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JONATHAN ZUCK:	Good morning, good afternoon, good evening. Welcome to the 35th CCT Review Plenary. Is there anyone who is on the phone but is not in the Adobe Connect? And is there anyone with a change to their Statement of Interests? Alright, excellent. Let's dive right in. Laureen, why don't you begin with the Consumer Trust document?
LAUREEN KAPIN:	Sure. Happy February, everybody. Can everyone hear me? Is this microphone placement clear? Yes?
JONATHAN ZUCK:	Yes, we can hear you fine.
LAUREEN KAPIN:	Good. Okay, so I'm going to dive right into the recommendations, which for this paper are at the end. So, I'm assuming everyone has independent scrolling. And I'm also assuming – since I circulated this – that people have had a chance to review as they wish. I try to take people's comments into account in revising these recommendations.
	We can start then with Recommendation 1, which is on page 15. Okay, and I see that I control the document. I don't mind if people have independent scrolling, so however you want to do it. But I'm on page 15 now, and the first recommendation relates to conducting a study to identify which new gTLDs have been visited most, the reasons that users identify to explain why they visited new gTLDs more than others, what

factors matter most and how users' behavior indicates to what extent they trust the new gTLDs.

You'll see in the related findings that there's a recognition generally that the Nielsen studies only go so far, that we have this preliminary indication that there is a relationship between trust and other factors like familiarity, reputation and security, but further information is needed to sort of unpack that and dive into why and to what extent the public trust new gTLDs.

So, the suggestion and recommendation here is that in addition to repeating surveys and survey questions that gather the subjective views about trustworthiness, that ICANN and relevant stakeholders, future review teams have tried to identify the folks who would be most involved in this process should also try and assess what objective information can be gathered and measured related to trustworthiness, and that these sorts of studies could provide useful information for future [inaudible] applicants as they decide whether and how to apply to new gTLDs.

I've been mindful of nothing too prescriptive, and I have a question mark about whether that should be completed prior to subsequent rounds, because I'm also mindful of the timing concerns, so that's something I'd welcome views on.

That is the first recommendation, so why don't we break there, and I will ask people for feedback, if they have comments or questions. And if not, we can see whether there is consensus on this recommendation.

So, I'm looking for hands, whether anyone wants to speak. If you're only on the phone, I'm looking for an indication. Jonathan, your hand is up.

JONATHAN ZUCK: Yes, I put this in the chat I guess because it's for my musings [often so] but I guess I'm wondering if anybody on this call has a sense of what the probably timeline is for subsequent procedures. So, there's the Subsequent Procedures Working Group that are working. My understanding is that that will take quite a bit longer than ours, and I'm wondering if we even have a rough notion of when subsequent rounds might begin. Because if we did, we'd have more of a sense about whether we're making a decision that would be holding up the program versus making a decision to create a priority during the remaining time.

Those are two very different things, so I guess I throw that question out to anyone who has a sense of what that timing is looking like, barring something unforeseen.

LAUREEN KAPIN: Thanks, Jonathan. That is certainly an excellent practical point that should inform how we prioritize I think all our recommendations really. Brian, I see your hand is up. Maybe you will be a source of insight?

BRIAN AITCHISON: Yes. Can you hear me?

LAUREEN KAPIN: Yes.

BRIAN AITCHISON: Hello? Okay, great.

LAUREEN KAPIN: Yes, we can hear you.

BRIAN AITCHISON: Yes, we do talk about this, and I do kind of follow the [sub-pro] PDP is what the cool kids call it, and it's very difficult to say. I would say roughly into sort of end of 2018 is probably what we're looking at. I don't want to be quoted on that or anything, but it's probably where they're at. Into 2018, I would say, just to give it a sort of wide berth for being completed.

LAUREEN KAPIN: And Brian, just so I understand the process, when you say the PDP will be completed, that's not when next round would begin, that's just when the PDP would finish its work. Am I understanding that correctly?

BRIAN AITCHISON: Right. And they're still very much in the thick of things, so it's very hard to say, and we don't like to give solid completion timeframes because it's completely up to them, the workload and that kind of thing. But right now, we're looking into 2018, probably well into 2018.

LAUREEN KAPIN: And then –

JONATHAN ZUCK: Thanks, Brian. Sorry, go ahead.

LAUREEN KAPIN: I still have one follow-up question for Brian, or for everyone. Once the PDP is done, is there any guesstimate as to what then the time would be between their completion of their recommendations, and any next round? Or is that very dependent on what they come up with? It might certainly be.

BRIAN AITCHISON: It's very dependent on what they come up with. It will be a significant implementation based on the kinds of things they're talking about. What else can I say about it? I would just defer to what kind of Akram has said in previous interviews. Around 2020 is what we've been quoted as saying before, and we're still looking at that.

JONATHAN ZUCK: So again, nobody is looking for a promise as to when the next round or subsequent procedures might begin, but sort of a notion of a likely minimum. And if we're talking about 2020, then I think that that speaks to just how conservative we need to be about making recommendations that should happen prior to subsequent procedures.

And maybe when Jordyn gets on the call, we can have this question further, because I know in some of the data-oriented ones, he's inclined not to hold up the subsequent procedures for some of those requests. But given that we're talking about a few years, it does seem as though none of them are likely to take longer than that, perhaps with the exception of the changes to the organizational contracts.

Anyway, I guess I would just like to put that out there as a contextualizer, that if something is manageable in a two-year timeframe for example, and we think that it would really help to have in place before subsequent rounds begin, then I don't think we should be afraid of it, because all we're really doing then is just setting priorities for how to spend time intermeeting time.

LAUREEN KAPIN: Thanks, Jonathan. Brian, is that an old hand up, or is that a new hand?

BRIAN AITCHISON: Old hand, Laureen. Sorry.

LAUREEN KAPIN: Okay. Well, and I see that Jordyn is now on the phone, so maybe we should just orient Jordyn a little bit maybe on the phone. Trying to actually make it call me. Okay, so I'm going to continue on then.

UNIDENTIFIED MALE: [inaudible]

LAUREEN KAPIN: Okay, I think someone needs to mute their line. Waudo, maybe that's you? Maybe you need to mute your line, if I'm guessing correctly. I could be wrong.

Okay. So, I think if we are thinking about 2020 before next rounds, then I would suggest that this actually might be a very useful set of information to collect and publicize for potential applicants, in which case I would say it should be completed prior to next round, and I would change that question mark to a yes. Does anyone have and views contrary to the yes? Jordyn, your hand is up. Go ahead.

JORDYN BUCHANAN: Yes, hi. Obviously, I'm jumping in late to the conversation, but I guess my take would be that we oughtn't presuppose dates by which the procedures are going to happen. I think that's somewhat self-reinforcing if someone throws out a date and everyone else sort of fills in assumptions that that's going to be the date and that's true.

I've heard speculation from Akram I guess, but I don't think to the extent that... I've had this question in Hyderabad of the Board of when they expected to – and Akram – of when they expected to be looking at the subsequent procedures.

And in particular, the Board has previously made a commitment to put together a project plan, which would actually be really helpful. That way, we might all know what the dependency tree looks like. But in any

case, they basically said the thing they're waiting to see is for the CCT to tell them what needs to be done in order to get there.

So, at least I don't think we should anchor our dates. I think it's totally reasonable for us to anchor out things that we think are really necessary prior to subsequent procedures. But I don't think we should just sort of say, "Oh, someone could do that in two years, therefore it's going to take two years anyway, therefore it's fine to make it blocking."

I think the question of whether it's blocking or not should be whether or not we think that – I guess I'll step back, and I have a perspective here that may not be adopted by the entire group, but I guess if we adopt the view on balance that the expansion of gTLDs has been net positive, then the only things that ought to be blocking would be things that would somehow make a further expansion shift from net positive to net negative. Otherwise, we're just holding back the opportunity for more of a sort of net positive phenomenon to [enlist]. And I don't think we want the perfect to be the enemy of the good and to allow things that would be very nice to have that would make additional rounds better.

There are all sorts of people, communities, businesses that have ideas that they'd like to launch. Some of them may have done their own market research. They may not need this information in order to proceed. Some of them may look around and see that some TLDs did very well and some TLDs did badly and may want to get more information, and this information would be very helpful to them.

So, that's assuming that we think that on balancing have been net positive. If on balance we think things have been net negative, then I

think we need to look at the factors that have made the situation net negative and make recommendations tailored to address that and say, "Look, we don't want to have additional TLDs, because until these issues are addressed because our balance extension has been net negative," I think at some point we need to step back and draw that high level conclusion before we start thinking about expanding the set of things that are blockers, I think.

So, where I focus, like in the consumer choice recommendation, I did make that a blocking recommendation because I think we identified there a clear sort of dead weight cost, which is defensive registration, that I think is worth looking at whether or not there's a way of reducing the costs in the place where they seem to be significant in this past round, and that would help substantially increase the balance between positive and negative.

Whereas here, it just seems like we're saying, "Oh, we'd like more information." More information might be helpful for people in the future, but doesn't seem to address the clear situation where the cost benefit analysis is sort of out of whack. That's my perspective.

LAUREEN KAPIN: Thanks, Jordyn. A couple of points, and then I also see that Jonathan's hand is up. I'm not sure you caught Brian's discussion with the observation that it is unlikely that the PDP Working Group will finish its work until well into 2018, perhaps the end of 2018.

So, I wouldn't propose including in any sort of statement we're anticipating things are going to not happen until 2020 for the next

round, but that is posited as a realistic perspective. Here, I would draw back from, "Has the overall expansion been positive or negative?" And look at the more specific findings related to consumer trust, which is that the new gTLDs at this point we are seeing from the findings that they're only trusted about half as much, and that in fact there is some affirmative discomfort about providing sensitive identifiable information to new gTLDs.

So, it strikes me – and maybe that's something that I should be adding to the rationale and the related findings, the differences between the levels of trust for new gTLDs versus legacy gTLDs. So, it strikes me actually that this would be useful information. And although this part of the chapter isn't focused on applicants from other regions, we also know that the uptake of applicants from other regions – at least particularly in Latin America and possibly in other regions – wasn't nearly at the same levels as it was hoped.

So, it seems to me there is a rationale for doing this before future rounds, and it's something that that team should come to a consensus view on, and then perhaps there should be a minority view if you or other folks feel very strongly about it. But let me turn it over to Jonathan who also has his hand up.

JONATHAN ZUCK: Thanks. I guess we're both piling on Jordyn a little bit, so he may want to respond. And I guess my perspective is similar to yours, Jordyn, in that I think that blocking is a high bar. So, the question then becomes one of prioritization for how time is spent prior to subsequent rounds,

as opposed to blocking. And I don't know how best to convey that, but we all know how ICANN works internally, and if things are not prioritized, then they often take a very long time to get done. So, I don't know if there's another way to express this that backs us off the notion of blocking but gets us to an idea of prioritization for the time that we know that we do have to get some of these things done.

I think there's some recognition that Compliance wasn't quite ready for the new round, there's a real lack of information about the effectiveness of safeguards, etc. These seem like things that are worth knowing that aren't necessarily net positive versus net negative, but that a lot of assumptions are based around these policies and it makes sense to try and get them right prior to having subsequent procedures, especially if doing so does not meaningfully alter the timeline for the subsequent procedures.

So I can see that that's a high bar to affect that timeline dramatically. It feels like a lower bar to set some priorities for the time that we do have – and that we know that we have – prior to subsequent procedures [we] put in place. So, it's a kind of prioritization exercise rather than a blocking exercise, and I don't know the best way to convey that.

JORDYN BUCHANAN: Hey Jonathan. I see Kaili is also in the queue, so I'll try to be brief. I like the formulation you just made, I think. In fact, I think it is the case when we first started our work that one of the things that we had hoped to do was provide a clear sense of prioritization of recommendations.

So, maybe that's just something that's missing from the current recommendations template. Because I would totally agree that this may be something that would be very high priority for ICANN to do, assuming that they have time. But that might be different from saying, "This isn't done and everything else is ready to go, we should not have additional TLDs because we're waiting for this." Those are I think two separate statements, and so maybe this as simple as adding a prioritization tab – and I guess I'm fine calling this high priority. I think it would be helpful to look at the set of priorities that we have holistically and sort of see, have us do our own stack rank and see where this fits.

That might help us just to avoid making everything high priority, which I would be a little worried that we might end up doing. Just to step back and react to Laureen for one second, which is I agree that right now that we do see less trust of the new gTLDs. I think it's not obvious whether that's just an inherent characteristic of emergent new technologies and labels, or whether there's something about the TLDs that were selected that led to that, or whether – if there would have been a better marketing campaign, we would see more trust. Because I do see this really high correlation between familiarity with the TLDs and whether people trust them or not.

So, I guess I could equally come to the conclusion that what we really should do is say ICANN needs to do a giant marketing campaign if they're going to do additional TLDs. I don't think I quite get there from that, but I don't think we have enough confidence to say this is the step that's going to necessarily untangle that relationship between launching a new TLD and having consumer trust associated with it, to say like we must do this prior to launch. So, I'd like to sort of tag onto Jonathan's

notion of identifying a prioritization metric so that ICANN does use the time that it has available as effectively and efficiently as possible.

LAUREEN KAPIN: Thanks, Jordyn. And also, I'll note in the chat that Jonathan has identified a possible rubric here of low, medium, high and prerequisite, which actually in my humble opinion might be very useful for all our priorities instead of having a must be completed prior to subsequent rounds to adopt this line on priority. And then we could designate whether it's a prerequisite or not.

So, one approach here could be designating this study as a high priority, but not necessarily a prerequisite. Although folks might think it should be a prerequisite. I'm just using that for illustrative purposes – and I know Kaili's hand was up and I want to get back to him although now it's not up any longer – but just a quick reaction, Jordyn. I don't disagree with anything you're saying in terms of there could be other reasons for this lack of trustworthiness. It could be due to marketing, but I would say that's the very reason I think it should be studied, because the truth is we really don't know, and it would be useful to know and applicants would – I presume – find that information useful. Not every applicant may have resources. In fact, we know they don't, because some folks didn't even go through the process because they didn't have resources, but not every applicant might have the resources to conduct market research to figure this out. So, those are my quick observations.

Kaili, your hand is no longer up, so I'm assuming that you don't want to speak, but I see you're saying in the chat, "Agree to have a matrix."

We have this [threshold] question of adopting the matrix. Jonathan, do you think that that is something that we should be doing for the preliminary report? I don't think actually it would take much time for everyone to apply it to their recommendations, and I would endorse that, but I want to make sure, is that something you're suggesting? Perhaps. Well, what I'm [inaudible].

JONATHAN ZUCK: Yes. Maybe I should just speak, sorry. I guess this is happening in real time, and I'm always loathed to throw a monkey wrench into the works 11th hour here, but this seems to be a bit of an ongoing discussion because we had it with respect to the data collection recommendations as well. I'm of several minds on this, but I think that I want to see some operational changes and reforms inside ICANN, and I think this is probably the best opportunity to get some things done. So, given that subsequent procedures are something that the extent that the organization wants to do something, that's something that the organization wants to do.

So, I think that it would probably be worth introducing that concept of prioritization even if we had to completely, after the public comments, change what we wrote in that field. It might be worth at least surfacing that metric as part of the public comment process.

LAUREEN KAPIN: So, your suggestion then would not be to change our current recommendations, but to as when we release this, say we welcome input on prioritizations. I just want to make sure I'm understanding you

correctly. And I note that Jordyn is actually advocating to switch now to have this notion of prioritization included in our preliminary report, but Jonathan, did I understand what you were suggesting correctly? I think that you're on mute, Jonathan.

JONATHAN ZUCK: Sorry. Please repeat the question. I had the phone ring right in the middle of this conversation.

LAUREEN KAPIN: Sure. What I'll note is that Jordyn also endorses trying to incorporate this modification into our current recommendations as part of our preliminary report.

JONATHAN ZUCK: Right.

LAUREEN KAPIN: Jamie is also agreeing with that. What I heard [you say] though was stepping back from that a little bit and saying we should introduce this concept in our call for public input rather than at this point revising our recommendation.

JONATHAN ZUCK: Oh, no. I'm sorry, I didn't mean talk about it. I agree with implementing it, because then prioritization will become part of the conversation. That's what I meant by that. I just meant that if we phrase it that way,

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we'll get comments that are helpful to that phrasing, whereas if we phrase it in a binary way, we'll get comments that are binary in nature and we'll have difficulty grappling with them. But if we do it this way, then we might get more granular comments back. So, I'm agreeing with Jamie and Jordyn.

LAUREEN KAPIN: Okay, and Jamie notes and I agree practically we would need a separate discussion to agree as a group on prioritization. And maybe that's adding a phone call where we just talk about all the recommendations and go through this exercise. We could have the penholders do it first, which I think would be the most efficient, and then have a plenary call where we just come to consensus on that.

JONATHAN ZUCK: I think that makes sense, and it's also something that's so simple that it shouldn't have a dramatic effect on beautification of the report as well.

LAUREEN KAPIN: The beautification. Okay, so if I were going to apply that rubric then to this recommendation because I want to move through this so we have time for all the other papers on the call, then what I would suggest is making this a high priority but not a prerequisite. That would be my inclination, but I'm happy to hear dissenting views. Hands? Any folks who want to weigh in?

Okay. So I am then going to call – and thank you, Fabro and Kaili and Jordyn, for weighing in there. I'm going to assume we have consensus

on this recommendation unless I'm hearing or seeing otherwise. I think people can agree or disagree in the Adobe chat if you're not able to make a verbal.

Okay, so I'm seeing that then we have consensus here, and to clarify – and I'm going to include this in the revision – this is going to have a high priority but not be a prerequisite. And maybe we can keep note of that in the action items just so we have a record in addition to my own scroll about how we prioritize the recommendations and whether they're a prerequisite or not on this call. I think that would be useful.

Okay. I'm going to move… Kaili, now I see your hand is up. Go ahead, Kaili.

KAILI KAN: Hello, do you hear me?

LAUREEN KAPIN: We can hear you.

KAILI KAN: Okay, yes. I think we also need to [characterize] what we mean by the different priorities. For example, high. How fast do we mean by high? Because although we do not [characterize] it as a prerequisite, but do we prefer it to be done before the next round, or not? So, I think we need to explain about high, what we mean by high, by medium, by low.

And also, I think [there was] one suggestion that we take out one level, so just make that maybe low, high, prerequisite, or something like that. But anyway, I think that we need to clarify: what do we mean by different priorities? Thank you.

LAUREEN KAPIN: Thank you, Kaili. That is a good point, which I would suggest we task Jonathan with in the category of no good deed or good idea goes unpunished. Maybe you can suggest some brief definitions for these categories. "Sigh." Yes, I've been sighing a lot myself, Jonathan. We can sigh together. But I do think that that's a good suggestion.

Okay, I'm going to move on. I think we can have further discussions about how to handle the priorities. Perhaps via e-mail, but I don't want to get more behind on the calls than we are already. So, I'd like to move to the second recommendation, which is on page 18.

The second recommendation has to do with data restrictions. "ICANN to commission a study to collect data on the impact on restrictions on who can buy domains within certain new gTLDs, registration restrictions, to compare consumer trust levels between the new gTLDs with varying degrees of registration restrictions. Determine whether there are correlations between DNS abuse and the presence or absence of these restrictions and assess costs and benefits and determine whether and how such registration restrictions are enforced."

The rationale here, along with the finding – and I see that I also should add that – along with the finding from the Consumer Trust and Registrant studies that there's an expectation that there should be

restrictions under certain circumstances and that registration restrictions relate to trust. That future PDPs and review teams can use this data to inform their policy decisions regarding new gTLDs, and particularly regarding whether the restriction should be encouraged or included within standard provisions of ICANN new gTLD contracts. And if I were going to prioritize this, I would prioritize it in the medium category and not have it be a prerequisite to subsequent rounds.

So, thoughts, questions on this recommendation? I'm looking to see whether there are hands up. Kaili, I see your hand is up. Or I don't know if that's an old hand, but if it's up for new, go ahead.

KAILI KAN: It's a new hand, yes.

LAUREEN KAPIN: Okay, go ahead.

KAILI KAN: I do not fully understand in here what we mean by incentives. Do you mean to say that registries, they want to do it they do it, they don't want to do it they do not do it, or instead we say create the requirements for [TTLD] registries, blah, blah. So, I don't know what do we mean by incentives. I presume it'll be financial incentives. Or what do we mean here? Thank you.

JONATHAN ZUCK: Thanks, Kaili. I was actually incorporating a discussion point for one of our prior plenary calls where actually, there was an aversion to being too prescriptive, and there was a suggestion that speaking in terms of incentives might allow the flexibility for the stakeholders and the folks who are in working groups making policies to explore this issue. So, it's deliberately not defined because we didn't want to hem in the notion of what incentives that the community or the PDP Working Groups might be coming up with.

So, that's sort of my short answer. I don't know that it's satisfying, but that was the thinking behind it, that this really is designed to allow for flexibility and creative multistakeholder thought on it. Jordyn, I see your hand is up.

JORDYN BUCHANAN: Yes, thanks, Laureen. Yes, I think I originally proposed the incentive language so I was going to try to speak to that. And I think you could imagine the incentives coming in various ways. There could be a financial incentive. As long as we're in a round-based model, you could imagine the incentive is that ICANN would somehow [inaudible] maybe even strictly so applications that included a registration restriction over those that did not.

I think both Jamie and I had suggested to not make this a requirement was because the current policy at least as adopted by the GNSO imagines that it's up to the registry operator to figure out their business model, and so we could I guess in theory propose a wholesale change of the core policy principles of the gTLD expansion. I think that's within our

remit not necessarily to make it be so but at least to encourage the community to go back and look at it but that feels like a really high bar, to me at least, before we make recommendations along those lines.

What I did want to get at is I do think personally, and I think the data bears it out, that these restricted TLDs seem like they ought to be a part of the ecosystem and it seems like there's consumer demand for them, it seems like they would probably lead to higher trust. The small number of examples that exist seem to be well-trusted. But I think the market forces as they stand right now tend to encourage very open TLDs as opposed to restricted TLDs. And if you were going to launch a TLD and you had two options and one of them said, "You should do a bunch of extra work to verify people and at the end of that work you get to have fewer registrants than if you didn't do that work and just let anyone register," the business model is essentially almost always going to work out such that you prefer the open model.

So it would be helpful for ICANN to somehow have a mechanism in place to make it so there's either an incentive or a preference or something towards that restricted model which doesn't exist today without necessarily hemming in applicants to only work in that model if it's appropriate. To something like .xyz it obviously probably doesn't make sense to say, "You can only get this if your business has a name with the last three letters of the alphabet or something like that. Some things are designed to be generic even in some of the cases that we've talked about – there may be business models that imagine a more generic use of a term than some others may. And so I think we want to encourage that diversity but really encourage the diversity by allowing

the restricted models to flourish, too, which doesn't seem to be the case [inaudible].

LAUREEN KAPIN: Thanks, Jordyn. I think that's a very well-expressed view about the nature of the incentives and the realities of the marketplace. You and I can talk offline maybe about crisping this recommendation up but I appreciate that perspective.

Kaili, I'm not sure if that's an old hand or a new hand.

KAILI KAN: Hello. It's a new hand. I still do not quite understand this point. Maybe I'm not sure if I'm missing something or not. But I thought these A, B, and C – C should be quite obvious. Whenever a registry is registering a new gTLD, for example the relation of the content of a gTLD [of its] name for example, who is allowed to register within this gTLD and who is not? And also the safety and security. I thought these should be fundamental requirements for any applicants to get a new gTLD. Am I missing anything here or what? Thank you.

JORDYN BUCHANAN: Hi, Kaili. I'll just express what I put in chat which is, it is actually currently the case via the PICs actually – and it was also the case I think in Question #18 in the application – that applicants do have to express what their registration policy is. But I guess what I was trying to say is that right now there's a bias in the economic structure such that a very

strong tendency is for applicants to say that the registration policy is that anyone is allowed to register in the TLD for any reason.

I think this is just trying to figure out whether we can create an incentive gradient such that it's a valid choice for people to say – not just valid but a more likely choice – that people will say that registration in this particular TLD is going to be actively restricted to a particular population.

KAILI KAN: Okay. Thank you.

LAUREEN KAPIN: Sorry, I was on mute. Yes, you still have Laureen. I'm still here.

What I'm going to suggest then is coming to consensus on this recommendation. I would flag it as a medium priority. It could also be a high priority. But I don't think it should be a prerequisite to future rounds. Does anyone have any specific feedback on that – before I call the question, so to speak – either in the chat or by voice?

Okay. Then I'm going to label it for the purposes of this recommendation as a medium priority, not a prerequisite, and I believe we have consensus on this recommendation. If we don't, please express it now.

I'm not seeing any objections so we have consensus. And if we can just note that it's medium priority and not a prerequisite for Recommendation #2.

And then we're going to move on to the further review recommendations. This is on page 17. Here I've gotten more granular about possible future data collection. I've called for repeating selected parts of the global surveys, and these numbers relate to the questions that honed in specifically on familiarity, visitation, and perceived trustworthiness, these parts of the surveys should be repeated. So that's a fairly simple recommendation.

I would put this as a high priority but again, not a prerequisite to subsequent rounds. And I would put it as a high priority, 1) because I think it's important to continue measuring what the current state of the market is, and 2) because, as we already have these surveys created, I think it would also be easy to implement.

Questions, comments, on that recommendation.

Okay, I'm not hearing or seeing any so I'm going to assume then we have consensus on this recommendation for repeating parts of the global surveys as a high priority but not a prerequisite.

For the second further review recommendation, this also related to the impact of restrictions on who can buy domains. So this would be a study to collect data on the impact of the restrictions on who can buy domains to compare trust levels. This would be comparing trust levels between new gTLDs with varying degrees of registration restrictions, determining whether there are correlations between DNS abuse and the absence of registration restrictions – this actually looks a lot like – I'm wondering if I repeated the prior one. No it's different. And assess the costs and benefits of the… I'm wondering if I read the wrong

recommendation before for Recommendation #2. And I'm wondering if I skipped… Okay I see what I did. Apologies for the confusion, which I inadvertently created.

The recommendation we came to consensus on in our last discussion just right before the one on repeating the survey questions was this Recommendation #2 for more data. So we already have consensus on this recommendation. What I need to do is go back to the Recommendation #2 on page 16 – apologies for the confusion – that's what we should be discussing now. With my master scrolling right I scrolled too far.

On page 16, the last recommendation for discussion – let me note this for myself – is, "To create incentives to encourage gTLD registries to meet user expectations regarding the relationship of the content of a gTLD to its name, restrictions as to who can register a domain in certain gTLDs based upon implied messages of trust conveyed by its name particularly in sensitive or regulated industries, and the safety and security of users' personal and sensitive information including health and financial information."

These are all areas that the Consumer Trust Survey had identified as either being related to trust or the public's expectations. So the public had expectations about the relationship of the content of the gTLD to its name. The public expected registration restrictions, expected that they'd be enforced, and there was a correlation between registration restrictions and trust. And we also know from the Nielsen Surveys and other studies that the public is very concerned about the security of

their personal and sensitive information. So those were the findings that this recommendation flows from.

This would be to the Board and the PDP Working Group and future review teams.

Here I have flagged it as something that should be a prerequisite because these incentives could be implemented as part of the application process. So this would be a high priority and a prerequisite. Those are the suggestions here.

Jamie, I see your hand is up. But we can't hear you, Jamie.

JAMIE HEDLUND:　　　　　Okay. I've been unmuted. Staff took away my speaking rights. I don't know why.

LAUREEN KAPIN:　　　　　I'm sure there's no message there.

JAMIE HEDLUND:　　　　　Moving on.

Two things. One is I don't read the survey quite as conclusive as you do. I don't think there's quite the data to support some of the statements and conclusions that you made about what consumers expect. But more importantly, I don't see how the Board could act on this. This could be a recommendation, as you said, for the PDP but this strikes me more as policy. It's not implementation that the Board can direct staff to do and

it would benefit from a lot of – I understand what I think you're trying to get to – but having the Board define, for example, what user expectations may be for any particular gTLD in any particular region and the meaning of the names, etc. and the types of – I think that the Board is going to just throw it back to the working group. Thanks.

LAUREEN KAPIN: Thanks, Jamie. That's a fair point about how the Board would act on this. I would agree to just take that out.

                        Jordyn, your hand is up, too.

JORDYN BUCHANAN: I was just going to agree with what your [inaudible] which was to say… I just don't feel it's a recommendation for the Subsequent Procedures PDP and it seems reasonably actionable for them to consider it, and through the policy process they can decide whether there's something that can be done or whether it makes sense or not. But I think at least making sure… to take a step back once again in Jordyn's personal view of how we might actually get to additional gTLDs I think that having the CCT in particular recommend a few areas that we think are critical to address through the policy process prior to the expansion of new gTLDs may actually be really helpful to the process.

                        Right now my view is that the Subsequent Procedures PDP is a black hole that anything vaguely related to gTLDs is falling into, and if instead we could say, "These are the things that you actually need to do or take a look at before we get to the new gTLDs," may help at least prioritize

their work and they could make their own calls, "Oh, okay. These streams are the ones that we actually need to finish before there can be additional TLDs," and then there's this whole bunch of other things that they can proceed at their own pace. The advantage that a PDP has is that since the output of a consensus policy becomes binding upon all contracted parties, they can adopt things after the fact that still trickle back into applicants even after they've [submitted] their application and [launched]. So they have quite a bit more flexibility in how they can approach the problems as opposed to just thinking about the application intake problem.

So I think it's very helpful for us to be able to point the PDP to the areas that we think are most important to resolve prior to the expansion of additional gTLDs.

LAUREEN KAPIN: Thanks, Jordyn.

Jamie, I see your hand is up and I don't know if that's your original hand or you have another comment.

JAMIE HEDLUND: No, that's old. Sorry.

LAUREEN KAPIN: Okay. My thought process here in terms of prioritization – because I agree with both Jamie and Jordyn that we should take out the Board as the target here for the recommendation – is that part of this

recommendation really goes to these sensitive or highly regulated domains which have the potential to cause more mischief because of the nature of the information they may deal with and the findings in the survey and again, in other studies, that the public is worried about how their sensitive information is treated. And if anything's going to have a negative impact on the market for gTLDs in a more sensitive space, it's going to be the case that consumers not trusting these gTLDs means there's not going to be a market for them, which is why I suggested it to be a prerequisite.

But if it is a recommendation for the PDP and future CCT Review Teams, that could be something that after further exploration they decide to reject that. But I still think from our perspective and the data that we have, this is something that should be explored so it could be baked into the next round if there's consensus about that. So that would be my recommendation. But I think we should decide as a team whether we endorse this [A] and how we prioritize it.

The recommendation that I have on the table for consensus is to have this as a high priority and a prerequisite for the reasons I've discussed in terms of the sensitivity of the issues and how it might relate to actually the trust and demand for gTLDs that fall within these more sensitive categories.

Any other comments or questions, and then I'll call for people to express their disagreement or lack of consensus with this recommendation so that if there is significant disagreement and lack of consensus, we can see that.

Okay. I'm not seeing disagree buttons. So this recommendation – and maybe we can note the page. Thank you for noting the page numbers since I created some confusion here. This Recommendation #2 on page 16, we are going to delete the reference to the Board but we would make it a high priority and a prerequisite.

Okay. "Slight tweak to the language." So Jordyn, you and I will have a separate discussion and I can recirculate that.

Okay, good. So I think we are through with this paper and we can move on to the Safeguards paper.

Okay. And I want to make sure that this is the right version. Okay.

I'm going to go through the recommendations on this paper since I assume that folks have read it through. I tried to respond to my changes here and I see that this isn't necessarily a red line although there are some comments preserved. But I did make changes to respond to folks' comments and so if there are still issues that people want to discuss with me, my recommendation is and my invitation is, call me and we can have a discussion if anything is still perceived as problematic or, more importantly, inaccurate.

With that said, I'm going to move on to Recommendation #1 which is on page three. And I'm going to note the page numbers because this paper does have a number of recommendations that relate to the specific safeguards and I want to make sure I don't create any more confusion.

This is regarding WHOIS data and I think we went through this once but it wasn't in the current formulation. This recommendation by way of

background stems from the findings – and I'm going to start with the findings before I get to the recommendations for context purposes – that WHOIS-related complaints are the largest category of complaints received by ICANN Compliance for registrars, but it's not clear what aspect of WHOIS accuracy forms the basis of the complaints. We also have the added projects that ICANN has spearheaded – the ICANN Accuracy Reporting System that analyzes certain aspects of WHOIS accuracy – syntax, is it in the right form, operability, does it work, i.e. does the address work, does the e-mail work, does the phone number work? But there was a Phase 3 to that accuracy reporting system project that was identity validation – is the contacted individual responsible for the domain?

Out of these two data points – 1) we have this large category of complaints but we're not sure exactly what these complaints are about in terms of the accuracy of the WHOIS, what aspect, and 2) we have this system that is actually measuring accuracy in terms of syntax and operability but is not moving on at this point to identity validation. That's what forms the basis of this recommendation, which is: one, "ICANN should gather data to assess whether there's a significant number of WHOIS complaints that relate to accuracy of identity," since right now there's no system in place to measure that. And, "This data should include accuracy complaints received by ICANN Compliance but also identify other potential sources of WHOIS complaints." And I've named some potential sources but this is not a prescriptive, this is, "Identify other potential sources and attempt to obtain anonymized data from these sources."

All of this is an attempt to have further transparency about what are the WHOIS accuracy problems that form the basis of the complaints, what's the biggest problem, for example? And if there is a significant percentage of complaints related to identity, then that could form the basis of proceeding with the identity phase of the Accuracy Reporting System Project.

That is the recommendation here that relates to WHOIS.

Jamie, you have your hand up followed by Jordyn. So I'll turn over the mic to you, Jamie.

JAMIE HEDLUND: Thank you, Laureen. First of all, am I correct that the first one also relates to something that Jonathan was separately working on – one of his recommendations? Because I know we had a previous discussion about the IT-related work that Compliance would have to do in order to gather this information. This information exists. My understanding, though, is it's just in text and so it's not easily isolated and quantified, and so some work would have to be done, as I mentioned before.

I'm glad that this is not a prerequisite, but it is something that would have to get scoped out and would be completed over time. I don't see any obstacles to ICANN Compliance doing this. It's just that it'll take time. And so I guess I go back to my original question which was – Jonathan, is this related to another recommendation that you were doing that you and I were going to talk about?

EN

JONATHAN ZUCK: Jamie, thanks for the question. Part of what I did that [confused] things unfortunately was in that data section, kind of rolled up some of these more granular recommendations to try and make them more readable and generalizable. And so they're all interrelated, and so after a discussion with Eleeza, tried to replace most of the recommendations in the data section with references to recommendations in the text and only the structural one – Recommendation #1, if you will – of the data would remain as a [done] recommendation for that section, I think.

But yes, I think we do need to probably have a conversation about this stuff because it's been eight years and the IT systems of Compliance haven't really been markedly improved. And so we just need to find some balance here and dig into Compliance a little bit. So we're really excited to have you as part of the team so that we can make [set] some realistic goals about that because otherwise too much time passes and in spite all the early warnings, I don't think Compliance was really ready for this round and we need to look seriously at some prioritization there. That's all.

JAMIE HEDLUND: Can you explain what you mean by [inaudible]. We're happy to sit down. Compliance is moving from [Kayako] onto Salesforce and maybe we can talk about this offline, but I'd be grateful for your perspective on how you think Compliance is not prepared for this round. Is it in handling the number of complaints that have come in? Is it producing data like this that you would like to see? Is it [inaudible]?

JONATHAN ZUCK: I don't want to tie down on this conversation because it's part CCT and part CSG I guess a little bit on… So we'll be talking more in two weeks about this but I'm happy to sit down with you individually. I think that we need to do something, not because they're easy but because they're hard, some cases. And I think Compliance is the most important department at ICANN. And so I think we've got to make it more of a priority than it's historically been. Me personally [saying this].

JAMIE HEDLUND: Let me say for the record I think Compliance is the most important department of ICANN, too. It's just a matter of sitting down and talking and we're happy to do that with you, with anyone from the team, before this goes out for public comment, after it goes out for public comment, just [inaudible].

JONATHAN ZUCK: And the truth is we're going to get feedback and pushback on where we place on these recommendations and substance, the timing we set for them, etc. This is a conversation starter on those issues associated with prioritization and prerequisites, and the fact that we surfaced that metric that way means that we'll hear from the community on where they think we've made the right call or not and we don't have to regard this as the end of the world in this particular report, I think.

JAMIE HEDLUND: No, not at all. And I'm not at all resistant to this. I'm all in favor of greater transparency with our Compliance data. It's just a matter of

sitting down and figuring out… looking at realistically how long it will take to get the systems in place and the data reported appropriately. Again, that's not resistance. It's just there's a lot of IT projects that we compete with.

JONATHAN ZUCK: We might have a role in helping to prioritize this one, Jamie.

JAMIE HEDLUND: Absolutely. [Inaudible].

JONATHAN ZUCK: We're on the same team. We'll be your best ally in your internal competition for attention from IT. I don't want to tie up the conversation today, but I think you're right that we should talk specifics and so I'm not [pushing back on that].

JAMIE HEDLUND: Okay. Laureen, just quickly on the second one. I wonder again if, given the controversial nature of this phase – the verification phase of ARS – given costs and effort and all the rest, if the ICANN Board again, can be in a position to direct that it take place. Rather than having the Board direct that it actually be implemented, perhaps the Board could facilitate a community-wide discussion on the identity phase because there's some critical issues that haven't gotten enough airing related to that including costs, regional differences, methods of actually doing a verification, and the associated costs, etc. etc. so privacy.

I just put it out there whether this isn't something that the Board not do directly but the Board somehow facilitate discussion among the community. It could even take place within the WHOIS Review Team, the next one that's coming up. Thanks.

LAUREEN KAPIN: Thanks, Jamie. Just procedurally just so I understand, it was my understanding that the Board had initially directed the WHOIS Accuracy Reporting System in the first instance and had identified identity as a potential Phase 3, which is why I had directed this to the ICANN Board because I understood procedurally they had already spearheaded this project and this was already a potential phase of the project. Am I misunderstanding that?

JAMIE HEDLUND: I don't think there's quite that amount of clarity. I think the Phase 3 – I could be wrong about this – but I think Phase 3 came out of either the WHOIS Review Team report and/or GAC advice. I don't believe that the Board directed staff to do [inaudible] 1, 2, and 3. And in some community discussion about this there was a fair amount of pushback, particularly from the contracted parties, about this primarily because of the associated costs. We can recommend that the Board direct that it happen. I think that the reality is, though, that there will be significant opposition to the Board's doing that and that it would certainly benefit from more community discussion and consensus rather than just a Board edict if this is actually going to be implemented.

LAUREEN KAPIN: Jamie, in your view would the better place for this to be directed would be applicable PDP Working Groups and ICANN staff? I'm just trying to figure out procedurally where you think this would be best directed to allow for further community weigh-in.

JAMIE HEDLUND: Sure. There's probably a number of options, but the Board could be directed to convene a community discussion on this issue. The Board could recommend that as part of the next WHOIS Review, that they consider the feasibility and desirability of going through with Phase 3. And probably I guess you could direct it to Subsequent Procedures PDP but I think they may find it more peripheral to what they're actually doing.

I guess finally, you could direct it to be discussed within the NexGen RDS. I don't know exactly where it would fit but it's obviously related.

LAUREEN KAPIN: That's helpful. Thanks, Jamie. Jordyn, you have your hand up.

JORDYN BUCHANAN: Yeah. I'm having a hard time relating this recommendation to the New gTLD Program in particular. It seems like we should probably do a little work to make that link more clear.

I guess I would suggest a two-fold set of changes. The first is: I think the data gathering is still tenable under the new gTLD umbrella, but I think what we should do there is say that ICANN should gather the data and

also try to assess whether there's a difference in the results across new gTLDs versus legacy gTLDs. That way we're at least able to say we'd like to see if the behavior has changed, or whether we're just looking at a general set of problems that apply across all TLDs.

I think that changes the tone of whether this is really something related to new gTLD in particular [as opposed to], "Oh, Tom has this problem, too, in which case I don't think it's really in our bailiwick."

To that point, I struggled with the second recommendation entirely because my intuition is that this set of WHOIS accuracy problems are not particularly unique to new gTLDs. Absent that finding and that data, it just feels like we're stepping into the quagmire that is the WHOIS discussion at ICANN. Having chaired a WHOIS task force for five years, [we've had] minor substantive results, but certainly not the substantive outcome I would have hoped for from that time of work. Having seen the community continue to spin its wheels on it for the last decade or so, I'm reluctant to have us, without a really sound basis, tie it back to the new gTLDs in particular and push for this, as Jamie says, recommendation that's likely to have significant pushback from the community.

So I would prefer to constrain this to the data-gathering recommendation and try to create that stronger tie back to the New gTLD Program because, until we have a data finding that relates some specific WHOIS problems to the new gTLDs, we probably ought not to be suggesting relatively heavyweight approaches to address it, such as the identity phase of ARS.

LAUREEN KAPIN: Thanks, Jordyn. The way I viewed this as relating to the New gTLD Program was because of the safeguards baked into the 2013 Registrar Agreement that relates to WHOIS verification, which were different than the requirements in prior registrar agreements. So that's a specific relation to the New gTLD Program, which is why this is even addressed in this paper in the first place.

I do take your point regarding this comparison between accuracy levels for new gTLDs and legacy gTLDs, and I think that would be a good data request. I'm happy to add that.

I think, as to your bigger point – "are there differences?" – right now we don't know, so it would be important to gather that data. But we do know that it is one of the largest complaint categories for registrars, and it is a safeguard that is applicable to all new gTLDs. So I think it is fair for us and within our mandate to deal with this, but I'm happy to hear other views as well. It seems to me to fall within our mandate.

I see that Jamie and Jordyn's hands are still up. I don't know if those are new hands or old hands.

JORDYN BUCHANAN: Laureen, it's Jordyn. Just to react briefly to what you just said, I think it's true there are new safeguards in the 2013 RAA. I think the link there to the New gTLD Program is a little tenuous. It is true that you need to find the 2013 RAA in order to sell new gTLDs, but that was almost an

incentive to adopt the 2013 RAA as opposed to saying that these safeguards are intended to apply to the new gTLDs.

In fact, the accuracy requirements apply to all gTLDs. Though it is true that ICANN uses the incentive of the New gTLD Program to encourage registrars, the accuracy requirements are germane to all gTLDs and not to just the new gTLDs.

Once again, I think it would be helpful to see whether there are accuracy distinctions between the new and legacy gTLDs. I just get more troubled when we go from not understanding whether or not there's actually a distinction with the new gTLDs to starting to make substantive recommendations about – like Jamie said, I think they'll be both controversial, and there's a ton of work to move out of that identity phase. It seems like, if the data was there – it existed – there'd be several other tracks of work – the next WHOIS and the next-gen RDDS – that would be capable of consuming that data and deciding what to do with it. It seems like a stretch, given what we have here, to say that we should be encouraging a more generalized step in the ARS project when we don't even have a clear tie to difference of behavior in the new gTLDs.

LAUREEN KAPIN: Thanks, Jordyn. Other thoughts and views on this?

Okay. Well, we have a difference in views here, so I think the issue is then whether we can come to consensus on this recommendation and if there is going to be a minority view on it.

What I would propose is to take away the reference to the Board here and to re-tweak it along the lines of Jamie's recommendations to call for more community discussions and consider other review teams that might grapple with this, which I think may speak to some of your concerns here, Jordyn, because it would allow for community weigh-in on this topic before any further action happens.

Also, I… Go ahead.

JORDYN BUCHANAN: Maybe a formulation that would make sense – to me at least – would be a relatively minor change to one, which is just to say that this breakdown should be done on a per-gTLD basis or a cross-legacy and new gTLD basis in order to determine whether there's a difference and then say, "We anticipate that this data should be used by the community – for example, via the next-gen RDDS or WHOIS review – to determine whether or not additional steps need to made to address WHOIS accuracy and in particular whether not the identity phase of the ARS project should proceed," or something like that. It's just to say, "We're getting this data. We're giving it to you. We want that discussion to happen in the future, but we're not being prescriptive about when or where it happens."

LAUREEN KAPIN: So essentially to soften the language of the second sub-part here, rather than have it a "should," make that a little less prescriptive.

JORDYN BUCHANAN: Yeah, I'm happy to provide some [language].

LAUREEN KAPIN: Yeah, actually that would be helpful.

JORDYN BUCHANAN: Yeah, I can e-mail it.

LAUREEN KAPIN: That would be helpful for reformulating. I would like to, if we can, get to consensus on a general recommendation on gathering data on the specific aspects of WHOIS accuracy, both collecting that data regarding new gTLDs versus legacy TLDs – I think that's a good suggestion – and tweaking it along the lines of Jamie's suggestion to call for some community discussion and some other related review teams to grapple with this issue with an eye specifically towards assessing whether the data calls for proceeding with the identity phase of the ARS project.

Is that a fair formulation of the collective group's think on this – at least those who have spoken up? I'll ask for an affirmation from you, Jordyn, since you've been the most vocal. I think that sounds reasonable.

"Yeah. Sounds like a balanced statement." Fine.

So in light of those anticipated tweaks, which I will work on with Jordyn, do we have consensus on this recommendation? I would put this as a medium priority but not a prerequisite.

Okay. I'm not seeing any objections. I'm not hearing any objections. So I will view this as having consensus on that. I will work with Jordyn and Jamie to tweak this along the lines of what we've just discussed.

Okay. Moving on, the next recommendation deals with the safeguards relating to mitigating abusive activities. Now, I want to try to make this bigger. Good. Okay.

This recommendation is on page five. I'm going to start with the rationale and findings. Here the issue is: "In order to better measure the new gTLDs' ability to mitigate abusive activity, data related to abuse rates in new gTLDs should be gathered and analyzed on a regular basis. This data should be reviewed by the ICANN organization and made available to future review teams. And we're knowing here that our review team is commissioned to study on the topic to serve as a baseline."

In a sense, this recommendation is incorporating the efforts that we've already begun, which is to figure out the rates of abuse in new gTLDs versus legacy gTLDs so we can begin to drill down and figure out how effective these safeguards are.

So that is the recommendation. We are, in response to Margie's comment here, already engaged in this, and I see it as an ongoing effort. In that regard, it's something that's going to continue. Just because it's ongoing doesn't mean it's a prerequisite, but it is a high priority.

Questions and comments on this recommendation regarding data gathering for rates of abuse between new gTLDs and legacy gTLDs?

	Jordyn, is that a new hand?
JORDYN BUCHANAN:	It is, yeah. I'm okay with this. I don't really have a problem with the gist of this recommendation. If I was the ICANN organization and I read this, I guess it wouldn't be clear to me what to do differently. Is this just saying, "Keep doing what you're doing because that's good"? Or are we actually trying to propose a change in behavior?
LAUREEN KAPIN:	Thanks, Jordyn. Thanks a fair question. Maybe we should make this more precise. Right now, we have this DNS Abuse study that we've commissioned, so I see this recommendation as saying, "Repeat this study at regular designated intervals." Maybe Drew and I should collaborate about – and Brian – on what would be reasonable amounts of time to continue to gather this data or formulate just what makes sense in terms of continuing to gather it.
	What I'm hearing you ask for is more precision. Yes?
JORDYN BUCHANAN:	Yeah. That's right. I think that would be a better recommendation because it'd be clearer on what we meant.
LAUREEN KAPIN:	Okay. I will collaborate with Drew and Brian to be more specific about the timing here, how often this should happen.

EN

Okay. Again, because it's ongoing, this would be high but not a bar, not a prerequisite. Assuming those tweaks, and if we can make that an action item also – to collaborate with Brian and Drew to make this more specific – that would be helpful to include as action items.

Okay. Assuming those tweaks, do we have consensus on this recommendation? Are there any objections to this recommendation?

Okay. Jordyn is okay with this. Drew is going to work with me. Other people are okay.

Okay. So I am then presuming consensus on this, since I'm seeing all these "okays" and, more importantly, I'm not seeing objections.

Okay. Good. Moving on, we're now switching to the topic of security checks. This was a mandatory Public Interest Commitment that required registry operators to conduct a technical analysis to assess whether domains in their TLD were being used to perpetuate threats, like pharming, phishing, and malware and maintain information on those threats to be made available to ICANN on request. The intention here was to enhance efforts to fight DNS abuse.

Here I've noted ICANN Compliance [inaudible], which indicated that registry operators were conducting these security threats. The other note here is that community discussions are ongoing about how to develop a framework not only to monitor for security threats but for registry operators to respond to security threats. So this is something that's still in play in the community.

The rationale and related findings, before we get to the recommendation itself, is that we don't know whether the intended goal of enhancing efforts to fight DNS abuse has been met. There is this community discussion to figure out a framework for registry operators to respond to security threats.

Therefore, the recommendation here is to have community stakeholders and future review teams look at whatever the framework turns out to be and make an assessment. Is it clear? It is effective? That's the recommendation. It's a fairly straightforward recommendation.

Questions and comments on the recommendation regarding the safeguard on security threats?

Jordyn?

JORDYN BUCHANAN: Hey, Laureen. This recommendation feels particularly mushy to me, mostly just because we don't know what the framework looks like. So I was going to say, let's see if the framework actually works. I wonder if [I should suggest] a recommendation to the next CCT Review to actually take a look at the framework or something like that. I'm just not 100% sure who we're expecting to do the review or what the mechanism is.

Once again, I just feel like this needs to be tightened up somehow to be a little bit more actionable because right now it just feels like someone in the community should somehow look at this. I think if we could

somehow figure out who we're directing it to and what action that's expected from them, it might be a little bit more helpful.

LAUREEN KAPIN: Would it be helpful then to specifically specify that the next CCT Review Team should take a look at this?

JORDYN BUCHANAN: Yeah. For me, at least, that makes sense. We know this is an important issue. It's not really in a position that we can review it now, so let's just make sure that someone takes a look at next time. That would make sense to me at least.

LAUREEN KAPIN: Are there any other thoughts about who would be best positioned to take a look at this, either in addition or in shorter timeframe?

Well, I'm happy to tweak this to designate the future CCT Review Team to take a look at this. I imagine, whether we recommend it or not, there's going to be reaction to the framework once it's announced. At least this would still constitute a placeholder for the next CCT Review Team. So I'm happy to have that as a tweak.

This wouldn't be a bar. I think I would make this a medium priority just because we don't know what the timing would be.

Any other thoughts or comments on this? Otherwise, I'm going to move to calling for consensus on this.

Jordyn, is that a new hand or is that your original hand? Okay.

Okay, so I'm presuming consensus on this as modified by Jordyn. This would be a medium priority, not a bar. I'm seeing no objections to this, so we have consensus. We'll move onto the next.

The next safeguard and recommendation relates to making and handling complaints. These were the topics of several provisions in the new gTLD contract. These were directed to registry operators taking reasonable steps to investigate and respond to reports from law enforcement and quasi-governmental agencies. Also, there's a requirement for registry operators to publish abuse contact details on their website.

This safeguard, like a lot of the others, was aimed at enabling more focused mitigation of DNS abuse. The original GAC advice proposing this safeguard had not restricted the duty for registry operators to investigate and respond to complaints to just complaints from government agencies, thereby subsuming the public at large, who might complain. But that's not how this was implemented in the contracts, and that remained something that the GAC expressed concerns about in its advice.

ICANN Contract Compliance also notes that this is a common contractual compliance issue in terms of contact information or not responding to complaints.

So here the real questions that form the basis of the recommendation are questions about the scope of registry operators' response to this safeguard; i.e., how they respond to complaints from the government

or law enforcement and the extent of any responsibilities to respond to complaints from the public. That's the rationale.

The safeguard has been implemented, but it's unclear whether folks know this exists. Indeed, we have information from the Nielsen survey that shows the public isn't quite sure where to complain to when they see DNS abuse.

The other rationale here is: we can't tell how frequently these channels are used by the public and law enforcement to notify registries of illegal or abusive behavior. We also can't tell what impact the safeguard had on their intended goal of mitigating DNS abuse.

So the recommendation here is to assess whether the mechanisms to report and handle complaints has led to more focused efforts to combat abuse. These are first steps. One, determine the volume of reports from the registries – what the volume of complaints they're receiving from the government and the public is – and what actions they take to respond. Here, again, responding to prior feedback, this could include surveys or focus groups or community discussions. Two, based on those discussion, assess whether there needs to be more of an effort to publicize where complaints that involve abusive or illegal behavior within a TLD should be directed. So that's the recommendation.

Questions? And this is directed to the ICANN Board, but it may be that this should be directed to a different entity, procedurally speaking. There I would welcome guidance.

And a special welcome back to Fabro, who we've missed. Welcome back, Fabro. You have the floor.

FABRO STEIBEL: Thank you very much. First of all, sorry for being away in the previous months and weeks. But I'm back. I just want to make clear that I followed the discussions that you had before, and I agree with a consensus way of what has been said.

In this recommendation, I would like to make a suggestion to add something. If new gTLD registry operators are obliged to post abuse contact details, I think it makes sense for the recommendation to also ask for ICANN either to publish a list of those registries that publish their contact details or at least keep track of those who are doing and not.

I'm saying this because, when we're doing the research, knowing the list of who published was something that you searched on. It might be a quick way – I'm not sure if it's legal or not – to know who has published their details or not.

So this would be recommendation: to add to this [line].

LAUREEN KAPIN: Fabro, I just want to make sure I understand your request. What you would be suggesting is to ask ICANN to basically publish a list – I'll say not of those who are publishing their contact information. It sounds like you're more concerned with making clear that any transgressors, so to speak – any folks who are not complying with this contract requirement – be publicized in some way. Am I understanding it correctly?

EN

FABRO STEIBEL: Yes.

LAUREEN KAPIN: Okay. I'd be interested in thoughts on that from the rest of the team, but I also want to go to Jordyn's comment.

JORDYN BUCHANAN: Hi, Laureen. Hopefully most of the comments are taken as constructive suggestion. I guess my trouble here is that I don't understand that this wasn't our job, I guess. To a certain extent, there was just a finite number of things we were able to do, but it does feel like we're roughly trying to say, "Hey, see if this safeguard actually works," which, to a certain extent, is a charter of the CCT itself and we're basically pushing this off to some indeterminate third party again.

So I guess I'm struggling about who we think would actually do this and why we think they might be more successful than we were. Once again, if it's just time, maybe it's just an issue we're trying to flag for future CCT Review.

I wonder what you have in mind in terms of how else this might be implemented.

LAUREEN KAPIN: Thanks, Jordyn. In an ideal world, we would have been able to have this information, but this goes back to the way ICANN Compliance discloses its numbers of complaints. We don't have that visibility. We didn't have that visibility. Although Compliance has been responsive when we've

asked for specific requests, it became apparent, when we asked about first requests for information, that our requests were generating a lot of time and effort from the Compliance team because their systems aren't set up to gather data in this way.

So it wasn't going to feasible for our review team to get this information because A) it's not gathered in a safeguard-specific way or even necessarily a contract-provision way, and B) there wasn't going to be the resources available to gather this during our time period.

I think this relates to the general request that we're putting in our previously-named data analysis section; that we need more resources to go to Compliance in order to provide more visibility as to the subject matter of complaints.

So I agree with you that this is our job, but we weren't able to do that with the way the information is gathered now. So this would be a recommendation to make sure that this information is gathered specifically. And maybe the real high-level recommendation that we're still, I think, working on in the data analysis is to make sure that the systems are restructured to allow for the gathering of this information.

I don't know if that helps answer your question.

JORDYN BUCHANAN: It seems like there are really two recommendations here. Maybe they belong in different places, or maybe we bundle them up here or something like that. One is that there is a recommendation related to data gathering, which is that no one is going to be able to assess this

until this particular data is available. We can clarify that either here or in the data request.

I see Jamie in the chat is saying, "Can we put those all in one place?" So maybe the data request in the right place. So we could just make a reference here, as I think we've talked about here, saying, "There's going to be additional data. Please look in the data analysis section," or something like that.

Secondly, we also want to flag this for the next CCT Review, it seems like, and say, "Once the data is gathered in order to assess this issue, the next CCT Review should examine it." That feels to me a little bit more like we're structuring the recommendation in a way that feels actionable, both in the short term and then in the longer term.

LAUREEN KAPIN: So what I'm hearing you say is that it would be more productive to first reference our general recommendation, that we need to have a better system to identify the subject matter of complaints. Once we do, we need to make sure to gather this specific sort of data, and that would be a task appropriate for the next CCT Review Team. Is that a fair summary?

JORDYN BUCHANAN: Yeah. That's exactly right.

LAUREEN KAPIN: Okay. I'm happy to reformulate this request along those lines.

Fabro, I still see your hand up. Is that the same hand, or do you have another comment or response?

Old hand. Okay. So I think that sort of formulation we can still come to consensus on then. We can decide how we want to prioritize the general data recommendation. We can flag this as medium and not a prerequisite.

Okay. I am mindful of the time because it is 11:04, and our call was supposed to end already. I think we're going to have to postpone the discussions of the rest of the recommendations on this paper to our next phone call. I'm also wondering –

JONATHAN ZUCK: Laureen, it's Jonathan. I was just waiting for a break in the discussion here. I think we probably need to extend tomorrow's call to a two-hour call. I just want to give everybody a heads up. People may have conflicts or whatever, but I think we need to go ahead and do that for everybody that can be on for that time because we need to push through these things. So just a reminder for penholders to address recommendations with the new matrix and plan on a two-hour call tomorrow morning as well.

All right? Any questions? Is everybody able to hear me?

Dejan? You might be on mute, Dejan.

Hmm. We're not hearing you, though. Oh, Dejan is not available tomorrow. I'm sorry. I'm drawing a blank about what to do about that. Let's take this offline, Dejan, and try to figure out who's best to

represent the recommendations in your favor. I'm assuming it's [inaudible] can think of right now. So let's take this composition offline.

Okay, everyone. We'll be doing some e-mailing around here and revisions and things like that, but plan on a two-hour meeting tomorrow. We'll adjourn for today.

Thanks, Laureen, for your yeoman's efforts on today's call.

[END OF TRANSCRIPTION]