| | |
|---|---|
| ANDREA GLANDON: | Good morning, good afternoon, good evening. Welcome to the registration data policy implementation meeting being held on Wednesday the 16th of September at 17:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you were only on the audio bridge, could you please let yourselves 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. |
| | As a reminder, those who take part in ICANN multi-stakeholder process are to comply the expected standards of behavior. With this, I will turn it over to Dennis Chang. Please begin. |
| DENNIS CHANG: | Thank you, Andrea. Welcome, everyone. So today, the agenda is light so I expect us to be done quickly and then get on our way to do our own work, as you know that we all have a lot of work piling up. So we're going to look at our timeline quickly and then we'll talk about the plan for the redline documents, and I'll show it to you. I meant to send it to you before, but I didn't get a chance. But I will just show it to you today and we'll talk about it a little bit, and then send you a task assignment, so you will find the link in the future in the IRT document. |
| | Okay, you have [an IRT for the AOB.] I'll remind you, Sarah, just to bring it up then. I think we'll have plenty of time. So let's go. The first thing is our timeline, and I have made no changes. This is the exact same thing |

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

that you looked at last week. So in best cases, this is optimistic schedule. We finish our OneDoc this month and then open the public comment next month. However, based on the way our redline doc goes, we may want to change that and we'll get right on to what that means.

So on recommendation 27, impacted policies and procedures plan, this recommendation was provided by the EPDP team, and basically saying existing policies and procedures. And then on the board score card, of course, it says [inaudible] adopted this policy. On the consent agenda in the GNSO council, there was an item called 3.2, and action where the GNSO council asked that we provide a redline and advise them.

This is something that I showed you last week, but at the IRT meeting, of course, I documented it here. Our GNSO liaison, Sebastien, announced it to you and reviewed our implementation method doc, which is this, method one and two, and we talked about the fact that we had initially, before December, selected method one. But we're switching our methodology to method two to be consistent with the recommendation from the GNSO.

So that's what we are trying to say here. So here's our plan. Number one, important point is that there's no substantive policy changes through this process and we're going to use the word "terminology update." And it's sort of a key word for us to mean that things that are obviously no longer obsolete or inaccurate with the coming of our policy, we're going to try and update them and create a redline document and see where we go.

So the first thing is that IPT is going to do the work of reviewing all policies and procedures and making a list. Let me see if I can do this. I can share it with you right now on the chat. This is what we're looking at. And if you are on the workbook, I have already added to the task list here as task 108, and you will see the link there too. After this meeting, I'm going to send out an e-mail to the IRT so that all IRT are informed and have this document available.

So we make a list, and then we're going to ask you to review that list, and then we do our preliminary review for the impact and we're going to ask you to go along with us and providing us your feedback and opinions, and whatever advice you have. Now, we are [not] going to do the updates. IPT is doing the updates, redlining, and emphasizing the fact that we're going to try to limit our updates to the terminology only and not make any policy changes, which if we need to, then of course, going to defer to the GNSO.

And then IRT is assigned a document to review. So this is from number six, you're going to see it in terms of task assignment here. Document by document so there's no chance of you missing it. We'll gather your feedback and then prepare it for the public comment, number seven. Number eight, we are intending to publish all the redline documents for the public comment along with the OneDoc, and any other documents that we have. So that's how the public comment we wish to have, so they have full view of all the updates and how they're impacted across the line. That's a huge review and huge update.

And then after the public comments, we're going to gather and take any inputs, and we'll update the documents, and IRT is going to be

requested to do a final check. And we are going to publish the redline documents along the incorporate document, probably, and publish them when we do our publication, announcement and publication of the policy. And by that, I mean this policy publication when we start the implementation. The documents will be available, but we'll start the implementation. So the implementer has a view of the old documents, new document, and the redline to use for the implementation.

And final step, when the policy effective date comes, we're going to replace the old documents with the new documents and maintain the old and the redline as a reference. So that's at this point. Policies effective, everything is updated and consistent across the board. This is our dream, this is our mission. It's a very tall order, but I believe that that's what GNSO council is looking for and seeking, and we of course agree with that vision, it's just very clean and clear for everyone around.

It does represent a ton of work for us, but that's what implementation is. So we are doing that as we speak. So this is our updated plan. Let me just show you quickly one of the products of work to date, and I added as a sheet 16 which I'm going to change the name right now as. Maybe I'll call it impacted. Okay. So I called it impacted list right next to the timeline. Maybe I'll change it like this.

And so far, we have these on our list. So there's 21 items, and we can refer to them as redline doc or RedDocs, and of all these docs, let me point out this as an example [inaudible] conversation. These four docs, IPT has reviewed, and determined that they're not impacted at all with our policy and therefore we have no plans to make any updates. And this is the kind of thing that we are asking the IRT to review. So you

know these policies, and you know our policy. Did we get this correct? Did we miss something? Tell us, help us.

For example, this UDRP is a good example. UDRP has two documents. It has the policy document as we call it here, and then we have the rules document. And what we saw was that policy document does not have any, what we call terminology updates. The UDRP one does. So we are updating this document, creating a redline for this document, and we'll present that to you.

Now, that was probably a lot, so let me go back to this document and plan, and I'll pause here to receive your questions, comments. Go ahead. Raise your hand. Feel free. Alex, go ahead.

ALEX DEACON:               Hi Dennis. This is related, but can you confirm that the IPT has decided that we'll proceed with this plan to get to public comment before the data protection terms and agreements are available for review.

DENNIS CHANG:            Oh, the DPT? Is Beth here? So let me just put it this way, that is our initial plan, is to have our DPT come onboard and have it available along with all the redline docs, so DPT will be a new document that we'll be publishing with the public comment. However, it could be that we go ahead with the public comment before the DPT is completely available as a draft that the DPT team is not ready to go public yet.

So I will say that is a decision pending, but for now, I think that Beth and team there is making good progress, and I'd like to hear from Beth if she's available to talk. I see her online. Beth, come on.

BETH BACON:                 Hi. How are you doing?

DENNIS CHANG:             Hi. All righty. How are you?

BETH BACON:                 Just super great. So I think that's a great question from Alex, and I will tell you, Alex, that obviously we haven't decided in this group what the path forward is. I think we all understand the preference is to have the data protection terms because they come out of a recommendation out of the final report, so it make sense that you would want to look at those.

I think I'm not able to give a reliable timeline on when we're going to finish. We are making progress and we're making more progress than we have in the past, which is very encouraging. But we have a meeting on Friday for that, so I will flag this as an issue. I was actually just skyping with some of the folks involved with that and have said we need to move this along, let's get going, particularly because we're on this call and we're talking about getting to the public comment. So I don't have an answer, but I don't think we've decided that it's either okay or not okay to go ahead. Maybe it's a discussion we need to have in the IRT, because I think ultimately, it's the IRT's decision and that would dictate

what the folks drafting the DPT do. So I think it's IRT to decide if we want to hold off and wait for the data protection language or if we're okay going forward without. So I'm going to have to throw it back to Dennis and say that it's a discussion we might need to have.

DENNIS CHANG: Yeah. Alex, your viewpoint is well known, and that's our desire and I don't think anybody would disagree with you there, so we're trying to get it done. The DPT is not an easy document to get done because there's not just simply writing the document but it is a collaboration between ICANN Org and the contracted party, and that is going to be taking time and we are trying to accommodate them as well as letting them know that what we believe is important and how it should be done. So I think that Beth is going to communicate that back to the team. and that decision point will be made when we are completely ready, and everything is done, but let's say everything is done except the DPT, then we'll make a decision whether to proceed or not proceed at that time, but go ahead, Beth, I think you want to say something more.

BETH BACON: Yeah, I just want to say again it's the IRT's decision. So Alex says—he's one voice, but I think we're a lot of voices, and I think the preference would be to have it all together. And as you said, I'll flag this for the roles and responsibilities, but this is a decision for the IRT to make. We are trying to make progress. We've had a lot of drafts and things in the roles and responsibilities drafting group, but I think if we had a deadline

from this group or if we had a decision that says we'd prefer to come out with the draft consensus policy, then that's a guidepost we could use in that group as well. if it says come out later, or you have mixed feelings on it, that sort of just makes the end date a little squishier. So I'll just flag that and that'll be my final comment. And I'll make sure to bring this up in roles and responsibilities and communicate everyone's position. Thanks.

DENNIS CHANG:    Thank you. Getting back to, I see a comment that Sarah made, the four that are impacted as not impacted. Let me see the impacted list. These four documents, and I think the question is, are they still to be sent to the IRT to review before ... So a document, if they're not impacted, I wasn't going to send it to the IRT. They're all available already on the website. But maybe what I could do is send out an e-mail to the IRT. Oh, sorry, Berry already answered. Okay, thank you. We'll try to build some links into this list to make it more convenient for you, but we haven't done that yet, and that is one of our tasks at the IPT. We'll try to do that.

Let me hear from you on this document. So now you know where it is. It's task 108, and you'll get an e-mail from me after this call. And that's our plan, and I'm happy to add more details. Maybe this is too much detail, too little detail, I'm not sure how you feel it, but this is how my mind works. My mind works in kind of process steps until the end when I consider this project done. And the difficult thing is the scope of this project is hard to get your arms around. So far, we've identified this list. But I think this is it, and our team has done a lot of work poring over

everything. And we may have missed something, and this is where you come in. Help us.

I see hands up by Chris. [inaudible]. Go ahead, Chris.

CHRIS LEWIS-EVANS:     Thanks, Dennis. Hi everyone. Just a question. Is it possible to put the links to the policies in the impacted list? Just to ensure we're all referring to the same document.

DENNIS CHANG:     Yes. it's absolutely possible, and we will do that. Now that I'm looking at it, I felt the same need. It would have been nice if I can just click on this and show you the document. So that will be done. Beth. Do you still ...

BETH BACON:     Thank you. I said +100 to Chris, but I'm going to go with +1000. Good idea. So if we go back to just the meat of the document, the GNSO council has asked for terminology updates as described in the phase one recommendation 27. I was wondering if Dennis, I know you guys are poring over this and staff is putting a lot of time over this, so thank you very much, you guys are amazing. But how are you thinking about terminology? How are you guys defining or approaching terminology as a scope of ... when you're looking at the documents? What are you thinking about changing there?

DENNIS CHANG: When I think about terminology updates, I'm thinking about that are obvious, sort of a non-controversial, the consistency, the labels change, the names change, things that are no longer obsolete are just deleted. This is where judgment comes in, actually, and that's where I need your keen eye.

As we make our changes, we are going to try to limit it to that, but there are some changes that are going to maybe get too close to, "Oh my gosh, we're actually changing now requirements" and the intended requirement is being altered. If we have any questions like that, we're going to be consulting with you, if it's not an obvious decision.

So I am probably going to ask you to advise us, anything that's sort of on the borderline, we think this is a terminology but I can see maybe somebody would think  this is a policy change. What do you guys think? And that discuss is expected to be had, and we will come to you to help us with that.

BETH BACON: Thank you, Dennis. That's really helpful. Appreciate that.

DENNIS CHANG: Okay. Marc, how are you doing?

MARC ANDERSON: Hey Dennis. I'm all right. Thanks for asking. So, related to this, will we also be able to make terminology changes to the OneDoc? And I'll use as an example—let's see it's section 10.1.28. I'll just put that in. Last

update of the WHOIS database. So early in the OneDoc, we had asked, can we change that to the last update of RDAP or the RDS system, or get that to be something not WHOIS-centric? And at the time, you—I think correctly—said that we didn't have a mandate to change that. And I think you're correct, but now I'm wondering, does this new recommendation 27 task we got from GNSO council give us a mandate to be able to change 10.1.28 to be able to remove the dated reference to WHOIS?

DENNIS CHANG: Very interesting. Let me think about that. So this could be—I know that we had [chalked] some of those changes as a drafting error, and we have [on purpose, intentionally] went in a different direction from the recommendation language as drafting errors. But this type of thing, maybe we need another category. This is maybe a terminology update that we should be making to our OneDoc. And I think if that makes it clear and it's not inconsistent with the EPDP team's intention, the policy, then maybe that's a thing we should do. What does everybody think? Marc, I'm seeing support. I think Amr, you're agreeing with Marc, not Owen's comment that I misspelled Sebastien's name. This looks funny. When I read the chat, it looks like—if you weren't listening to the conversation ...

"Generally agree with Marc but I think want to see it written down to make sure I follow." Yeah. Every case, I think if we're proposing a change, then I think we should document that with rationale. Chris.

CHRIS LEWIS-EVANS: I think I generally agree. The only question for me is, is it this policy that is mandated the change to RDAP rather than WHOIS, or is that something else? And then if it's something else, should it be that something else that corrects the language throughout the documents and not be our task but be someone else's task? So that's my only consideration to that point. I agree with the concept, we need to have up-to-date terminology, but I just don't know whether that sits within our remit.

DENNIS CHANG: Yeah. That's an interesting comment too. Let's think about this. We don't have to decide right now. And we'll probably bring it up again. So yeah, Marc, leave your comment there to remind us, 10.1.28. Thank you for that.

Now, okay, so as far as the RedDoc goes, I think that's all I had. This is our plan, you have access to it, feel free to add more comments to it. Oh, look at this, Sebastien, everybody is looking out for you. We were just talking about there's more than one Duco. There's 25 of them in Paris. Eric, go ahead.

ERIC ROKOBAUER: Dennis, [inaudible] comments made, thanks for sharing this and going through the document update plan, the RedDocs. I may have missed it though, if you can clarify, in the IRT workbook, you gave the action item by the September 30th for us, IRT, to review, and then when I go to the RedDoc plan, there's a lot of dependencies and back-and-forth between

IPT and IRT. Maybe you can clarify what it is you're looking for us to do by 9/30, or maybe—

DENNIS CHANG:          Oh, okay, sorry.

ERIC ROKOBAUER:          No worries. Or maybe for each of these 12 items, is there a way there's maybe a due date, maybe we can add some time to the expectation of when you want to have these done? That'd be great.

DENNIS CHANG:          I see. Okay, so what I meant, thank you for bringing that up, what I meant to assign, I haven't assigned it yet. What I meant to assign with our task 108 is for you to review this document, which you're already doing, so you're basically done. So if this plan makes sense to you, then you're done. If this plan needs more clarification or more comments and more details, then you tell me. That's what I meant to assign with this document, this task. And 109, for example, when I'm ready to send it to you, is going to have things like ... Let me just use this as an example. And that's just easier to show you. So I'm going to have this kind of task for you with a specific document, and I will assign a due date.

so each one of these documents is going to be turned into a task for you, and probably, somewhere toward the end or sometimes along the way, I'm going to assign one doc, one task that's going to cover all these four documents to say, of these four documents we'd seen no impact,

please review and provide your input or feedback. That's what I meant. Does that help?

ERIC ROKOBAUER:         Yes, Dennis, thanks. Maybe it's just me, I'm a little concerned where we're talking about hopefully getting this done in time for public comments, and October's in two weeks, so I don't want to stress even more but it's harder and harder for me to see a lot of this getting completed in time, and I know it's a lot of work. So I think I just want to stress that.

DENNIS CHANG:         Yeah. Thank you, Eric, for sympathizing with me. The IPT is just going crazy of the work scope. And whether it was intentional, the GNSO, or not—and I'll just remind you, one of the factors in choosing method one in the past, in 2019, was because method one was easier for us. However, having seen the GNSO resolution and their guidance, it is a lot of work, but I think that it's much better if we do it now and get it done, than having to deal with it later after we publish it and in the middle of the implementation, we're making redlines, or even the worst is we're making redlines after the policy effective date. So I think this is the time to do it. So that's our plan. So I appreciate your recognition of the work that is required and that is being done behind the scene. We have a lot of IPT staff very busy every day looking at this. And our aim is to do all the work and try to make it as easy as possible for the IRT so your role is limited to review function. So we'll prep it and provide it to you, and

then when we make our assignments, you can give us feedback on the content as well as the process. Thank you.

Any more on the RedDoc plan? This is our RedDoc plan. This is sort of a codename for us, so you know what I mean when I say RedDoc and RedDoc plan. This is it. So I'm done with that topic and let's go to Any Other Business. I think Sarah said that she had a business that she would like to discuss. Can you go ahead and mention it?

SARAH WYLD:     Thank you. Hi. Yes, I did indeed have other business. So t yes, and actually, thanks for the RedDoc document. I think it's a really good way to lay out all we're doing, so I look forward to reviewing that in detail, which I will do.

I need to say I hope that the next meeting agenda is a bit more full. As you said, this was a pretty late agenda. There are still several open comments in the OneDoc that we haven't discussed, either recently or at all, such as on section 11.6, the time frame for response to an urgent request, or for example, the e-mail that Marc sent about data escrow.

So I just think it would be helpful for our goal of completing the OneDoc with that time schedule we're just looking at if we can make sure to look at those issues and hopefully use the entire meeting time that we had scheduled. Thank you.

DENNIS CHANG:     Okay. I think I understand your comment. And I will look at it again to see what we can discuss in our next IRT meeting in a couple of weeks.

Let me show you this. This is probably helpful to look at right now. This is what we call the OneDoc status map, and this is how we are looking at the status of each section.

The green color item means that we believe that there's all the inputs are provided with the IRT and we see no further reason for the inputs, and yellow means the same thing except that we do recognize there's differences in opinions and views and interpretation and whatnot, but we see no reason to have further discussion and for additional IRT input. That's why these are colored this way.

So the orange are things where we do need more IRT inputs, and I think that probably, the appendix now, the way we are changing our methodology with our RedDoc—let me just go see the appendix, and this is one of the questions that Marc asked before. These things, right? We have appendixes, A, B and C, and we have called these appendixes out because these three items were in the recommendation specifically cited. That's why we had them listed out, and we were going to do this and not make the changes to the document. And cover the rest of the documents.

SARAH WYLD: Dennis, if I could just jump in, thank you for pointing out the status map, and I have to say somebody else in the IRT reminded me of that a couple days ago because I kind of didn't look at the legend and so I was just looking at it seeing yellow, and thinking that meant that we would come back to it. But no. So thank you for pointing that out, but I do need to say I think that some of these yellow items would stay yellow.

We've discussed it as far as we can and that's fine. But some of them, I really do honestly believe that if we just come back to it as a team, that we could make further progress and move it over to green.

So for example, the data escrow thing, or maybe not all of 11 but certainly parts of section 11 I think we haven't discussed some of the suggested changes as a team in a very long time if we actually did discuss them. I don't remember. And so I would suggest that we should consider looking at those again as a team before they go out to public comment, and hopefully we can provide a more final document to the public. Thank you.

DENNIS CHANG:          I see. Okay, so you remember the last call method that we are going to employ? So this is the last call plan where we are going to schedule and invite the IRT to write things in for the last call if there needs to be one more review and one more discuss that you needed to have.

Now, I have not asked for the last call yet, but that is precisely the kind of thing that I was thinking about when I was designing this last call methodology. But if you think that there is something that we would benefit by discussing again, let me know so I can—let me review it and then we'll see if it can help. Because one thing that I did not want to do—and I think that you would all appreciate this—is to repeat the same discussion and end up with the same result. We can do that, of course, many times but it doesn't yield anything differently and therefore ...

| | |
|---|---|
| SARAH WYLD: | I definitely agree that we don't want to take up all of our time by going over things where we will not make progress, but there are some open issues that I do think we could come [to agreement.] So yeah, I'll send an e-mail. Thank you. |
| DENNIS CHANG: | Yeah. let me know. Send me an e-mail and let me look at your input and add it to the agenda for us to discuss. And for Rubens' comment, yeah, "No additional input means IPT will move on without IRT consensus?" No. Okay, so last call is designed so that IRT is going to bring up the items that we are going to discuss again, and it's up to you to put whatever topic that you like to discuss on the last call block. |
| | And as I said, I will make a very clear announcement, "Now we're ready and we're asking for the last call." But I haven't done that yet. I'm just communicating what's to come in the future. Now, as to Rubens' comment about IRT consensus, that's a tricky subject. So as you know, the implementation process does not require IRT consensus, and it is our intent and our desire that we have your support. So I don't use the word "consensus." I use the word "support." We would like to proceed, of course, with our implementation with the IRT support. But clearly, there will be cases where IRT does not have consensus and does not all agree, and we have to then decide to move forward or just continue hoarding, and that will be a decision later. But for now, we have a lot of work to do and we are asking for your support. |

So let's look at our next meeting. Next meeting is on September 30th. Agenda is wide open. As we go towards that date, we'll add things to the agenda. So let me know. Sebastien, how are you?

SEBASTIEN DUCOS:    I'm very well. Yeah, just a quick note. So if our next meeting is on the 30th, that comes right after the next GNSO meeting. I've shared with everybody on Monday the report that I had to give to the GNSO and which I ended up giving in my name since I couldn't get a consensus from the group on what I should present, and I tried to keep as closely as possible to the discussions as were left on Friday, but again, I'm doing it in my own name.

There's still eight days for you guys to either comment on that report or help me draft stakeholder that you would want me to report if different from what I submitted during the meeting. The meeting is on the 24th. I'm ready to listen and hear until the last moment since there's no redline for me to submit that, [it's just to me.] And again, if anybody has comments or wants me to present a slightly different report, I'm happy to do so verbally, but I will ask for that to be then shared with everybody and to have some level of consensus. I can't present anymore to the council something that is disavowed 24, 48 hours later.

And that's it. Thank you.

DENNIS CHANG:    Thank you, Sebastien. We really appreciate all the work that you've been doing, spending a lot of time talking to many people and trying to

get some clarity on this difficult and complex issue. So all gratitude to you as GNSO council liaison. I know that GNSO council liaison do a lot of work, but this particular job is more taxing than the other duties, I think. So thank you.

Sarah, as you saw, I'm starting the agenda meeting, so let me hear from you and let me hear from any other IRT meeting. We have 90 minutes scheduled on the 30th. Let's make the most of it. So that's all I have for you today. Anyone would like to make parting remarks? No? Then I'll say goodbye. Thank you, everyone. Andrea, you may stop the recording.

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]**