ANDREA GLANDON: Good morning, good afternoon, and good evening. Welcome to the Registration Data Policy IRT meeting being held on Wednesday, the 1st of September 2021 at 17:00 UTC.

In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room. 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 the ICANN multistakeholder process are to comply with the Expected Standards of Behavior. With this, I will turn it over to Dennis Chang, please begin.

DENNIS CHANG: Thank you, Andrea. Welcome, everyone. Welcome back from August. Today is the first day of September already. So let's get started.

So we were just talking about August and how some had relaxing time on the lake and the others had to work like crazy, and have now take some time into September. And with the working remotely now, it's gotten kind of easy to even call in and do zooming from the like, actually. So it's a different world. But let's get started with the welcome and check in.

Does anyone at the IRT meeting have any kind of announcement to make, change of status, or any news about what you're doing that impacts/affects us? No hands. Okay. Then let me turn it over to Andrea.

She's been working on the ICANN72 plan and has some news for us. Go ahead.

ANDREA GLANDON: Yes. We have our session scheduled for Wednesday, October 27, from 16:00 to 17:00 UTC. As always, everyone will have to register for the ICANN72 meeting in order to get the information for the conference call. It's typically available 24 hours before each call. And I will be sending out Outlook invitations, just so everyone has a placeholder in their calendar. That's all.

DENNIS CHANG: Excellent. Thank you. So we can expect sort of the same logistical setup as the last time, correct?

ANDREA GLANDON: That's correct.

DENNIS CHANG: Okay, good. Then agenda-wise, I think that we will do the same thing that we have done before in priority meetings. We'll allocate maybe five minutes at the beginning of the session to welcome everyone and very brief quick overview, an introduction of the policy implementation project, and then at the end, leave some time for the public if they have question for us in our work. We'll talk more about the agenda as we get closer to the date of the 27th of October. Thank you.

Next on the agenda, let me just check. Let's see. Amandas haven't joined, but I wanted to share that both Amandas on our team have now returned from the maternity leave and having produced beautiful babies, one boy and one girl. And when they join, we'll have them say hi to you all. That's another news from our team.

Let's get with our Phase 2 Priority 2 recommendations. The first item is IRT Task 163 and this has to do with the privacy/proxy. So this one. What we wanted to do in Section 10.3.4, accept the addition of "Accredited". And then in implementation note F, provide this note to let the reader know where the definitions of these things would be, if they are looking for it.

I see a comment from Beth. Let's see. Is Beth here? Beth is not here. But I think Beth missed our meeting when we talked about having a note to explain affiliated and accredited. That's why she's probably asking the meeting. But I think that one thing I can say is that this was—the need for explanation of affiliated. So that's one thing. 10.3.5, was it? 10.3.4.

Now, that's one thing. But the other comment about are we able to dictate what our future policy says? No, we are not. Do you read this language dictating future policy? Is there a better way we can word this so people do not get that impression? Of course, when I'm writing these things, I know. I don't see the other way people can read it. So, Roger, go ahead.

ROGER CARNEY: Thanks, Dennis. I think everybody on the call knows that the privacy/proxy IRT has been put on hold and their work hasn't been

completed. I think the concern is we're talking about something—the accredited isn't something today. I think that IRT worked out some definitions around that but it hasn't been accepted, it hasn't been completed, and we don't know when it will be completed. So speaking about it is, I think, premature.

DENNIS CHANG: Okay. How should we let the reader know? I mean, this was the recommendation. Did the Recommendation Team have any ideas about how to reflect this in the implementation? Marc, you have the floor. Go ahead.

MARC ANDERSON: Thanks. I am certainly not going to try and speak for Beth. I wouldn't do that. But let me try and give my take on this and hopefully it's helpful. All right. So I guess the first part, I like that you leveraged the definition in the RAA for affiliated. This is sort of in line with what you've done before where creating new definitions, you've leveraged existing definitions where possible. So I liked that part. Maybe this is what Beth is concerned with. I don't know but then the next part that you go on to say and further explain in Section 1.7 of the accredited privacy/proxy service. Here, like I said, I can't speak for Beth but I can understand sort of getting a little hesitant trying in one policy pointing to another policy that isn't finalized yet. At some point, privacy/proxy is going to have to finish its work and that may involve changes here. And so I would be uncomfortable sort of creating any kind of dependency between

pointing from one unfinished policy to another unfinished policy. So that may be a consideration there.

Then I do want to make one other point. The last sentence there, this will be applicable when a new policy is implemented that defines the service. So that's a little vague. I've been close to this. I think it's intended to refer to when an accredited privacy/proxy service is defined it in place. But it isn't particularly clear what that sentence is referring to. So I think you probably intend that to refer to when an accredited privacy/proxy service is in place because right now that doesn't exist.

In the working group, we clearly intended the affiliated part to go into effect immediately. Because affiliated we can say exists today, that can be implemented now, and then the accredited part that was intended to go into effect at some point in the future once accredited privacy/proxy services exist. I think that that second sentence needs a little more specificity to make it clear. When that exists is for the accredited part that the affiliated is intended to be. I hope that's helpful. I can't speak for Beth, but that's my take.

DENNIS CHANG: Okay. Thank you. Chris.

CHRISTOPHER LEWIS-EVANS: Thanks, Dennis. I can see Beth's concern here. And just maybe building on what Marc has just said, maybe we just need to tighten up that last sentence a little bit or something like this. This term will become applicable once the privacy/proxy policy has been implemented and that defines it. So I think something more along those lines, it's just a

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little bit more tied down. It might help Beth not think that this is creating new policy or dictating to another policy. Thanks.

DENNIS CHANG: Okay. I know that we've talked about this before. Is it an option for us not to mention accredited at all? Just leave that out completely? In other words, 10.3.4—here. Now we added this "accredited" based on the recommendation. Could it be an option for us if we do not have that at this time for the reason that accredited privacy/proxy is not defined and it's not implemented, it's not available to us, so don't mention it? When the accredited or privacy/proxy policy implementation does happen in the future that, at that time, that IRT could come back and add it here, what do you think about that option? Jody?

JODY KOLKER: Thanks, Dennis.

DENNIS CHANG: Yes. Sarah just said what I just said. Yeah. Yeah, go ahead, Jody.

JODY KOLKER: We've talked about this before, at least we feel like it or at least I feel like it. I'm not sure accredited should be in there. The reason I say that is because as a registrar, I'm not sure how a registrar is going to be able to tell what accredited entities or what entities have been accredited and what they're using for their information for their privacy information. And in order to do that, ICANN would have to develop a system, either a

clearinghouse or something where accredited privacy/proxy services would upload their information to say, "This is what our contacts are going to be." And then the registrars would have to download that information compared to what's being registered, determine if it matches exactly, and if it does, then display the information in the WHOIS. I'm not sure that that's been worked out yet on how that may happen.

DENNIS CHANG: It hasn't. No. It hasn't. There has been ton of discussion in implementation but it has not been implemented and it is not a policy. So that's why now I'm real hesitant to even mention it here. And maybe during public comment—and maybe it should go in one of those items on the drafting error where we said we're not going to add the accredited for this reason. That may be the way we need to handle it. Marc, go ahead.

MARC ANDERSON: Thanks, Dennis. I think Jody pretty much made the point I was going to make. It's not clear how a contracted party will know who is accredited at the time of registration to be able to implement this recommendation. So until privacy/proxy is implemented, it might be overly speculative to try and implement it here and now. Obviously, the affiliated part can and should be implemented here and now, but I think your suggestion makes sense implementing the accredited part. I think there's some good reasons why it would be better to figure that language out after we know how accreditation for privacy/proxy services will work and whether that means restarting this group or

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referring it to the privacy/proxy group to implement. I think that's sort of another question. But what's the best mechanism for implementing it? But I think it certainly does make sense to wait until we know how the service will work.

DENNIS CHANG: Yeah. Thank you, Marc. Susan?

SUSAN KAWAGUCHI: I'm opposed, obviously, to taking out accredited in there. There's a purpose for that. There is a policy that was agreed to by the GNSO Council and the Board. Has it been implemented? No, because ICANN Org put us on hold unilaterally. So we'd had plenty of time to get this done before EPDP came up. But, I mean, it is the PPSAI is as much a policy as the EPDP is a policy at this point. I think there is a vision for the accreditation to occur and that work should go on. It should not have been unilaterally decided that, "Oh, we're going to put it on hold." That was not a community decision.

If it happens, I think the wording that you propose that we were all reviewing is appropriate, if this happens in the future, if it is implemented in the future, it is a policy, then the registrars are going to have to review those accredited entities, and I think that's pretty simple right now. I can go find a registrar at any time on the list on icann.org. So they keep accredited registrar list, which is really handy. I don't see the difference between adding 30 or 40 more entities to that saying they're privacy/proxy entities. So I think we're quibbling over a few points here that I completely disagree with.

DENNIS CHANG: Okay. So, Susan, you disagree with taking out the "accredited" from here. I think that's clear. I think I was reading Alex agreeing with you, and Chris agreeing with you. So I think IRT is split on this then. Some are okay with not mentioning accredited at all and putting it on the list of drafting errors, that's to advise the council and everyone else, of course. And the others are fields that it needs to be written into the policy language and with the implementation note that makes it maybe better worded than what I wrote to make it clear that that is effective in the future, if and when there is such a new policy. So that's what I'm hearing. Marc, go ahead.

MARC ANDERSON: Thanks. I understand Susan's frustration about privacy/proxy. I'm not part of privacy/proxy. I have nothing to do with the decision to put it on hold so I don't really know the background of the discussions there. Full disclosure. But I do understand that there's frustration in the community over that. But that's out of our scope and control here.

What I do understand, though, is that it's a dependency. Like registrars can't implement the accredited portion of this until accredited privacy/proxy services exist. If it goes in here, as Susan suggested, we drop in language now for accredited or it gets done later as part of the privacy/proxy IRT when it gets restarted, that's not actually going to change the timeline. Registrars can't implement this part until accredited privacy/proxy services exist.

I guess I want to ask Susan or push back a little bit and understand why the insistency to put language here now that runs the risk of having to be changed or modified once the privacy/proxy work is concluded. It seems to me that it would be better to wait until it's known what that language is or done as part of the effort to draft and finalize that language so that we're not putting speculative language here and now.

DENNIS CHANG: I see. So the privacy/proxy policy—I kind of have this baseline understanding and maybe the IRT members do not all feel this way, but every time I implement a policy, whether or not we had a Rec 27, we have to look across for the other policy to see if we are needing to update their conflicts that we need to resolve. That work will be done. So I fully expect when the privacy/proxy policy gets implemented and if it needs to be that this policy gets updated, it will be done. I'm sure IRT members will be there to ensure that it gets done.

I don't know, the privacy/proxy at this moment. And I'm imagining maybe the affiliated concept will no longer be valid. And the word affiliated has to be replaced with accredited so only the accredited privacy/proxy service can conduct a business and there's no concept of affiliated anymore. In which case, this policy will have to change and updated anyway. I'm just kind of realizing that now in talking out loud. I would give Brian and then Susan is next. Go ahead, Brian.

BRIAN KING: Thanks, Dennis. Just noting that during Phase 1, when we agreed on this language, we knew that the privacy/proxy implementation had been

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paused. We knew that then and we agreed on this language in this concept then in Phase 1 and nothing has changed since then, frankly. I don't understand the hesitation here to create policy language using the words and the concept that we all agreed on in Phase 1, especially because there's nothing for registrars to do with the accredited privacy/proxy providers because there are no accredited privacy/proxy providers. The policy anticipated that there would be none when the policy was created. I don't think anything has changed to warrant removing this. Thanks.

DENNIS CHANG: Thank you, Brian. Susan?

SUSAN KAWAGUCHI: I agree with Brian. We referenced a lot of policies in this that may or may not be fully baked and fully implemented. I'd have to go back and do a review. But Alex was making a good point in the chat. This whole policy and implementation is based on a document between ICANN and the registrars that most of us haven't even seen, only a lucky few. Does that get removed from this implementation document until we have seen that and it has been polished up and posted and reviewed and approved by the Board? I mean, you could take this a lot of different ways. I don't see the harm in leaving accredited. I think it simplifies things in the future. If it doesn't happen, then registrars can say, "That never happened. There's nothing to apply here. I don't have to look for an accredited list. I only have to look at affiliated."

We have all kinds of current discrepancies in the way WHOIS is published that goes absolutely against the Temp Spec. And I think one of our duties as part of this IRT is to ensure that we have a fully baked implementation plan that would allow an ease of understanding for those that have to implement it. I just don't get the argument here.

DENNIS CHANG: Okay. Thank you, Susan. Marc.

MARC ANDERSON: Thanks, Dennis. I raised my hand real quick to respond to something Brian said. Brian, you're correct that Phase 1, we did indeed know that the accreditation didn't exist yet, which is why we did not include accreditation in Phase 1. Just a reminder, Recommendation 14 just deals with the affiliated portion. So the Phase 1 Rec 14, as you said, we did know that accreditation didn't exist, which is why we didn't include that in the language at all. Rec 14 from Phase One is only affiliated privacy/proxy services. In the Phase 2 Priority 2 section, that's when we discussed the accredited privacy/proxy and that was with an eye towards the future once privacy/proxy is implemented. We wanted it clear that this would also apply to accredited privacy/proxy services once accredited privacy/proxy services are implemented and once it exists.

Susan, you asked, "What is the harm?" I think it's pretty logical to say that the harm or the risk is that if we write something now before that accreditation service exists and is defined, that we'll have to go back and rework it and make changes to it. You say, "What's the harm in doing it

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now?" I guess we may have to agree to disagree on this one but I would push back and say what is the harm in waiting until that exists? It seems like a much more logical order of operations to me. But we may just agree to disagree on that one.

DENNIS CHANG: Go ahead, Alex.

ALEX DEACON: I think we all agreed that the policy has been set. The Board instructed us to implement 19.1, if I remember correctly. So I think that is clear. What we're really talking about is what I mentioned in the chat earlier, that this isn't a policy issue. We're not debating policy. I think we all agree here that the policy is clear. That includes both affiliated and/or accredited privacy/proxy services. What we're talking about here is a process. Given the pause of the IRT and the uncertainty of when or even if it will ever be implemented, how do we do our work? That's the issue here. There's a difference of opinion on how to do that. Either we add it in and remove it later or we don't add it and add it later. Either way, the policy will have to be updated in the future. It's a wash from my point of view. I think, personally, I'd rather see our document include accredited. That's what the policy says. If it never comes to fruition, then there's nothing to be done. That's my view.

DENNIS CHANG: Thank you, Alex. Roger? Roger, we cannot hear you. Go ahead. It's now working.

ROGER CARNEY: Thanks, Dennis. I just wanted to respond to Alex there. And I think his two options. You're right. We include it now and hope that if the privacy/proxy IRT doesn't have too many requirements that we don't know or they come in here and change it, that would work. Or we don't put it in here and then they're responsible for updating this with what they have decided at the end of the IRT. It doesn't seem logical to try to guess at what they're going to do and then have them come back here and edit it. And then contracted parties will be on the hook until that change is made. It just seems logical to let that privacy/proxy IRT update this as needed, not remove it as needed. Thanks.

DENNIS CHANG: I see both sides. There's two ways to implement the same policy and there's pros and cons on both sides. So I see that. It instructed us to include the accredited so I think you're saying we should ignore the Board's decision. I think that's one way to look at it. The other way, of course, is that we have many items. We have a list of items that we made and we have explanations of why implementing one way is better than the other way we could do. That's what I mean, not ignore but explain. I think both are valid. I don't know if one could argue one is in line with the policy and other is not. Chris has a input. Go ahead, Chris. Let me from you.

CHRISTOPHER LEWIS-EVANS: Thanks, Dennis. Just to put my thought process out there and maybe offer clarity from Roger maybe on something he said. The privacy/proxy

policies gone through, it's been approved. Yes, we don't know how it's going to be implemented but their privacy/proxy services are going to be known as an accredited privacy/proxy services. So we know that's coming. What this recommendation says is that in that RDDS data, they should display the services data in that.

What I'm struggling to understand a little bit here is Roger said the registrars would be on the hook for not doing this. But if an accredited privacy/proxy service doesn't exist until that's policy's put in place, which is obviously going to go through the normal process, I don't see them being on the hook for anything. I only see this being right. Once that policy is implemented, that "accredited" word will be known and defined and I think that recommendation still stands. So it'll be just interesting to hear from Roger how that differs and why that [inaudible]. Thank you.

DENNIS CHANG: Roger, go ahead.

ROGER CARNEY: Thanks, Dennis. Thanks, Chris. To your point there, it maybe takes 5, 10 years, however long it takes to get this definition of accredited in place, maybe it does never occur, then there's no responsibility to the contracted parties. That is a possibility. But the downside is, if this does get defined and published and the privacy/proxy completes their IRT, according to this document, we would have to publish RDDS data correctly even though we don't know what the mechanism is to even identify those accredited privacy/proxy providers is. We don't know

what that is today so we don't even know how to do it. In the future, we're going to have to figure out how to do it. So I think that that's the issue is this policy, if written today, this IRT language here is written, we're on the hook for things we don't know how to even look at doing because it's not even defined yet how to identify an accredited privacy/proxy provider. Hopefully, that makes sense. Thanks.

One more thing. To Alex's point, we will know then but then we'll be on the hook as well and we won't even have it implemented. At that point, hopefully, we will know how to identify it. Hopefully, that group produces a way to identify those people. That's reasonable. But then we have to work on how to implement that way. Again, to me, it seems like we're doing it backwards, not the correct way. Thanks.

DENNIS CHANG: Chris?

CHRISTOPHER LEWIS-EVANS: Once the PPSI RT is completed, and let's just say we did omit accredited here and they say, "We need to add accredited," wouldn't you be under the same time pressures to implement that within the RDDS response? I'm still struggling to see the pinch point. That's all. Sorry, Roger.

DENNIS CHANG: Roger, go ahead.

ROBER CARNEY: Thanks, Chris. Well, I don't think so. Maybe it does. Maybe we do end up in the same time crunch. But I'm assuming that this IRT is going to complete its work and be done. And the implementation of this work that we're doing now will already have happened before the privacy/proxy IRT completes and is done. So if they come in and edit this, then that will be on that timeline, not this timeline. So this timeline is running. So as soon as accredited is approved, then it seems like someone can hold us accountable because now there is an accredited. To me, the timeline is somewhat different. Again, I think the big part is—again, we assume the IRT—that to me, that's the problem, is we're assuming that the privacy/proxy IRT is going to make a way for us to identify accredited privacy/proxy providers. How they do that is probably a bigger thing. Because assuming that is probably a good assumption, but how they end up doing that is probably the challenging part and the amount of work that has to happen for the contracted parties. Hopefully that helps. Thanks.

ALEX DEACON: Dennis, this is Alex.

DENNIS CHANG: Go ahead, Alex.

ALEX DEACON: I feel like we're running down a rabbit hole here. The privacy/proxy policy instructs—I don't know. It ensures that there will be a mechanism to know which privacy/proxy providers have been accredited and that

mechanism will be used by registrars to determine whether they could use them or not. So I feel like we're in the weeds here.

Beth's note that started this whole discussion is an implementation note of an implementation, which doesn't set any obligations in terms of policy. Again, I don't understand the concern here at all. But again, the issue, the argument we're having isn't about policy. It's about process and when things should happen. And in terms of what we've been instructed to do as an IRT for Phase 1, I think it's pretty clear the Board told us to consider, accredited and affiliated privacy/proxy in the policy that we're setting. That's what I think we need to do. That's what I think Dennis suggested in his text up front, and that's what I believe we should be doing. I understand others don't agree but perhaps that's the reality.

DENNIS CHANG: Yeah, Alex. It is the reality. Not everybody sees things the same way. Roger has a hand up. I'll just ask the question to Roger before I give him the floor. If we add a note into the implementation note, something to the effect of the term "affiliated" will be defined by another policy and the implementation of the affiliated in terms of policy effective date will be defined in that policy also so that every reader will know the accredited—I've been saying affiliated, I meant accredited—to implement the accredited PPS is not dependent on this policy but it depends on the other policy, please explain that further. Would that work? Roger, go ahead.

ROGER CARNEY: Thanks, Dennis. To your point there, I assume you mean accredited. You said affiliated.

DENNIS CHANG: Yeah. I'm sorry. I did.

ROGER CARNEY: I think we get back to probably something that Alex and many of us have asked is implementation notes versus policy here. I think we agree the implementation note is policy, and so I think that that's one thing. Maybe I'm wrong. Maybe that's not true. But that's what I thought we landed on.

DENNIS CHANG: But we are clearly talking about adding it to the policy.

ROGER CARNEY: Right. Yeah.

DENNIS CHANG: Let's just make sure we're on the same page.

ROGER CARNEY: Even if there's a note in implementation, it's obviously here in policy intents before and I think that that's important.

One other thing that Alex mentioned—and I think he's right—is the Board did ask us to consider these things from the Phase 2 Priority 2 items. Again, Dennis, you mentioned it earlier it's like, "Yes, we examined it and we chose this path for this reason." They told us to look at them and we looked at it and this is how we implemented it. I think that we just have to explain that to how we did it and why. Thanks.

DENNIS CHANG: Yeah. I think that's a valid way to implement it as well. So go both ways. We can completely leave it out of the policy language and provide an explanation or we can leave it in the policy and provide an explanation within the implementation note. So there's two ways to implement.

I see here a split of the IRT in their input. I don't see that there is any argument about one way is in line with the policy recommendation and is not in line. So I'm going to then take this back and think about it some more and let you know how we're going to go after the implementation. So if you don't have any more inputs on this topic, then we'll move to our next topic, Phase 2. Thank you.

Next one is 164. This one was the recommendation 10.3.1.5. It's the registrant city, right? So what we were going to do is to delete the registrant city and add a section 3.1.7, basically effecting a registrant city from must redact too, allowing it as a may redact—we looked at a number of ways to implement this. And even though we have to add a new section, 10.3.7, combining with existing other section made it more confusing and not as clear. So we decided this was the implementation method. Any discussions on this? Hearing none, Sam, take a note, we

can accept the 10.3.1.5 deletion and addition of 10.3.7 and we'll move on. Whoops. Sam has a thumbs up for me. Thank you, Sam.

Next item is the Rec 21. This one was the retention one. Okay. Let's see, retention. Retention was at Section 13. Okay. So one thing I can remember doing this, Sarah suggested that we spell this out and agree and done, right? I agree. We just take it for granted. Everybody knows what TDRP is. Then I realized yeah, shouldn't do that. So that's done. So you can accept the spell out.

The other thing is, let's see, I think we can remove "deemed". Oh yeah. I was going to ask you. I'm with Roger as a lay person and not a lawyer. For me "deemed necessary" and "necessary" means the same thing to me in terms of implementation, but I was going to ask before we take any action, especially to those who were in the EPDP team crafting this language carefully, whether there was any purpose for this one word, it's called "deemed," so let me hear from you if there is. Otherwise, I am going to agree with Roger and take out the unnecessary word. I'll pause and let you think about it, if "deemed" is indirect.

Yeah, Sarah, you're right. I just copied exactly the recommendation language, which is sort of my default method. But at times, we can tighten up the language as part of the implementation. So, Sarah, is okay with it. Chris is not a lawyer. Okay. I think we're okay with taking out the "deemed" so let me see if I can do that. I just took it out. Okay. Sam, I hope you saw me doing that, and that's okay, right?

Was there anything else? Okay. That one's done. I'm going to mark this done. We did this so we're okay, right? This was another comment from the last IRT so we're okay to accept that. Was there anything else we're

still not comfortable? Sarah, pending discussion. Okay. Sarah, you remind me.

SARAH WYLD: Hi, Dennis.

DENNIS CHANG: Yeah. Hi, Sarah. Go ahead. Let me give you the floor to talk while I bring up this document. Go ahead.

SARAH WYLD: Thank you so much. Thinking about the OneDoc language, I think the changes that we have made bring it to an appropriate point where it does match the recommendation. So with those tracks changes in mind, I think that I would be able to resolve that comment that I left on the section as a whole. But I would just want to wait on that until the changes within the section are complete.

DENNIS CHANG: Okay. Let me do that right now. Hey, Sam. Let's do that. Do you mind if I accept this change? Give me a thumbs up or some indication that I'm not going too fast here. Yeah, go ahead. Okay. Boom, done, and the end of, accepted. Now we have a clean language. Let me see. There's multiple comments that you have. Let me ask you to talk about it if you have any other concerns.

SARAH WYLD: Thank you, Dennis. No. I think those concerns have been addressed based on the changes that we've made. So that one, like that concern specifically is that we need to limit the purpose of the data processing. I think that is now done so that comment can be resolved.

DENNIS CHANG: And the other one?

SARAH WYLD: Yeah. That is the same concern just for a different time. So that, I believe, can also be resolved.

DENNIS CHANG: Okay. We have a clean section then, right? I think this means that we're done with Section 13. Okay. Thank you very, very much. Let's continue with our agenda. We have now OneDoc remaining items that we have been wanting to get to. So we have time, 30 more minutes or so.

Let's see, background. I added the background on having to deal with Phase 2 and I didn't receive any comments on this side. I'm assuming you guys are okay with it. If you're okay, Sam, you go ahead and accept this and we have a clean background section again. Okay. That one's done.

Next one is implementation note A. What is it about? The other, right? Yeah, I changed the word from "own" to "other" to better explain what we meant by this. I didn't see here any feedback so I'm assuming you

guys are okay with it. Sam, you can accept this change, and then we'll keep moving.

Deletion of note B.c. Yeah, this one. This was originally proposed by Roger to delete. We at first was trying to find the right link, the right reference, and we struggled with that a little bit. But then Roger pointed out and I agree there was no need for us to mention DNSSEC and IETF and all that. That's what I think. So I agree to delete it and I didn't hear any other input on this. I saw a hand go up and then it's not there anymore. So let me know if you have any issue with us deleting.

SARAH WYLD: Hi, Dennis. This is Sarah.

DENNIS CHANG: Hi, Sarah. Go ahead.

SARAH WYLD: Thank you. It was my hand. I actually was just back on the previous thing and note A, changing "own" to "other". I don't have a fully formed thought on that yet. I hadn't noticed the change. I'm so sorry.

DENNIS CHANG: It's okay. That's so small.

SARAH WYLD: My first impulse was just the word "it" should be removed. It's either "for its own purposes" or "for other purposes". And then my second thought is like, under what circumstances would a registry operator or registrar process data for not its own purposes, right? Wouldn't they all be its own purposes? But all of that said, it seems okay. It seems to ultimately result in the same meaning other purposes. So, I think I'm actually okay with it. They just seem to happen very quickly and I didn't think fast enough. Thank you.

DENNIS CHANG: No problem. Grammatically, you're right. We don't need this. These other purposes—which is it? Is it better to say "for other purposes" or "for these other purposes"? Okay. Thank you, Sarah. Okay. So let's do that, Sam. I'll leave it for you to accept and take notes. And B.c is okay also. We can accept the deletion. So we'll keep going.

7.6 move from C.c. Oh, this language? Do I have any comments on this? Okay. Thanks, Laureen. Yeah, I see your message. No comments. So this is okay to have it here. Sam, that's for you to do later.

Then we have 15.6 and 11.5 and 6. So, 11.5. Okay, this was the acknowledgement and acknowledged receipt and reasonable request for lawful disclosure. Without undue delay, no more than two business days, and must respond without undue delay, no more than 30 calendar days. This was the worked out logic from one of our IRT discussion. And then this was no discussion here. 11.6 Urgent request, however, you had more comments. So I'm going there. Sarah, you have the floor.

SARAH WYLD:	Thanks, Dennis. My hand is actually up on a slightly different topic, so I'd be happy to wait for the end of this section and then come back to me. I just didn't want to get lost. Thank you.
DENNIS CHANG:	Okay. So let's talk about 11.6. So the first thing we did was we added without undue delay, and then we changed this to two business days from receipt. What we did here is, in this case, there is no separate step for acknowledgment and response. They both acknowledge and respond. Both have to be done in two business days from receipt. So that was made clear. And then we add some explanation about if you receive a large amount and there's some other circumstances where you need more, then you can ask for more and additional one business day, we're keeping the business day intact here. Okay. So let's see. Okay. I think that's all I had to say. Alex has a comment. Go ahead.
ALEX DEACON:	I express my objection, I guess, to this language. I know it's been discussed and perhaps this is one where we just agree to disagree, but I think the way we came up with it was—well, you could read my comment. It's somewhere on the right there. I won't bother reading it now. But I think I did. Where we where we ended up two business days for urgent requests could be at max four, five business days, and I think it really just waters down the concept of urgent request. It doesn't make a lot of sense to me anyway.

DENNIS CHANG: Yeah, I see, Alex. Sarah?

SARAH WYLD: Thank you. Yeah, on this one, just the doubly highlighted portion in the middle of the paragraph there where it says if a large number of requests are received within two business days then they may extend the time. I'm just curious where that limitation came from. I don't remember looking at that before. And I don't remember seeing it in the language that was proposed by Matthew Crossman quite some time ago. I liked Matthew's language because it echoes the GDPR's own method for tracking that. So I'm wondering if we could just take that instance of within two business days.

DENNIS CHANG: Yeah, the logic was that you have to respond within two business days. That's the requirement.

SARAH WYLD: Sure. And I'm fine with that being the response period. Yeah.

DENNIS CHANG: Yeah. But if you cannot respond within two business days, this is trying to say is that if you happen to receive a complex or large number of requests within the to business days that you're supposed to respond, then you can ask for more time. That was the logic.

SARAH WYLD: If I get 100 requests over a four-day period—

DENNIS CHANG: Even prior to having received the request?

SARAH WYLD: Yeah. Say in one four-day period I got 100 requests and they're all marked urgent, and then two days later, I get another one. That last one is outside of that two-day period. I don't know. I can't imagine this actually happening in real life. We receive a very small number of urgent requests. We can easily process them in that time. It just seems like adding complexity to the tracking in a way that I'm not sure is feasible.

DENNIS CHANG: I think what you're proposing is take out, though, within two-business day condition.

SARAH WYLD: Just the condition there's a large number.

DENNIS CHANG: Yeah. Just take it out there. Take out what you highlighted here. I think this is what you're saying, right? Take out those.

SARAH WYLD: That is what I'm suggesting.

DENNIS CHANG: Okay. What do you think about that, Chris? You have a hand's up.

CHRISTOPHER LEWIS-EVANS: Thanks. So I'm going to echo what Alex said. The only thing I'm struggling with as well is we always seem to have the timings the wrong way around. I thought we'd looked at a response within one business day and request an additional two business days. So I don't know if that's—

DENNIS CHANG: No, we did not. We did not because we did not feel that we had an option on two-business day acknowledgement time window. So we had to honor that recommendation. The only thing that we had, the flexibility was on the X business day response day. So we minimize the X by—actually, it was Alex who was inspiring me because the smallest number was one, and he came back with fractional numbers at one of our IRT member. We realized that the smallest number is actually zero. So that's why there's two. Okay. Chris, are you done? Or do you have more to say? Sarah is next.

SARAH WYLD: I'm going to retract that hand. Thank you. But I do still have a comment on a different topic when we are done with this agenda item. Thank you.

EN

DENNIS CHANG: I think I'm fine with deleting this two-business day the condition that I leave it to the contracted parties note no. And not to be arguing, well, I got a lot of [inaudible] last year so that's why I cannot respond today. Nobody's going to do that. So I think that within two-business day condition is superfluous and don't need it. So I want to take that out. Let me see if I can do this. It just disappears. So I'm going to leave it for now, and then maybe highlight it and add another comment. Okay. I'll leave it for Sam to do it later when she cleans up this section. Thank you very much for that.

We are moving on to our next item. Before we get into drafting errors, let me give the floor to Sarah. Go ahead, Sarah. What did you want to talk about?

SARAH WYLD: Thank you, Dennis. I just wanted to check in about the list you provided that was the non-exhaustive list of examples not covered by the TDRP?

DENNIS CHANG: Oh yeah, that one.

SARAH WYLD: We don't have to discuss it if we are done with that section. So if you want to just leave Section 13 as it is, that's fine. We can move on with our lives. But I do want to confirm that this list will go away and is not part of the policy or report or anything that we are sharing outside of this team. I think it should be deleted.

DENNIS CHANG: I see. I think that's fine. It's just our homework notes. Usually what I like to do is collect this and publish it on our wiki page. But if you have concerns with that, we don't have to.

SARAH WYLD: Yeah. Thank you so much. I have significant concerns with this list. But I think that if it's just being deleted, then we can move on and I will not [inaudible]. Thank you.

DENNIS CHANG: Okay, got you. Sam, you heard me, right? If I try to post this on the wiki or something, stop. I probably won't do anything like that, but just in case, that's the decision. We'll just use it for our internal notes if we want to talk about something. It is in our Google Drive for IRT to access if they want to access it. So that's fine. Thank you, Sarah. No problem there.

We're going to move on to the drafting error. What was the first one? Maybe I shouldn't have done that. Let me look at the agenda. Number 3—this is about registrar registration expiration date. We have a comment. Oh, not a comment. I added further notes. Please note that in some cases, the registrar chooses to use the registry expiration date to populate. This was a practice that I was educated on. And I said, "Okay, that's fine." I think one of the IRT members suggested that I actually write that into the note because it would help anybody else. Okay. If that's okay, Sam, you can accept this and we'll move on.

The next one is—what's the next one on the agenda? Number 5.

MARC ANDERSON: Dennis, I raised my hand.

DENNIS CHANG: Yeah. Go ahead.

MARC ANDERSON: Sorry, can we go back to that last note again? Sorry, I was a little slow and sort of absorbing that one.

DENNIS CHANG: Sorry. I will slow down here.

MARC ANDERSON: I have a question for registrars because I don't think this is true. I don't think it's true that registrars must generate the registrar registration expiration date. I'm pretty sure that some registrars do that but some registrars rely solely on the registry expiration date. I don't know. Can I ask registers to correct me if I'm wrong on this one? I think this rationale is not quite right.

DENNIS CHANG: Okay. Jody has his hands up. Go ahead, Jody.

JODY KOLKER: There are some registrars that only use the registry expiration date, and that's what they populate the registrar registration expiration date with. Actually, they just use the WHOIS from the registry and display that as their own is my understanding.

DENNIS CHANG: Theo told us that. That's what he says.

JODY KOLKER: Exactly. Thanks.

DENNIS CHANG: Was that your question? Marc, did you get your question answered?

MARC ANDERSON: Yes. I guess based on that, I'm a little uncomfortable with the language because it says the registrars must generate the registrar registration expiration date. I think what's actually happening there is that the registrars are populating the registrar registration expiration date.

DENNIS CHANG: How about collect or generate?

MARC ANDERSON: Collect, yeah. The registrars must collect. So in this case, they're collecting.

DENNIS CHANG: Yeah.

MARC ANDERSON: I know I'm splitting hairs.

DENNIS CHANG: You should. Let's generate.

MARC ANDERSON: This actually isn't accurate.

DENNIS CHANG: Let's ask Roger. What do you think?

ROGER CARNEY: Thanks, Dennis. I think maybe the confusion is coming from not the data itself but the display of the data. I think that what was being looked for was that the registrars would display registrar expiration date. Does that make sense? I don't think that there's a collection or generation here, but Marc's right. I mean, some registrars definitely don't generate it but they do display it. But it is a display of the registry expiration date. I think they do that because they stay in sync with them. Just my thought.

DENNIS CHANG: Theo explained that that is what they do. They take that date and they say, "Okay, this is the registrar registration expiration date." They make it their own so that there will never be confusion, and that's the practice. So I didn't see any reason for them to adopt. Data is already there and saying that they generated or collected it. But maybe I'm missing something. Try me again. I don't see any issue with this note being added. But, Marc, are you sure that this note is being added? Or are you now questioning the requirement that 3.2.17 needs to be in the must category?

MARC ANDERSON: Actually, with that explanation—and I see Roger has his hand up, so keep me honest here—but I think with that explanation, the note addresses that, right? So the note says, "In some cases, registrars choose to use the registry expiration date to populate. This practice is allowed for the policy."

     We must have talked about this previously, right? That seems to address the concern around generate. I'm speaking to a registrar issue, but I feel like I'm a little bit out over my skis on this, but the note there seems to address this. I'd like to hear from registrars, make sure I'm not crazy, but I think that's okay.

DENNIS CHANG: Roger? Tell him that Marc is not crazy. Go ahead.

ROGER CARNEY:

Yeah, well, I can't say that for sure, but he may be a little crazy at times. But on this point, I think he's right. I think that one of the things here is, wherever that cursor is blinking on that line, I'm not sure. Again, I think it's the terminology we're working here with. It says, "Registrars are currently required to generate the registrar expiration date." And again, there is no requirement to generate it. There's a requirement to display it. The note does sort of take that last sentence kind of handles it, except maybe it should say something to the effect that registrar chooses to use the registry expiration date to populate instead of generate the registrar expiration date this practices allowed per policy.

DENNIS CHANG:

Like that?

ROGER CARNEY:

Yeah. I don't know if that helps. Maybe. It's clear to me.

MARC ANDERSON:

That'd help. I like that. That definitely makes me feel better.

DENNIS CHANG:

Okay, good.

MARC ANDERSON:

Thanks for humoring me.

DENNIS CHANG: That's what we're here for. Okay. Where were we? We were moving along. Let me go back to the agenda here. We just did number five, right? And number 8? Let me make sure that I don't mess anything up here. Number 8. Number 8 was tech e-mail. This was added in April. I noticed a comment from Roger saying Roger doesn't recall IRT agreeing to this intent.

Roger, do you want to talk about this? Because I think the reason that we added it is because we talked about it at the IRT meeting before. But we were supposed to talk about it in July. We didn't get to it before. So let's talk about it now. Roger? Go ahead, Roger.

ROGER CARNEY: Thanks, Dennis. You're starting to make me think about things I did a few months ago, which is kind of hard. I need to read this again.

DENNIS CHANG: We can do it later if you want. We don't have to do it now. Do you want to do it later? It's almost time.

ROGER CARNEY: Yeah.

DENNIS CHANG: Okay. So I'll put it on the agenda for our next meeting and we'll catch up on this and anything else that we need to do in our next meeting. But for this meeting, I want to draw it to a close. I'll say thank you very much

and we will talk to you on the 15th. We'll see what we will have to talk about then besides this one drafting error.

We worked hard on the Rec 7 and 12 items during August to push it to help the Board deal with it. But I don't know whether we're hearing anything back from them then. I was sort of hoping Beth would be here to talk about the Rec 22 but she's not here. So we'll wait for her. Maybe she can give us a status there. The status map that we're carrying here, I looked at it yesterday and pretty much we're accurate. But after today, I'll give Sam an update some of the colors and see where we are.

That's all I have for today. Thank you very much. Anything IRT members would like to say before we leave? Thank you all for your excellent support. Goodbye now.

ANDREA GLANDON: Thank you. This concludes today's conference. IPT, please stay on, and IRT, have a wonderful rest of your day.

[END OF TRANSCRIPT]