
ICANN71 | Virtual Policy Forum - Joint Meeting: ICANN Board and CPH
Monday, June 21, 2021 - 22:00 to 23:30 CEST

FRANCO CARRASCO: Hello and welcome, everybody, to the joint meeting between the contracted party house and the ICANN Board. Please note that we're holding this meeting as a Zoom Webinar. This session is reserved exclusively for interaction between the CPH and the ICANN Board members. Certain members of both groups will be promoted to panelists today. However, all CPH members in attendance are welcome to raise their hands and will be placed in the queue.

For all panelists, please raise your hand in Zoom in order to join the queue to participate. All panelists are muted by default, so you may unmute yourself when you are given the floor. Before speaking, please ensure that you have all your audible notifications muted and clearly state your name and the language you will be speaking if other than English.

Please also remember to speak slowly for the scribes and the interpreters. Bear in mind that the Board will only take questions from the constituency with whom they are in session today. Consequently, the Q&A pod is disabled on this Webinar.

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Having said this, I will now give the floor to Maarten Botterman, chair of the ICANN Board.

Maarten, the floor is yours.

MAARTEN BOTTERMAN: Thank you very much, Franco.

And, welcome, everybody, our guests from the contracted party house.

These meetings are very important for us. We really look forward to having this discussion about subjects that are of your matter, and our aim is to engage with you in the most helpful way. And you will find that we don't have all the answers either, but we are looking to the same things together. In that, we are really taking into account what the community says and, in this case, the contracted party house.

So, looking forward to the briefing. Looking forward that this for us also to be an opportunity to hear from you, not only from you to hear from us.

And we asked Becky to moderate this session from our side as she knows you best.

So, Becky, please.

BECKY BURR: Thanks.

And greetings, everyone. And congratulations on surviving ICANN71 and getting to this week, which is not ICANN meetings, I'm told. It's great to be here with all of you and have a conversation about things.

I don't know who from your side is -- is going to moderate. Wanted to have you guys have the questions on the table. So take it away.

SAM DEMETRIOU: Thanks, Becky. This is Sam Demetriou, the chair of the registries. Can you guys hear me okay?

BECKY BURR: Yes.

SAM DEMETRIOU: Yeah. So, I think Ashley and I will sort of share the moderating duties on our side. I can just -- I'll just open with saying that, you know, we're all coming off of a long remote meeting week. I know that the Board has had, I think, meetings earlier today as well. I know it's getting late in the day for many time zones.

So, we have a couple of topics here. But we're, I think, hoping that this meeting can be very conversational and not especially formal, right? We'll just have a chat and see how we work through these topics.

And I just will also make a quick housekeeping note for the folks who are on the call, we're in a Webinar format now; but all of the attendees should have the ability to raise their hands. And we have the ability to unmute them. So even though we have our ex comm members as panelists right now, the other members who are on will also be able to jump in and contribute to the discussion. So just want to make that clear for everyone who's on.

Ashley, do you want to open up with anything and then we can sort of dive into the topics?

ASHLEY HEINEMAN:

I don't think I have much else to add other than glad everybody's here post-ICANN71 and also the fact that Euro Cup is going on so taking a break from that for those who are monitoring.

Yeah, let's just get going.

SAM DEMETRIOU: Awesome. Thanks, Ashley.

On this first topic just about the future and the state of ICANN meetings, so we put these topics together before the meeting week -- or at least we started thinking about them before the ICANN meeting week started. And we knew at that point that there was going to be the session on the future of the -- the post-pandemic future of ICANN meetings on the agenda. And we also knew that ICANN was in the process of distributing a survey.

But what I think I personally was very surprised at was how this wasn't just a topic for one session, but this seemed to be a topic that everyone was talking about all week. So, we figured now that we've had a chance to get through that open forum session and that you guys have had the chance to review the survey results that have been submitted, we thought this would be a good chance to just check in and get some of your thoughts on what the Board thinks have been going well, what things maybe need to change, what you guys are thinking about for next steps.

Obviously, we don't expect final answers, right? We know that the Board is looking to make that decision, I think it was, in July, everyone said, right?

Just hear some of your thoughts and some of your reactions to the things you heard last week and sort of go from there.

BECKY BURR: Thanks. And I think, Maarten, you're going to start us off on this one.

MAARTEN BOTTERMAN: Yeah, I think so.

And obviously we don't know so much more than we knew on Thursday when we discussed this in the full session. But for sure, it's clear that people are very eager to go back and at the same time concerned about both as careful as possible and what the risks are, whether it will be possible to have participation from all regions. So, these are all matters that we're thinking of.

And if you look to the survey, I think there's a clear reflection of the interest like, would you like to go back to the face-to-face? Would you think that's important? It was a, Yeah, I'd come if it's there. And, frankly, my personal reaction would be the same.

Now, the thing we're faced with as a Board is that we are not only responsible for ourselves and whether we are willing to come, we

will have to take a decision on whether the AGM is the right thing to do in Seattle at this point in time.

And let me be very clear, we don't have the answer yet. What we do know is that this is moving grounds. We do know that people as such would love to, when it's possible, and whether it's possible depends on a number of factors ranging from who will U.S. customs let into the country. And we know that will change between now and then. What will the D variant do in terms of the pandemic? What will be -- there's a lot of uncertainties.

Now, with all this, we also know -- and we've heard very well, there's a lot of things that we have learned over the last one and a half year which makes it more possible for people in a distance to participate in meetings. So that is part of the future of meetings as well, better face-to-face/hybrid meeting would start in Seattle or later.

Very clear that it will be important that there will be more on equal grounds. So that's another thing that we took away.

And mind you, there have been discussions on would ICANN insist on vaccines. These things are, of course, misunderstandings because we are not authorities that would let you into the country or not. How we would keep meetings safe, that has always been

a very high point of attention in all the meetings we've done. And, no doubt, this will be high attention now still.

Now, at some point, we will go back to meeting face-to-face and hybrid. Will it already be October? We just don't yet. Would we love it? Yes. Do we know it is a responsible thing to do? From the different perspectives that we need to consider when moving forward, we still don't know. But we are very eager to hear about your views and you're understanding from that.

At the moment time, that's what it is.

BECKY BURR:

Just to add to that, I was particularly struck by the sort of "yes, we'd like to get together face-to-face" but also a fair number of concerns about how -- well, not only whether about people can get into Seattle and can get into the U.S. but just also the unequal distribution of vaccinations globally and what that might mean.

I mean, I think that the answer is, as Maarten says, during our preferences, everybody would prefer a face-to-face meeting or hybrid meeting. But there are still some questions that need to be resolved out there.

Interested in hearing your voices on this as well. My sense -- my take-away from listening was that from the contracted parties, there was a pretty strong sentiment about preferring a face-to-face/hybrid meeting if that was possible. That was what my take-away was but certainly can explore that and confirm that.

Yeah, go ahead, Ashley.

ASHLEY HEINEMAN:

So, I will be honest and very sheepishly say that I missed that session as I was getting on a plane for the first time in a very long time, but I -- I just want to articulate a little bit of the sentiment that I think everybody -- with the simple question of do you want to get back to face-to-face, it's like, "Yes! Absolutely. Desperately, please."

And I think the longer we think about it that we start to face the realities of the question, which is the costs involved. You know, how difficult is it actually going to be in terms of, you know, having different protocols put in place and how is that going to impact the experience?

But I just -- I hope nothing would ever give you the impression that we don't want to. I would be surprised if that ever came across. But I think it's just -- the devil is always in the details.

So, whatever that's worth. I just wanted to make sure that perspective was shared.

BECKY BURR:

That's fair. And of course, the devil will be in the details in the sense that having a hybrid meeting will be more complicated. You know, our meetings are always a little hybrid in the sense that they allow remote participation but having a real hybrid meeting where we're very much focus on sort of two states of interaction brings a whole other set of challenges. And Ash has been great at coming up with, you know, one improvement after another in all of these meetings, but he'd have to come up -- he'd have to pull a few more out, I think, to make that work out. And Reg asked what my definition of a real hybrid meeting. I mean, frankly, I think that in many cases, and this is just my impression, while we have facilitated remote participation, the planning has been largely sort of the focus, and the primary means of interacting has been in these face-to-face meetings when we have had them. So if we know that a significant -- a third, a half, whatever it is -- a significant number of community participants will not be there face to face but will be interacting remotely, it's going to have to be more than a "and now we're going to take a time out to ask a question from a remote participant," which is -- again, this is just my impression, that it's been relatively easy to just say, "Okay, every fifth question we're going to turn to a remote participant."

It's going to take something more than that if there is a very significant remote participation group.

MAARTEN BOTTERMAN: And just to add to that. One simple thing may be that we used to have our face-to-face meetings in eight-hour, nine-hour days. Can you imagine? That's pretty tough for those that are not in the room.

So, there's a lot of factors that will be taken into account, but the key factor, what Becky said, is people that can't be on location should be having more equal access, in a way. And it will never be the same, but we need to for sure balance that.

SAM DEMETRIOU: This is Sam again. Maarten, I think that's definitely right. I think questions like should we think about the way the day is structured? Should we think about breaking the day up into different kinds of sessions, right? Because I think having remote participation available for a large plenary-level session is different than having remote participation available for, say, a small working group that has 15 members and three or five might be remote as opposed to 10.

I think all of those are questions that need some thought as we think about how to approach the hybrid meetings.

And, Ashley, just for your edification, and anyone else who wasn't able to make the session last Thursday, the point I was trying to put forward from the contracted party perspective, but really the registry perspective, was that we need to start thinking about how to get back to face-to-face meetings. There's clearly a high demand for that, and that, you know, we understand that there are a lot of logistical challenges between now and ICANN72, possibly in Seattle, but that it might be a good opportunity to begin trying to work out some of those challenges, right? We don't have to get it right the first time. I mean, I hate to burst everyone's bubble, but no ICANN meeting is ever perfect, so we shouldn't be trying to strive for perfect. We should be looking at it as sort of the next step on the path.

So that was sort of a quick summary of that statement, but I do see a hand from Kurt Pritz. He wants to get in the queue. Unless, Becky, did you guys have anyone else on your side that wanted to jump in?

BECKY BURR:

No, I'm not seeing any other hands. I just saw Kurt's -- noticed the hand up in the chat.

Kurt, whenever you're ready.

KURT PRITZ: Yeah, can I be heard?

Yep.

BECKY BURR: Yes.

KURT PRITZ: There's no indication on my laptop on that.

So, yeah, I'm going to disagree with my good friend Volker here. I tend to look at negative impacts of either decision. And I think after listening to all the sessions, you know, if we do not have some type of face-to-face meeting in the -- in October, a lot of people will be disappointed, but if we do have a face-to-face meeting in October, some people will be really pissed off because they'll want to attend, and they will be barred from that. And I think, you know, even though that might be the minority of people that participated in the survey, they're the same group of people we really want to keep in the ICANN community. They're the ones from regions that make it a little tough to attend.

And so I think that, you know, if we're talking about, you know, the benefits of the multistakeholder model, you know, having a meeting might disaffect some of those we want to keep in.

You know, of course this isn't the registry point of view or the CPH point of view, I think. And maybe we can think more broadly about if there is a face-to-face meeting, then that's fine, and if there's not, you know, maybe we can resurrect the registry/registrar ICANN staff meeting -- I forgot what it's called, it's been so long -- in this part of the year and have that.

Thanks.

BECKY BURR: Ashley, go ahead.

ASHLEY HEINEMAN: Hi. So just to chime in again, and apologies if this ground has already been covered.

You know, I do recognize that, you know, using the U.S. as an example and being the venue for the next meeting, as of now, yes, we do have a lot of restrictions still in place for travel. That being said, I also suspect that to be eased very quickly as we move into the rest of the summer and fall.

But to get to the point that I actually wanted to raise or the question, rather, and this may have already been discussed, but what are the possibilities of having, as a starting point, a meeting of the CPH? Like a GDD type event where -- you know, recognizing that this would be difficult for all stakeholder groups, but maybe starting with us as a test to see what we experience trying to bring everybody together.

Anyway, I'm throwing that out there purely as a question, not necessarily something that's being put forward by the Registry Stakeholder Group.

BECKY BURR:

Thoughts on that? I think -- I mean, I think that is an interesting idea in the sense that, as I said, the Contracted Party House seemed to have a more uniform view. But I think Kurt's -- Kurt's statement about people being really unhappy if we started out with a face-to-face meeting with just contracted parties is also something we would have to take into account.

I think all of this is -- We're going to have to see, as we get closer to the drop (indiscernible) decision timing who is going to be in a position to travel. Who is going to be able to get into Seattle, for example? I think there are a bunch of questions that we can't answer right now, and we're going to have to watch carefully.

Somebody's not a hand up, so my thing is just showing me that somebody has a hand up but not telling me who. Oh, Göran.

GÖRAN MARBY:

Oh, thank you.

I just want to, as we talk -- I mean, I think every -- this is, whatever the Board decides, (indiscernible) as well, is not an easy decision. And I hope when the Board raises this decision -- and I agree a lot of things that Kurt said. I just want to make sure, hope that not everybody just goes into sort of a bunker and be angry about it, because I think everybody recognizes how hard this is.

One thing I want to put on the table as well is also staff. And the staff is in the unique position that they, you know -- we ask them -- you know, we try to treat them as from a voluntary perspective. We really ask them and do surveys with them and see if they are - if they want to be in that meeting as well, because -- and we also -- remember that we have people all over the world. We today have people in -- what is it? 34 countries around the world. And we -- they come to ICANN meetings to support you in everything from big and small, from I.T. and but also when you go into meetings. We have a lot of support staff which means even if everything else works out logistically we might not be able to do it because we can't bring people into the U.S.

And there will be people, of course, on staff that will feel they -- they will feel uncomfortable hosting such a big meeting as well. I just want to add that to the conversation just to make sure that everybody understands how complicated this is.

As I said on the conversation we had last week as well, we also have to think about -- take everything away, everybody wants to meet. I want to have an ICANN meeting. I didn't know that I could long for an ICANN meeting this much.

But the plan of the matter is we also are talking about people's lives. And at the end of the day, it's not only my decision that I might feel comfortable about doing something. I'm vaccinated. I've had COVID. I'm vaccinated. I'm fine. But also, that people might not feel that same level of security to come to meetings.

So, it's -- oh, shit -- I'm very happy to have the best Board ever, to be honest.

BECKY BURR:

Yeah, it was noted that this is as likely to be as controversial as the original decision to cancel -- to move the first Cancun meeting to remote. And I think that's probably a fair statement. It's going to be a complicated decision. We definitely need more information before we get there, but keep the thoughts coming.

SAM DEMETRIOU: Becky, I think Donna has her hand up.

Donna.

BECKY BURR: Go ahead. Donna. You may be on mute.

MAARTEN BOTTERMAN: Your microphone is open from our side so you may be double muted, Donna.

BECKY BURR: Okay. Maybe we should...

SAM SCHULER: I believe Donna is on a phone line, so I don't know if that takes a different kind of unmuting.

BECKY BURR: It takes unmuting on her phone as well if she's double muted.

DONNA AUSTIN: Okay. Can you hear me, Becky?

BECKY BURR: Yes, now we can hear you. Hi, Donna.

DONNA AUSTIN: Sorry, everybody. Good morning, everybody, or evening, whatever it is.

So, I think I just -- after hearing everybody, I think just what Göran said is that I have confidence that all the different variables will be taken into account by the Board, and it will be a very difficult decision.

And just from somebody who's actually been in Australia for the last three months where, you know, everything is pretty sweet because Australia has been able to close the borders, but we're experiencing a real problem with the vaccination rollout. And for people in Australia, they can't actually leave the country unless the prime minister says that you can, basically. So, it is a little bit of a challenge.

But one of the things that strikes me is that whenever there's an outbreak here, so one or two people, there's a risk that things will go into lockdown.

One of the discussions I haven't heard is if we can get to that point of, we decide there's a meeting in Seattle, what happens if somebody tests positive to COVID? Do we bring the draw bridge down and everybody has to go home or...

That's part of the conversation I haven't had. I'm sure Nick and his team have been thinking about as well as the Board. But just interested whether that has been part of discussions to date. Thanks.

BECKY BURR: Maarten, do you want to --

MAARTEN BOTTERMAN: I'm happy to expound a little bit on that.

Of course, these are considerations that you even see at this moment in the Olympics, right? We are a big event but not that big. So, uncertainties are there, and this will still be the case at that moment.

I think these protocols will be -- if we would be on the ground, would be developed in close collaboration with the local authorities and the health authorities and safety. This will be done anyway. It's normally done as well.

So, rest assured that this will not go lightly. And, of course, the risks are still today bigger than they will be going forward.

The uncertainties are bigger than they are going forward. The biggest uncertainty was when we decided not to go to Cancun because we had no clue. And, lo and behold, some people did go to Cancun, and they found they couldn't even fly back. It's all these things that we don't know yet, which will develop over the months to come.

Now, the other thing we need to take into account is that we can't wait for a decision whether to go to Seattle or not until October; that's clear. But not until September either. So, this means we need to take this decision pretty soon and a time where the issues are very quickly shifting. Countries that were green become orange and red and the other way around. If vaccinations accepted as a means for entry, it only goes for these vaccinations and not for the other. And all that is shifting around.

So, it's really difficult to predict but we need to take the best decision, and it will be balanced on all these elements that you've heard. So, no, it's very clear that people would really like to be together. And this is in our DNA as well, meeting, and not only at the formal meetings but also have the side meetings and get a feel for each other.

So, the question is just: Will this be now? But rest assured if we do it, we will do it in a way where health and safety will continue to be our prime fault. And I'm sure that the habit of developing this in close touch with local authorities will be repeated here.

If you want to expound on that, Göran, feel free. But I guess this is the essence, right?

GÖRAN MARBY: I have nothing to add. Wow.

BECKY BURR: I think I see -- there's another hand up, but I have no idea who it is.

SAM DEMETRIOU: Becky, I think that's actually Donna's former hand still up.

Ashley, I was just going to say -- Oh, sorry.

BECKY BURR: Go ahead.

SAM DEMETRIOU: I was just saying --

[Multiple speakers]

This is why we have to get back to in-person meetings, guys. Number one reason right here.

BECKY BURR:

And I think, you know, the notes in the chat that this problem -- this issue is going to be with us for a while. It's not going to be magically cleared up and sorted one day, but an ongoing issue is exactly right. And at some point, we'll need to move forward. But when it will be acceptable is the million-dollar question.

I don't think that we're -- Kurt, I don't think we're halfway through the meeting because I think this was a 90-minute call. But should we move on to the next topic?

SAM DEMETRIOU:

Yeah, Becky, I think that's a good idea. We've probably reached the end of this one. On our side, we fully understand and respect how difficult a decision this is going to be going forward. So, we wish you all the best on that one.

BECKY BURR:

Thanks.

SAM DEMETRIOU:

All right. The second topic that we had teed up for today has sort of been the big topic of the last few ICANN meetings, is DNS abuse. And we held a session -- the contracted parties held an outreach session at ICANN71 that drew a good number of attendees. If I had a slight critique of this session, I felt it was a little less verbally engaging. We didn't get quite much as participation of people putting their hands up. But there was a lot of activity in the Q&A pod, so that was encouraging.

And we spent the bulk of that meeting going through the different efforts that the contracted parties are engaging in on the registry side, the registrar side, and then the ones we're jointly working on.

So, we thought we would just open the floor. I know that some Board members were in attendance with that, and that we've been in touch with a number of you all about just some of the things that we've been working on.

So, I wanted to see if you had any reactions to that session, the work we're doing more generally, and more broadly, I guess, any thoughts that the Board is willing to share about whether you feel like the work that we're undertaking aligns with the general

direction that the community should be moving in when it comes to this rather large and oftentimes sort of unwieldy topic.

And I'll just note that the leaders of our respective DNS abuse working groups are here on the call as well who can also ask questions about more specific items as needed.

BECKY BURR:

Thanks. So let me just start out by saying personally I thought the DAAR session was -- notwithstanding people sort of speaking up, there was a lot of activity in the chat, and I thought the session was quite engaging. There was a lot of concrete information being delivered. And I just had the impression that people were -- maybe they weren't talking but they were certainly engaged. So that's -- my take-away from it was that there was a conversation, that there was a lot of information delivered, that folks were pretty appreciative of the information being delivered and that there was a pretty good tone in the conversation which sometimes we had not had in these.

So, it did feel like people were listening to each other on all sides of this. I think the contracted parties were demonstrating listening. Other parts of the community were demonstrating listening by their questions.

So, I would say, first off, well done. And, of course, I would also say keep it up.

So other members of the Board with reactions to the session? Not seeing any hands. Maarten?

MAARTEN BOTTERMAN: Let Sarah go first, please.

SARAH DEUTSCH: I listened to the session online afterwards. And I thought you guys did a fantastic job. Like Becky said, I thought the tone was exactly right. It showed a real constructive spirit of engagement. And, you know, I think it -- these are the kinds of discussions that can lead to the rest of the community coming along. And so that's at least our hope as a Board, is that this is a good first step at that. And I know not everyone had a chance to listen to it, but I thought it was excellent. And the real challenge ahead will be figuring out how to scope out what is DNS abuse, agree upon a definition with everyone else, and -- but, you know, you guys have leapfrogged over a lot of the roadblocks that typically slows something down by starting off this way. So, congratulations again.

BECKY BURR: Sarah, if you want to talk a little bit more about sort of what the Board is doing on this issue, I think that will help us get into the alignment question.

SARAH DEUTSCH: Sure, sure. I thought I was muted. So, yeah, a few things are happening on our end that we thought we would brief you on.

First of all, on the Board side, Becky and I have co-led already several deep-dive discussions on DNS abuse. So, I think the Board itself has gotten a pretty good first-hand look at how complicated and complex this issue is.

And we are also in the process through our Board Governance Committee of setting up a new Board caucus group specifically devoted to DNS abuse. So, as you all may know, these caucus groups are not just created for everything, they're created for important issues. So, this should confirm to you that the Board is also taking this issue seriously.

You all are probably aware, but some of the items that we're tracking include Org's efforts on DNS security threats which it defines as malware, botnets, phishing, spam as a vector. And we're watching with interest on the effort to expand the DAAR

program to get access to additional data at the registrar level. And we're also -- have watched with interest that the domain name SFICR project will have linguistic diversity. This is more examples of how domain names for abuse can be expanded through that linguistic diversity.

At least from the Board level, we're looking forward to continue community discussion on this issue. And thank you again for your thoughtful work. You know, as the Board, we're looking carefully at the role of the different parties in our ecosystem and their roles and responsibilities. And as we see it, the solutions -- there are some solutions that sit within ICANN. Others are best practices that are adjacent to ICANN. And, again, your constituency is playing a key part in that.

And others may sit at entirely outside the ICANN process. So, the Board is focused in particular -- we're watching the big picture, but we're focused again on the intersection between our remit and the ICANN bylaws. And we think there's a role for everyone to play. And so, we're going to be mindful not to preempt the role of the community but play the part that we can play as the Board on this important issue.

So, I will stop there. Back to you, Becky.

BECKY BURR:

Thanks. Just on that -- Thanks.

And just on that last point, one of the things that the Board as part of our deep dive has really -- we really want to understand and kind of develop a matrix of the various parts of the ecosystem, the various aspects of DNS abuse, and who is, you know, best situated or has the right kind of authority to deal with it, rather than a -- so I kind of think of -- rather than spending a lot of time focusing on, you know, a definition of what is and what is not DNS abuse but focusing on sort of where responsibility, authority, and competency to address these issues live in the ecosystem is a very positive way of moving us forward.

Brian, I see your hand. Hooray, I actually see a hand.

BRIAN CIMBOLIC:

This is just to sort of note that this is the approach we've said in the CPH working groups, the CPH just to put out there, and, of course, the Board is aware, we have a CPH-endorsed definition of abuse, phishing, malware, botnets, and spam as far as it intersects with those.

But what's been really helpful for us and helpful as far as creating that collaborative tone is knowing that there are sort of third-rail

issues that we can talk about and we know that there won't be necessarily an agreement after one or two, three, four, five outreach sessions but we can continue to have those hard conversations but, also, not setting aside the low-hanging fruit, the things that we know are pain points among the whole community.

And I think that the more effort that we not just the working group, but this ICANN Board subgroup can look at those issues, the things that may not be as controversial but potentially equally as important and impactful, I think the better off we're all going to be.

BECKY BURR:

Thanks, Brian. I will have to say I just noted sort of the different people participating who were acknowledging that spirit, acknowledging that sort of practical engagement and the participation of contracted parties. And we just got off a call with the CSG and heard the same kind of appreciation for the undertakings that the contracted parties are working on. Yes, there's still a lot to be done in a sort of low-friction way.

But I think, you know, this is a conversation that will help the community to get on to the same page and be in the same place and that seems to me to be a necessary prerequisite to the

conversation, to the discussion about whether there's a policy development effort that would be useful.

But we just have to work to get everybody on the same page and sort of talking out of the -- agreeing with each other on first principles as we move forward. And so, it seems to me this is a very useful conversation.

Maarten, you had some point --

MAARTEN BOTTERMAN: Yeah.

BECKY BURR: -- you had started to speak to.

MAARTEN BOTTERMAN: Only just want to point out that on this side, Pat Kane and Donna Austin raised their hand. So, you may miss that part. That's why I want to help you on that one. Pat Kane and Donna.

BECKY BURR: Thank you so much. It's really weird because sometimes I see hands and sometimes I don't.

Why don't I go to Pat and then Donna.

PAT KANE: That was an accidental hand. Sorry about that.

BECKY BURR: Accidental hand. That's wonderful.

Donna.

DONNA AUSTIN: Thanks, Becky. Can you -- can you hear me?

BECKY BURR: Yes, we can -- we can hear you.

DONNA AUSTIN: Okay; great.

Look, I think, you know, if we think about, I think, three plenary sessions that happened 12 months ago where there was a lot of angst around DNS abuse, I think we can recognize that we certainly came a long way and that they're areas of discussion now, rather than just, you know, the-sky-is-falling conversation.

But, Becky, just to your last point about the need for a PDP, and I think we certainly from the contracted parties' perspective don't believe that is necessary because of the work that is being done, and I think there's always been that there's an outstanding question of what's the problem we're trying to solve, if I can channel

Jim Galvin.

But I am conscious that the GAC has GAC advice, and I think ALAC has advice that recommends sub pro doesn't move forward until, you know, there is some -- whether it's a PDP or some other effort to resolve the DNS abuse issue. And I'm just wondering whether the Board has had any conversations around that and how to manage that moving forward.

Thanks.

BECKY BURR:

Yes, we have gotten advice and input that things shouldn't move ahead until abuse is solved. And I think we have all pointed out that somebody is going to have to tell us what "solved" means before we know how to deal with that question. And obviously those conversations are ongoing.

I – I mean, the question -- I think it's just an entirely practical discussion that we need to have on -- on, you know, whether there is something useful that can be done through policy or not. I certainly think that, you know, the conversations that we are having now are a necessary prerequisite to any decision about that. But I do think that, you know, the community is looking at - - at a bunch of different approaches, and clearly, we're going to need to reach some closure. But I think there's also some work to be done in -- and I know that you guys are working with OCTO on, for example, understanding, through DAAR, something more than just a static moment in time. You know, questions about response rates when -- when you're notified about a problem, all of those things are -- I think need to be part of the conversation so that -- so that we can have a better -- a better conversation about what it means to solve this issue.

James.

JIM GALVIN:

Thank you, Becky. James Galvin, for the record.

I want to key off of something that Donna said -- thanks to Donna for channeling -- my favorite question in this space about DNS abuse, which is what problem are we trying to solve. And I've have been harping on that question for over two years now, the

last time we had a GDS summit, and we were starting to have discussions at that time in a Public Forum.

And then what you said, Becky, I want to highlight it and encourage, you know, greater discussion about what does "solved" mean? You know, it's not just about what problem are we trying to solve. It's what are the metrics we're trying to achieve? Where are we trying to get?

There's a lot of advice in the community about DNS abuse. And from my point of view, what I believe, what I strike as the objective, as the DNS abuse working group we have in the registry and registrar is to make visible the fact that there really is a lot of activity. It really is getting a lot of attention, which seems to be missed and overlooked.

A lot of the people who highlight that there's a problem is coming from a particular perspective. And I think that one of the questions that it sounds like the Board is answering for itself or is going to look at and really needs to focus on, is a much more holistic view. One needs to be careful about individual perspectives and what they perceive to be a problem. Part of our objective is to lay out the fact that there is a lot of activity. There is a lot going on as what we believe is within the remit of ICANN is actually getting attention. And we're doing it voluntarily. Not just

the five elements that are part of the DNS definition -- DNS abuse definition in our contracts, but even more broadly than that. There is activity and stuff going on.

Ask I think that's the thing to highlight. As you consider the advice from others, one needs to actually consider the question of how specific is their advice? Is it really looking at the whole picture? And really go back and look at our two outreach sessions, this last one in particular where we had quite a lot of reporting about what we've been doing over the last four months, and there are a lot more plans going forward.

So, you know, a careful consideration of what's within remit, and are there really gaps of what's in remit and what we're doing versus what everyone thinks ought to be happening.

Thanks.

BECKY BURR:

I think that makes my point perfectly about the need to get the community onto the same page for this conversation to be useful. But as I said, I think we're moving in that direction. And I think it's useful for the community to hear the thoughts that the contracted parties are, you know, thinking about when they are talking about potential approaches to trusted notifier systems for

things that would clearly not be in ICANN's remit. It begins to make sure that people understand that there's a -- there are some things we can solve at ICANN and other things that other spaces and other actors need to play a different role in.

Other comments?

Seeing a little bit from -- from Jeff. Jeff, if you would like to speak up.

And I do think I am also seeing Donna's comment that zero tolerance to abuse is, obviously -- zero abuse is never going to be a state that we're going to get to, but it actually is important, I think, to have conversations about, you know, the perception or the assertion that the sky is falling sometimes with the reality about what the numbers are and other things like that. So, there isn't just a stacked undertaking that needs to take place as well as the conversation that we saw going on with your -- with the contracted parties' session where you were talking concretely about work that is under way, thinking that's under way.

People are putting great things in the chat but not saying them, so I'm happy to have more participants.

And somebody has a hand up, but once again, I cannot see who it is.

Jeff has his hand up.

BECKY BURR: Whoever has a hand up.

Jeff has his hand up.

BECKY BURR: Okay. Go, Jeff.

JEFF NEUMAN: Thanks, Becky. And thanks. And sorry, I just realized after getting the warnings that I just put my comments in for the panelists as opposed to everyone.

So, what I was saying in the chat basically is that it's my perception that those that are giving advice to delay the next round are really hoping that ICANN amends the contracts or comes up with new contracts for those new gTLDs which, you know, then it can push to the existing incumbent TLDs when those come up for renewal.

And I do think it's important for the Board to send a message to the community that that's not the way that we should be developing policy in the future. Yes, it did, unfortunately, work that way in 2012, but that is not an ideal mechanism to get holistic policy set.

And until they get that message from the Board, they're going to keep on having advice and keep on pushing for the next round to be delayed so that they can get those new requirements in for the next round, which doesn't make any sense in a whole bunch of ways because, you know, normally when you're trying to stimulate competition and get new competition in, you don't really make it -- you shouldn't be making it harder for new competition than you do for the existing players, because that doesn't stimulate competition at all. Normally, it's the other way around where you give incentives to the new competitors just so that they can sort of catch up. I'm not saying we do that either, but I am saying that it would be important for the Board to come out with a message saying this is going to be different than 2012, and we're not going to use this as an opportunity to set policy by contract.

Thanks.

BECKY BURR:

Thanks, Jeff. And I have to say I think to Göran and org's credit, we have heard a great deal more clarity about the relative roles of contractual negotiations between ICANN org and contracted parties and the role of policies. And I think that clarity is appreciated. And hopefully the Board is delivering clearer messages about, you know, where policy development responsibility, for example, in connection with review recommendations and the like remains.

I've got James and then Maarten.

JIM GALVIN:

Thanks, Becky. James Galvin for the record, again.

I want to make two comments about facts and just express some caution about how we think of those things.

While it's true, you know, there's data and there are numbers that suggest that Internet abuse is going up, not all of that Internet abuse, you know, falls into something which is our responsibility. You know, meaning the ICANN community in general. And we need to be careful about that.

You know, it's interesting, I mean, the U.S. FTC report, which has been bandied around the lot, is probably one of the better surveys about of the presence of abuse and all the various things that happen, but, you know, some of that is demonstrating that scams from SMS, you know, text messages and such, are one of the biggest things on the rise. Well, what are we going to do about that? We just have no role in that space. And one needs to be careful about that, especially as you look at even what DAAR shows.

The second thing that I want to say about that is we also have to keep in mind that there's a very limited space for what actions we can take and what things that we actually have direct control over. There are a lot of bad guys out there that do a lot of bad things. We don't control the bad guys. I just -- I think it's useful to keep that in mind.

So, there will always be those things that happen that, again, are sort of outside our remit. One needs to be really careful about what's in ICANN's remit and what's not when you're looking at these facts because at face value, they can look a lot worse than they really ought to be interpreted. We have to give consideration to that.

And I just wanted to call that out again and make that something we think about as we go forward in this space.

Thanks.

BECKY BURR: Thanks, James.

Maarten.

MAARTEN BOTTERMAN: Yeah, good points, Jim. Appreciate it.

And of course, it is true that we have a lot of contracted parties who are really committed to doing the right thing and work together on creating all kind of practices that reflect an answer to at least that part that we can affect.

And it is of course not true that if bad things happen out there that have nothing to do with us, we don't need to care about. We do. We still need to make sure that we keep our house clean as well as possible.

And I think that one of the thoughts in going forward is how if you get more clarity on what you actually can do and how good

practice would look like, at some point I think the Board would be interested to see how that would get shaped into a policy, indeed.

So that is not measures that -- I think we never really want to go back to a situation where emergency measures need to be taken because things are not in place. I think if there is something that can be done to make sure that not only the parties who are really committed to doing the right thing but also other contracted parties that may have a slightly different priority get encapsulated in the thing.

And, yeah, I'm with you, the contract is not the way to enforce a policy. Therefore, you have the PDP. And that's fully with the GNSO as well.

So interested to see how good practice could maybe be solidified, and at some point, PDPs may good contribution to that.

Kurt had his hand up.

[Indiscernible]

BECKY BURR: No, I saw the hand. I just can't --

KURT PRITZ: Yeah. Well, it's better if you don't see my name. Just call on me, Becky.

So, I'm glad Maarten said that. This is sort of a good segue to what I was going to say. You know, if you contrast the PDP with what's going on with this -- some PH DNS abuse group and its involvement with others in the community, PDP takes -- you know, we know this now, this is our environment, but a PDP takes three to five years to implement. The solutions are usually the lowest common denominator. So, what are the anti-DNS abuse mechanisms that everybody agrees to?

And I want to compare that to the current effort that's already led to some immediate innovative results. You know, we have some publications for contracted parties and for those who deal with contracted parties. We've suggested improvements to DAAR. We're moving ahead on a trusted notifier program. Just today, I think Domain Insight published something about the work that's being done barring certain algorithmically derived names, which would be a big deal.

And I think -- you know, I think at the end of the day, this will lead to faster improvements, not by all contracted parties but by many, and would lead to a faster road of adoption by all. And for

those that don't adopt it, that will tell us something about those parties.

So, you know, I think it's not the ICANN policy process but it's the ICANN multistakeholder process that it will lead to a faster response.

And a PDP would take away -- you know, the contracted parties are always asking for volunteers. They're stretched thin. And I think a PDP would take the resources being devoted to this and take away from that.

And -- and I think I'll -- I had some more to say, but I'll leave it at that.

Thanks very much.

BECKY BURR:

Thanks, Kurt. And I'm going to thank Avri personally for telling me how to figure out how to see hands.

So now I can see hands, although there are none -- oh, except Kurt's.

Do we want to take this as an opportunity --

[Barking]

Sorry, my -- (saying name) County just opened up into a thunderstorm -- to transition to the next topic, to the contractual change?

SAM DEMETRIOU: I think that sounds good.

GÖRAN MARBY: There were some questions in the chat, I think. And I asked David Conrad to answer questions.

DAVID CONRAD: Yeah, I responded in the chat about whether the contract is required more the registrar. And, of course, I am -- I provided it to the panelists only. Sorry about that. I'll cut and paste it.

BECKY BURR: Why don't you tell us, David?

DAVID CONRAD: Sure. So, it's needed because specification for Section 3.1, limits the use of the bulk registration data to verify and ensure the

operational stability of registry services as well as to facilitate compliance checks on accredited registrars. DAAR usage is not considered to be fall into either of those. In theory we could simply query the WHOIS servers for all the data, but logistically that's not really feasible primarily due to rate limiting and just the quantity of the queries we'd have to submit. So, I think as Göran probably indicated in his note, we have done a contract mod with VeriSign to facilitate research into DNS stability or something like that. I forget the exact wording. And that's what we were discussing with the other registries.

GÖRAN MARBY: May I add something?

DAVID CONRAD: Sure.

GÖRAN MARBY: We took very seriously during ICANN70 what you and the contracted parties also said to us, go home and think what we can do to make things better. And this is just a small suggestion I know about that, in that spirit.

So, we are just hopeful this is something that can improve the DAAR system. I know you often use the reference about the

amount of abuse that exists and where the bad actors were.
Thank you for putting this into consideration.

BECKY BURR: Reg, did that answer your question?

And, Brian, I see your hand.

BRIAN CIMBOLIC: Thanks very much. Thanks, Becky. Thanks, Göran. Just speaking in my personal capacity, not that of the co-chair abuse working group, but just a couple thoughts.

One, to the question of, well, ICANN already has the data, can't they just use it? From a contractual perspective, ICANN sort of is doing exactly what you would think contracted parties would want them to do. They're taking a narrow view of what the contract allows them to do.

So, I don't think it's in our interest to say, well, if you read it this way, you can just do it the way you want anyways. Going about it through the right process really, I think, is important. And I appreciate that this would be a clarification that ICANN thinks isn't currently within the scope of how it can use that data.

Second, on the substance of what's being asked for, I think there's sort of broad agreement in at least on the registry discussions and it seemed when we had the conversation with -- in the broader CPH group, too, that generally speaking it's a good idea to be able to map DAAR to the registrars. You know, the whole notion of the framework to address abuse and many of the outputs we've put out as a CPH are based around this notion of subsidiarity, that the abuse should be dealt with closer it is to where the occurrence is happening. That necessarily means tracking not just to the TLD or the registry level but have a better understanding of where those registrations themselves are occurring. So, from a substance perspective, I think it makes a lot of sense.

So just my two cents there.

BECKY BURR: Thank you, Brian.

Ashley.

ASHLEY HEINEMAN: Hey, I didn't realize we had officially gone into topic 3 in the agenda, but it sounds like we are firmly in it now, so I will just chime in.

I just wanted to stress that we haven't had as a membership had a chance to talk about this in detail. So, I just want to be very clear with that point because I think at face value, this sounds like -- at least from the registrar perspective a very intriguing idea to get registrar information into DAAR in a way that physically requires us to do nothing.

But that being said, we would really appreciate the opportunity to have ICANN come speak to us as membership so we can ask questions in more detail because I think while it looks very simple, I think we just have a lot of questions, as you can see now in this conversation, about why this approach, trying to understand better some of the different -- this was a -- stems from a negotiation between VeriSign and ICANN that we weren't party to. I think just better understanding some of the components because I think -- I would like to say we would love to stand behind this. I think we just need to better understand some things before we get too far down the path.

So, I will stop there. But thank you. And look forward to continue to talk about this.

BECKY BURR:

And I'm turning to Org. I assume that those conversations could definitely happen.

Yes. Russ is saying he's happy to come talk about it. Sam.

SAM DEMETRIOU:

Thanks, Becky. I will just pop my hand up and thank Russ for that offer as well.

I know this is something that -- Brian alluded to this a little earlier. He didn't say it outright. This is something that David and John approached our DNS working group with this idea a little while ago. So, I think it's something that on the registry side it's pretty well understood. Like Brian said, there's been general agreement with the principle, lots of but maybe not full unanimous agreement with the language proposed itself.

And the only last thing I'll note is that we understand that the path to make that contractual change is something that needs to be considered. The process question needs to be considered.

So, I know Russ is aware of that. Russ is the one who did the initial outreach. So, I guess the -- if I could sum it up what the registries are thinking about it is that we generally support this idea. We just understand that we're going to need to roll up our sleeves and do a little bit of work on actually getting it done.

So, Russ, we may end up taking you up on that offer to come speak to the stakeholder group at some point so that we can figure out the way to get this done.

BECKY BURR: I think Russ is willing to come talk to either/or both groups.

GÖRAN MARBY: He would be happy to come and talk to both groups.

BECKY BURR: All right. I'm not seeing any other hands on this.

SAM DEMETRIOU: Becky, it's Sam again. I think there's some questions -- I'll be honest, guys. I have a bit of a hard time keeping up with all the chat while I'm also talking.

But it looks like there were some questions about third-party use of the data under this arrangement, what would be facilitated by this contractual change.

Maybe David or someone else, could you maybe just speak to those questions while we're all here and have a couple minutes left?

DAVID CONRAD:

This is David.

So, the third-party usage, so what we're talking about here is a registrar I.D. data that's found in the thin registration data. And there's no intent for that -- I mean, there's no mechanism by which that data would be leaked beyond -- could be leaked. We have a contractor that is doing this work for us. It's -- the DAAR platform is hosted by iThreat, but the agreements we have with them would not allow that data to be released.

So, beyond that, the data would not leave -- I mean, it's sort of weird right because this is data that you can gain access to via WHOIS publicly and people do that all the time. It's just rate limiting makes that infeasible for our purposes.

So, in terms of third-party access from the data that we would have, that would not be an issue because it's constrained by the agreements we have with our vendor. But it's already sort of available for third parties, if you know what I mean.

SAM DEMETRIOU:

Thanks for that. Looking to make sure -- Maxim, I see you have posted some questions in the chat. Do you want to raise your hand? Do you want to ask any questions aloud?

MAXIM ALZOBA: Maxim Alzoba for the record.

First of all, I question the leak to give the information about all domains because DAAR is about domains which are marked by sources of DAAR to be bad. It's not large numbers. It would be useful for further conversation to know how much, and it's not hard to find those numbers.

We also need to know where the data released to the DAAR system goes further. How far will we see results of BRDA information went into the system? Will it be protected from leaks? Thanks.

DAVID CONRAD: I can respond.

BECKY BURR: Yeah, go ahead.

DAVID CONRAD: So, I don't have the total numbers off the top of my head. It's as documented in the DAAR reports that focus on the registries. Looking at less than 1% of the domains that are registered would need the registrar information as indicating they're bad.

However, we do need a total aggregate number in order to have consistent graphs and statistics for what's currently published within the -- in the DAAR reports. So that's where the need to gain basically all of the registrar I.D.s in order to create the denominator of the equations there.

Question regarding where the data would be available, we can probably formalize that. As opposed to me repeating what I just said earlier, we can write down how that BRDA data would be made available internally within ICANN.

BECKY BURR: Thanks, David. Jeff and then --

JEFF NEUMAN: Sorry, Becky.

BECKY BURR: No, no, you first. Trying to get this in order.

JEFF NEUMAN: Yeah. So, I think from a registry perspective, as was said -- I can't remember, I think a couple times. I think the concept of using the data to help out with DAAR sounds good. I think some of us are just a little hesitant about the language "operational stability of

the DNS" because it's broad and that term initially is also coupled with the VeriSign-ICANN agreement to establish a framework on security threats and to work together in a \$4 million fund, which I admit I'm not 100% up on.

And so that's why I think some people are kind of just a little hesitant about that language to have it the same as the .COM agreement.

If the proposal would be to just include the words "for purposes of DAAR" and exactly as the way you said it, that would be much easier, I think, than just the category of operational stability of the DNS.

But thanks.

BECKY BURR: Thanks, Jeff. Brian and then Maxim.

BRIAN CIMBOLIC: Thanks, Becky. This just sort of echoes something that Crystal Ondo put in the chat. This is publicly available data.

But taking a step back thinking about what the ask here is, the ask is not -- first of all, it's just on the registry side. The proposed

amendment, there is no similar amendment that's being proposed on the Registrar Accreditation Agreement. This is only for the Registry Agreement. So, the ask is of the registries.

So, what is the ask? Do we need have to provide any new data? No. This is data that we're already providing to ICANN. Operationally, there will be nothing that we have to do differently on the registry side from what we're currently doing. It's only the issue of how ICANN uses that data as it relates to mapping registrars in DAAR.

So, to the extent -- and it sounds like there's general agreement that having that mapping is a good thing.

I just don't think we should -- this is new to a lot of us. So, let's take the time to take a look at the proposed language.

But, again, this is a pretty simple thing. It's basically they already have the data, just turn the light switch on to allow them to use it. And it's just limited to the BRDA public data that we're already giving them to allow them to better map DAAR to the registrars. It's not really a big ask.

Procedurally, of course, going through a contractual amendment, that's something that you need to take seriously. That process

itself is important. But the substance of the ask here is something that I think we can all get behind.

BECKY BURR: Thanks, Brian.

Maxim?

MAXIM ALZOBA: Maxim Alzoba for the record.

If we need full calculations, the total number of domains per registrar is available because it's in the registry reports monthly and basically could be taken from the accounting department of ICANN. Thanks.

BECKY BURR: Go ahead, David.

DAVID CONRAD: Yeah, yeah, that's a monthly figure. The DAAR reports are moving to a point-in-time figure. So, we would need it -- the time scales are just completely different.

BECKY BURR: Okay. Other questions on this? It sounds like this was a good start to that conversation.

Jeff.

JEFF NEUMAN: Yeah, sorry. It takes a second --

BECKY BURR: Jeff.

JEFF NEUMAN: Yeah, sorry, Becky. It takes a second.

Yeah, so I guess in the meantime, does that mean ICANN is not going to use the data for this purpose until it gets the amendment? Or -- you know, because I don't think we're -- I think because a lot of us or all of us -- I shouldn't say "all of us." I think it's a fair ask, and a lot of us are not objecting to the concept. If it turns out, after talking to the two groups, we don't object to the concept, I have to figure out the language, I'm not sure any of us want to stand in the way of ICANN doing what it needs to do just to work out the exact words in the agreement.

I hope that makes sense.

BECKY BURR:

Thanks, Jeff.

Okay. Closing remarks and wrap-up.

Let me just say thanks to the Contracted Parties House for this conversation. I think it's been a good conversation. And I think, once again, we seem to have found a way in the virtual meetings to have more free-form, more conversational, less stilted exchanges than we actually managed to do in person beforehand. So, we should be sure to grab the lessons that we're learning now from these conversations and translate them when we move back into face to face. But thank you all very much for the input, the time, and the exchange.

Maarten, do you have anything you'd like to close with? Before we turn it over to Sam and Ashley.

MAARTEN BOTTERMAN:

Yeah, just to repeat the appreciation. Thanks, Becky, for moderating this, and thanks all for an engaged discussion. Make no mistake, we really appreciate all the work you do to explore how to deal with DNS abuse. And it's just milling around like how

can we make the best -- the best possible out of this going forward. And that's approaches we're all in. And there's nothing we will decide in a dark room somewhere, or very light room somewhere, without interaction. It's truly trying to get the best out of this together.

So, we really appreciate your inputs. We really appreciate the frank discussion and all the work you do. So...

BECKY BURR: Over to you, Sam and Ashley.

SAM DEMETRIOU: Go ahead, Ashley.

ASHLEY HEINEMAN: I'll set you up for the last word.

Yeah, I just want to say this is great. I think this is really helpful. I don't want to somehow muddy the goodness that came out of this by saying it's still -- you can still see that there is a little bit of a lack of trust amongst us, and I'm hoping that we can get beyond that at some point, because I think it's great that, you know, folks are looking a little bit outside the box to address concerns. I think it's hitting on dialogue; particularly on this DAAR proposal is really

good, and I'm really hopeful that we can get to a point where we are all feeling comfortable. But yeah. That's all I want to say. Thank you for this opportunity. I think this has been a good and interesting conversation.

SAM DEMETRIOU:

Yeah. Wholeheartedly agree with everything that's been said.

On the DNS abuse front, I think it's great that we're continuing to stay in communication so that we do know that we're all sort of at least rowing in the same direction on this work. So, we will look forward to more opportunities to keep everyone apprised of that. You know and get your feedback as board members.

And I'll just close out by saying, Becky, I wholeheartedly agree. I think these more conversational, lite slightly less stiff or formal interactions have been a great thing that we should definitely bring into our future engagements, they be remote like this or back to face to face.

And I just want to thank everyone so much for taking the time and for the good participation today.

Good luck with the rest of the week, and I hope everyone has a good summer until we meet again.

BECKY BURR: Thanks, everybody.

Bye-bye.

MAARTEN BOTTERMAN: Thanks, everybody.

[END OF TRANSCRIPT]