaudible]. So in fact the RO is the registrant and they could probably only extend use of SLDs to within the company and its affiliated companies or entities, not external third parties. So that is the difference between a true closed generic and verified TLD.

JONATHAN ZUCK: Sorry. My bad then.

JUSTINE CHEW: Alan, you had your hand up again? Thanks.

ALAN GREENBERG: Sorry. You just said what I was going to say. Those aren't closed generics. Those are open generics with rules. Closed generics are where there are no registrants. There are domains for sale. Whoever owns it picks all the second-level domains, just as in a dot-brand. But it's not limited to brands.

JUSTINE CHEW: Correct. Thanks, Alan. Did anyone else have in the chat anything else to say that should be brought to my attention?

Jonathan, your hand is still up. I'm assuming that's an old hand?

Yes. Holly, you have your hand up. Thank you.

HOLLY RAICHE: I think the point that Alan makes is an important one, but I'm remembering from the CCT report that the customer expectation was some kind of relationship between the actual name and the user of that name. So the idea was, if it's bank, any bank can apply, but it has to be a bank and have some kind of legal status as a bank. Or, for lawyer, basically you have to be somehow a practicing lawyer. So it is open in a sense that, if you fit the description, then you can use the name. So I don't know whether to call that open or closed, but that was the customer expectation. Since we're representing the users, maybe that's just an input.

JONATHAN ZUCK: Holly, I'm sorry. I got this conversation going. I guess there's already name for those, which is verified open generics.

HOLLY RAICHE: Okay.

JONATHAN ZUCK: So we're barking up the wrong tree here, but thanks for backing me up.

HOLLY RAICHE: Okay, fine. Thanks.

JUSTINE CHEW: Correct. Closed generics, as I said, is the situation where there's only registrant, single registrant. So normally you would be dot-brands, but now we're looking at possibly extending closed generics to non-dot-brand situations. Thank you.

Alan, you have your hand up again?

ALAN GREENBERG: Thank you. Just one data point which may be interesting. The poster child for closed generics is .book. In fact, during the original PDP process on gTLDs, .book was used as a great example of a domain that would be also interesting. Amazon applied for it and ultimately changed its application to not be a closed generic, to be an open domain, and they were granted the TLD. It was delegated and it sits there with no usage.

I won't attempt to explain why Amazon has not chosen to deploy it in practice, even though it's live, but I'm guessing part of it is the difficulty of doing this kind of thing and as a true open at the same time as where they clearly have a vested interest in selling books. I have hard time coming up with closed generics which are going to in fact be for the public good. I haven't yet heard of one example of a really impressive one. Yes, you can come up with all sorts of construed ones, but I haven't

heard a single example of a really impressive one yet. Until we get those examples, it's really hard to come up with a rule to allow them. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much. I think we need to move on, Justine, so last questions, please.

JUSTINE CHEW: Okay. Greg, if you can just keep it short.

GREG SHATAN: Just briefly, maybe look at the public interest issue as somewhat of a red herring. Why should no other domain names have to justify a public interest? So why is that the test for closed generics, especially if it's a [test], as Alan says, that maybe couldn't be met and a criteria that nobody has defined. Good luck. Thanks.

JUSTINE CHEW: Greg, I would invite you to, as you come up with a use case, just exemplify what you are trying to relate. That would be helpful in terms of people trying to understand possibilities, I guess.

If I could just move on to the next thing that I wanted to raise, which is on DNS abuse mitigation, could we go to the next screen, please? I'm not proposing that we discuss this, but I just wanted to bring to people's attention the developments happening in the SubPro Working Group in

terms of DNS abuse mitigation. This is something that I'm pulling out as a separate topic under our scorecards. It is actually [assumed] under public interest commitments in the SubPro agenda, but I thought pulling it out would help with our focus on DNS abuse mitigation.

Next slide, please. Basically, if I can just summarize, the working group is looking at not coming up with an explicit recommendation on DNS abuse mitigation and related … That would be Recommendations 14, 15, and 16 of the CCT-RT review, on the basis that at least the work within the ICANN community on DNS abuse should take place in a more comprehensive and holistic manner. So possibility a framework that applied not only to new gTLDs but also to existing TLDs (legacy TLDs) and possibly also ccTLDs.

So the SubPro Working Group recognizes that there is already existing efforts and activities around pushing the DNS abuse mitigation agenda forward, including the one done by ALAC. So it propose not to—I suppose the word is "intervene" in that process and just limit any possibly far-reaching policies from applying just to new gTLDs.

So I'm just putting it out there for information and for update. I think the next topic that we're going into in terms of what is on the agenda—DNS abuse to be covered by Jonathan—would fall quite nicely into this advice.

That's it from me for today. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Justine. I see Greg Shatan still has his hand up. Did we want to ask? Greg, is this—no. Hand down. Okay.

Thanks ever so much, as usual, for all the work you've done. It's very comprehensive. If wish we had a whole … I mean, we probably will require at some point some complete calls on this, just single-issues calls, on this SubPro because it's such a deep thing and you've done so much work on that.

And you're very correct that the next thing now—I have no idea how it's going to be able to do it so quickly because the call is very late—is the recap of ICANN67 and the At-Large DNS abuse activity with Jonathan Zuck.

JONATHAN ZUCK: Well, I was a high-school debater, so I can try to speed talk my way through it. But I think that won't be appreciated by anyone trying to listen.

We had a strong showing at ICANN67. I think most of you participated in ICANN67, so it's not news. We had three sessions, one which was a call to action of the At-Large that included an overview of what DNS abuse was and the fact that it's on the rise and that the current system is insufficient to address it. Then we talked about a two-tier strategy from At-Large to try and move the needle a little bit on DNS abuse. One is our continued policy activities that we've been doing through this group and the ALAC within ICANN, and the other is some outreach and education of end users themselves using our fairly sophisticated network and RALOs and ALSes to push out educational information on DNS abuse

because so much of it is really social engineering. So a lot could be done to fix it without any policy changes if people behave differently, but it's one of the hardest things to have happen.

In the interest of timing, what I will do is try to get on to the next outreach and engagement call to talk about that end-user education could look like. I posted some questions on the list serve which I can post again about what language we should use with end users because it's not clear to me that DNS abuse is part of the public lexicon. It's really something that's used much more frequently in the heady Internet governance spaces. I feel like most of the public just views it cybercrime. So part of the question is, should we just go with that to get information out to end users, even though we know secretly that it's DNS abuse? Is it worth educating the public about that title or not?

The other question I had is whether or not we need to be generating materials and videos and things like that for that outreach, or are there sufficient materials already in existence on how to spot phishing e-mails, etc., that the FCC has produced and others have produced and that are our primary value proposition might be in just getting those materials out to more people using the networks that we have in place?

So I think both of those questions are questions maybe for the Outreach and Engagement Team, more so than this team. So those were the calls to action that were in that.

We also established a page on the At-Large website that's a specific landing space for knowing about what we're doing on DNS abuse so that, if you want to go to that in one place, everything that we do is

listed there. That's At-Large.wiki/DNSabuse, which right now is the shortcut that I came up for it. But it'll be on our regular At-Large page, so it could be that we could get to a /DNSabuse address on that site eventually.

In addition to that session, there were sessions by Holly and by Joanna. Holly [sessioned] out with the implications of the encrypted DNS communication, whether it's DoT or DoH. It was a great session and very well-attended and didn't have a firm resolution. So I think there's more conversations that are going to need to happen. That's the next steps on that according to Holly's summary at ICANN67.

Similarly with Joanna's session, which was about One World, One Internet and concerns over sovereignty and the resulting fragmentation of the Internet and what we need to be doing in that space, I think that's probably something that's going to lead to some discussions herein the CPWG a piece as a time as we try to wrap our heads around what the At-Large policies on some of those issues might be and where the best place is to evangelize them.

So those were the three sessions that we did. There will be additional discussions that take place going forward, both here in the CPWG and over on the Outreach and Engagement calls.

That's my fast review here in the five minutes I had. If anybody has got a quick question or something like that, I'm happy to take it.

Holly, please go ahead.

HOLLY RAICHE: Just a thought. I was trying to think through where we go next with DoH and DoT. Maybe it's worth having (just a thought) because, certainly, from the SSAC paper, 109 has been published, a presentation? Because what they do is say, "Well, one the one hand, these are the good things. On the other hand, these are the things we worry about." It is worth actually just having, say, ten or 15 minutes of Rob talking to us about where we go and when he'd like us to go? Just a thought.

JONATHAN ZUCK: It makes sense to me. Let's organize that for a future CPWG call. I think, in both cases, the policy implications of what I presented are already things he discussed ad nauseum. But both of your sessions brought up entirely new topics and fairly broad topics that we haven't really reached consensus on within the At-Large. So I think the next step is to break them up into small pieces, not try to boil the ocean, to CPWG via either external speakers or presentations by you for efficient discussion here on a consumable, bite-sized part of the subjects that you both got going during ICANN67.

HOLLY RAICHE: Okay.

JONATHAN ZUCK: Glenn, go ahead.

GLENN MCKNIGHT: Thank you. Yeah, I think we got the momentum going. I think what's critical—and as we were planning for the booth to have information and buttons for people coming to our booth in Cancun … So I guess I'd like to see where the next steps are going to be in order to keep this momentum going and getting the membership within At-Large engaged and more involved with this process because I think it resonates. And it was a topic—I think it's a very important thing to have a single-minded concept so people can digest rather than just a multitude of concepts. This was a very clear idea, and I think it resonated with a lot of people. Thanks.

JONATHAN ZUCK: Thanks, Glenn. I think that's right. I think that we're going to try to develop out that DNS abuse page to talk about what our central thesis is. But we've now made clear where we stand from a policy standpoint inside ICANN. We're just looking for different points of entry into the policy development process.

For example, on DNS abuse, with Justine's slide, I think Subsequent Procedures is suggesting that that should be a broader community discussion. I think that's where the Board is leaning as well. So one of the questions to the Board is, "Would you like us to mandate the creation of a PDP on DNS abuse mitigation?" The odds are we probably want that. But that's going to be big process, for sure. But that's probably how that's going to have to go forward, as the Board is hesitant to implement things directly. We're going to keep pushing on the Board to find things that seems within their remit in terms of describing to Compliance the Board's interpretation of the contracts, for

example. That's something that, I think, they're hearing from a number of different sides. So I think we'll keep pushing and trying to refine that advice to the Board. I think that's going to be the exercise for the At-Large and for other communities within ICANN: to continually refine their Board advice to the point where the Board sees it as something within their remit and something that they can execute on directly. I think we're throwing things against the wall now, and that that process of refinement is something the Board is rightfully asking for to stay in their own lane. We just need to find what that specific actions on the part of the Board might look like.

Any other questions?

All right. So we will get more information out on the list, etc., as we keep trying to answer some of these questions. I am interested in everyone's feedback on the education perspective and whether or not we in fact to socialize the term "DNS abuse" for end users. As I mentioned on the list and the chat here, one of the things I did was discover there wasn't a Wikipedia page on DNS abuse, even though there is a page for just about every example of DNS abuse. So these idea about mitigation and things like that are not well-documented in Wikipedia, and I think there's something to offer in a DNS abuse page. So I think some of us may get together to try to update that page, again, to try and help DNS abuse become more part of the public lexicon.

Olivier, I'm going to just hand it back to you.

OLIVIER CREPIN-LEBLOND: Thank you very much for this, Jonathan. I can hand it back to you again—ping pong—for the policy updates. Actually, no. First we have the BCorp status discussion. You're chairing that as well.

JONATHAN ZUCK: Yes. I don't know that we have time today for a large conversation about the BCorp status. I think people feel the BCorp status is insufficient, [or I] don't think there's been arguments against doing it—in other words, drawbacks of BCorp status. We just shouldn't treat it as a panacea. I think that really has been the consensus on our calls and discussions. So I hopefully appropriately took that consensus position and put it into the call for comments that PIR closed last Friday and suggested that, in addition to BCorp status, they adopt a standard for public interests because that, again, adds more eyeballs on what they're doing. But, beyond that, we're not going to get into a whole discussion about it on this particular call.

OLIVIER CREPIN-LEBLOND: Thanks, Jonathan. I see Glenn McKnight has put his hand up. I also wondered though, because we've had an announcement from PIR that they are going to delay the discussion by another month, I believe, due to the current events that we're seeing with COVID-19 … So it might be that we can move this until next week because we really are very pressed for time.

Is that okay with you, Glenn? I see you put your hand down.

Okay. "Ignore may hand." Okay, thanks.

All right. Then let's go back again to Jonathan for the policy comment updates and the two, at least, that are very short notice that need to be convened or finish the one, of course, on the EPDP, having been discussed. But the SSR2, I guess, is the one that's really important. Evin and Jonathan, you have the floor.

JONATHAN ZUCK: Evin, do you want to do an overview?

EVIN ERDOGDU: Sure. Thanks, Olivier. Thanks, Jonathan. Maybe we can just go ahead and skip to the two most urgent statements, the first one being the second Security, Stability, and Resiliency (SSR2) review team draft report that's closing on the 20th of March [inaudible] almost near final completion mode, and the other being the EPDP2 public comment that's closing the 23rd of March, next week, as Alan noted. Offline, the drafting team volunteered [inaudible] e-mail thread discussing perhaps having an urgent call this week just to discuss this and get it ready for finalization. But it's up to you if you'd like to continue or just maybe focus on these two. Thank you.

JONATHAN ZUCK: Thanks, Evin. The draft SSR2 statement has been up for some time on the wiki and I believe is non-controversial within this group and therefore could go out for vote by the ALAC at any point. I was considering just hammering home the importance of the DNS-abuse-mitigation-related recommendations with a few extra sentences just

because that's what we do now and they're more mentioned as an off-side. The biggest emphasis of our current comments is on the disconnect between staff and review team assessments of implementation of prior recommendations. That's the thing that we're raising as the biggest issue in our current comment. So I was thinking about just adding a couple line to, again, hit hard on this notion of DNS abuse mitigation because we resolved to make it part of every conversation we have. Please do check on them over the next day and make sure that you're okay with the comments. It's certainly my concern belief that what Alan is drafting for those comments is non-controversial within this group.

What was the other one, Evin? Sorry, go ahead. Oh, Olivier, go ahead.

OLIVIER CREPIN-LEBLOND: Thanks very much, Jonathan. I've also reviewed this. I mentioned it on the wiki page. You might have not scrolled to the bottom. Just adding three words: ICANN core issue. I think these are quite key to the whole thing about security and stability of the DNS. Thank you.

OLIVIER CREPIN-LEBLOND: I agree completely. So we may add two more lines to that comment that are uncontroversial to this group—controversial to the ICANN community but uncontroversial inside of this CPWG.

Evin, go ahead.

EVIN ERDOGDU: Thanks, Jonathan. Laurin just noted in the chat, but I did want to give him the opportunity to comment on the draft proposal for NextGen at [ICANN Program Improvement], time permitting. If you'd like to comment now, Laurin, or maybe …

LAURIN WEISSINGER: I'm not sure what [next week's looks like] until the 31st, so, as unfortunate as it is, I think it might be good that we had at least ten minutes to discuss this. And I don't think we have that today.

EVIN ERDOGDU: Can we move that to next week and maybe have time? I think that would be better.

EVIN ERDOGDU: Sure. I think Jonathan and Olivier are okay with that.

JONATHAN ZUCK: Yeah. Let's move it to the top of the agenda for next week. We don't EPDP to be at the top of the agenda for the next few calls here, so let's put that up there at the top of next week's call.

EVIN ERDOGDU: Also I just wanted to note that Justine just noted in the chat that, just before this call, she and Greg had powwowed on the NCAP Study 1 public comment. There is a draft, and that will be circulated on the CPWG list after this call. Thanks so much.

JONATHAN ZUCK: Olivier, is that a new hand?

OLIVIER CREPIN-LEBLOND: It's a new hand, Jonathan. Thank you. It's about the NextGen at ICANN. I've reviewed this. It still requires a bit of time. So, Laurin, please check the comments on the Google Doc. I do invite everyone—I know there's some people who follow this very closely—to comment on the Google Doc. There were very few comments on it. So it needs to be [suddenly] put in there. Obviously the drafting team already has three of those people that are very involved in this topic, so perhaps it's a good base to start with. But a few things need to be changed. That's all. Thanks.

JONATHAN ZUCK: Thanks, Olivier. I think that's it. Back to you.

OLIVIER CREPIN-LEBLOND: Oh, that was fast. Thank you so much, Jonathan. We are a little late on our timing. As you know, the [inaudible] strategy revised community travel support guidelines are way further in time, so, by then, we'll have hopefully a bit more space.

Any Other Business now.

I'm not seeing any hands up. Just a kind reminder, of course, to take the At-Large geo-names survey. You can click on there. It's never too late to fill it out. I don't think there were too many responses so far, judging by

the fact that we've got 39 participants in here. There were certainly less responses than this. So please consider this. It doesn't take that much time.

Of course, the next one is finalization of ALAC responses to the ICANN Board understanding of the ALAC advice on DNS abuse. That we know is in progress because we've heard from Jonathan earlier.

So all we have to look at now, seeing no hands in the queue, is, when is our next call?

CLAUDIA RUIZ: Hi, Olivier. In keeping with the rotation, the next call would be next Wednesday, the 25th, at 13:00 UTC, with interpretation.

OLIVIER CREPIN-LEBLOND: With interpretation. Thank you very much. That effectively means that most people will have a total about 160-something hours until the next call in their apartment or room or whatever if they're confined wherever they are. That includes me. I look forward to the call next week.

In the meantime, I hope you can all have a good as a week as can be with the turbulent times that we now are going through.

I note Sebastien has put his hand up. Sebastien Bachollet. One last thing from him.

SEBASTIEN BACHOLLET: Thank you very much. Can you repeat the time exactly of the call and the duration of the call? Because, as we are going more and more to two hours of meeting, can't we just say that it's two hours and not have 15 minutes more? Once again, what is the time exactly, please?

OLIVIER CREPIN-LEBLOND: Thanks, Sebastien. I believe it is the strict rotation. So it is 13:00 UTC again?

CLAUDIA RUIZ: Yes. [Somebody] just put in the chat: 13:00 UTC for 90 minutes.

SEBASTIEN BACHOLLET: Thank you.

OLIVIER CREPIN-LEBLOND: It's 90 minutes. We always try to stick to the 90 minutes. If we went for two hours, we'd go for two-and-a-half hours, Sebastien. You know how hard it is.

Thank you. This was a great call yet again.

Jonathan, anything else?

JONATHAN ZUCK: No. Thanks.

OLIVIER CREPIN-LEBLOND: Okay. So, everyone, have, as I said, a very good morning, afternoon, evening, or night. Stay safe. Be very careful. We're going through a hard time at the moment, and we're all in the same boat. So take good care of yourselves. I'm looking forward to see you all next week. Have a very good morning, afternoon, evening, or night. Bye-bye.

[END OF TRANSCRIPTION]