

Attendance - 26 Members

Alan Greenberg (ALAC)	Kristina Rosette (RySG)
Alex Deacon - IPC	Kurt Pritz-EPDP Chair
Ayden Férdeline (NCSG)	Lindsay Hamilton-Reid (RrSG-Alt)
Ben Butler (SSAC)	Marc Anderson (RySG)
Beth Bacon (RySG-Alt)	Margie Milam (BC)
Chris Lewis-Evens (GAC-Alt)	Mark Svancarek (BC)
Diane Plaut (IPC)	Matt Serlin (RrSG)
Esteban Lescano (ISPCP)	Milton Mueller (NCSG)
Farzaneh Badii (NCSG)	Rafik Dammak (GNSO Council Liaison)
Georgios Tselentis (GAC)	Rod Rasmussen (SSAC-Alt)
Hadia Elminiawi - ALAC	Stephanie Perrin (NCSG)
Julf Helsingius (NCSG)	Tatiana Tropina (NCSG-Alt)
Kavouss Arasteh (GAC)	Thomas Rickert (ISPCP)

Audio only: none

Apologies: Alan Woods (RySG), Benedict Addis (SSAC), Ashley Heineman (GAC), Emily Taylor (RrSG), Amr Elsadr (NCSG)

Audio Cast (for Alternates and Observers) Peak: 14

View Only Adobe Connect: 19 joined

Staff: Caitlin Tubergen, Marika Konings, Trang Nguyen (ICANN Org Liaison), Berry Cobb, Chris Disspain (ICANN Board Liaison), Leon Sanchez (ICANN Board Liaison), Daniel Halloran (ICANN Org Liaison), Terri Agnew, Julie Bisland

AC Chat:

Terri Agnew: (11/20/2018 07:18) Welcome to the GNSO Temp Spec gTLD RD EPDP on Tuesday, 20 November 2018 at 14:00 UTC for 2 hours.

Terri Agnew: (07:18) agenda wiki page: <https://community.icann.org/x/ZwPVBQ>

Kavouss Arasteh: (07:49) Hi Everybody

Ayden Férdeline (NCSG): (07:51) Hi all

Stephanie Perrin (NCSG): (07:52) Good morning, afternoon, evening all!

Leon Sanchez: (07:54) Hello everyone

Chris Disspain (ICANN Board Liaison): (07:58) Greetings All

Julf Helsingius (NCSG): (07:59) G'day

Thomas Rickert (ISPCP): (07:59) HI all!

Tatiana Tropina (NCSG alternate): (08:00) hi everyone

Rafik Dammak (GNSO Council Liaison): (08:01) hi all

Farzaneh Badii (NCSG): (08:03) so it will be in Canada? great. another visa battle I have to fight ...

Leon Sanchez (ICANN Board Liaison): (08:04) You're not alone Farsi

Milton Mueller (NCSG): (08:04) Yay. let's get it out today

Ayden Férdeline (NCSG): (08:04) Why not give people an extra week or two to review it, then? Surely we won't be reviewing the comments on 26 December... :-)

Marika Konings: (08:04) Staff would publish the 'final' version immediately after this call giving you a chance to do a final proofread before publishing.

Ayden Férdeline (NCSG): (08:05) great, thanks Marika

Farzaneh Badii (NCSG): (08:05) oh proof read .. :) I hope no one adds to the laundry list of their wishes again! report is not santa you know

Marika Konings: (08:07) As noted on yesterday's meeting, it will be important to start with that list of issues that require further discussion so these can help inform the agenda building for the upcoming meetings that will run in parallel to the public comment forum being open.

Farzaneh Badii (NCSG): (08:08) oh perect Marika. so we can have a separate Santa wish list

Milton Mueller (NCSG): (08:08) As an elf,

Milton Mueller (NCSG): (08:08) I recommend that SG's put their wish list in their public comments

Kristina Rosette (RySG): (08:09) Apologies for being late. Had another matter to attend to that ran over.

Marika Konings: (08:10) Note that this is for the body of the report, not a recommendation

Farzaneh Badii (NCSG): (08:10) where is the proposed language for O?

Farzaneh Badii (NCSG): (08:12) I don't think we should say we have a language on purpose O. we can discuss it

Marika Konings: (08:12) on the screen here - it would not be part of the recommendation, but part of the section that describes what the EPDP Team has considered in the context of purposes.

Farzaneh Badii (NCSG): (08:12) we have not had consensus on the language of O. and don't think we have discussed well enough

Milton Mueller (NCSG): (08:14) I don't remember ever discussing Purpose O, but I missed a few phone calls

Farzaneh Badii (NCSG): (08:16) we need to consider the data elements in more detail as well for purpose O.

Farzaneh Badii (NCSG): (08:16) Hadia, please read OCTO's response

Thomas Rickert (ISPCP): (08:16) Hadia, did you revive the distorted microphone?

Farzaneh Badii (NCSG): (08:17) no the purpose O is not ready

Farzaneh Badii (NCSG): (08:17) so no language should be put in there yet

Alan Greenberg (ALAC): (08:17) Can we please have the link in the chat. Cannot click on link in display pod.

Marika Konings: (08:18) which link Alan?

Marika Konings: (08:18) to google doc or to email with Purpose O?

Alan Greenberg (ALAC): (08:18) Proposed new language

Marika Konings: (08:19) the propopsed new language was sent to the mailing list yesterday

Farzaneh Badii (NCSG): (08:20) thanks Marika. just not enough time...

Stephanie Perrin (NCSG): (08:20) can someone please explain to me how this is in scope?

Ayden Férdeline (NCSG): (08:23) I agree with Farzi; there is not enough consensus to include this language in the report.

Thomas Rickert (ISPCP): (08:23) Alan G, Accuracy and research are completely different discussions.

Farzaneh Badii (NCSG): (08:23) No Alan sorry, please do not expand the scope of this purpose.

Hadia Elminiawi - ALAC: (08:23) @Stephanie it is a purpose for disclosure

Stephanie Perrin (NCSG): (08:24) You don't need to define a purpose for disclosure here, for third parties.

Farzaneh Badii (NCSG): (08:24) well Alan just brought another aspect. great... we don't have consensus.

Stephanie Perrin (NCSG): (08:24) They define their own.

Thomas Rickert (ISPCP): (08:24) If OCTO does not need whois data for research, then purpose O makes no sense,. Am I missing something=?

Stephanie Perrin (NCSG): (08:25) accuracy is an implementation issue

Stephanie Perrin (NCSG): (08:26) if there has not been the "ability" to discuss it yet, then there is no place for it in the report.

Ayden Férdeline (NCSG): (08:26) Earlier in the chat we were looking for a list of issues that require further discussion. Maybe we can add this topic to that list...

Stephanie Perrin (NCSG): (08:27) Absolutely, put it on the Santa's wish list.

Alan Greenberg (ALAC): (08:27) ICANN itself cannot be considered a "third party"

Margie Milam (BC): (08:27) ICANN is not a third party

Julf Helsingius (NCSG): (08:27) Clearly this is not something we can resolve today

Margie Milam (BC): (08:28) This is squarely within ICANN's remit and important to the security & stability of the Internet

Stephanie Perrin (NCSG): (08:28) As soon as we see the DIDP that ICANN will do on its own data activities, then we can discuss ICANN's purposes. SO far, we have not seen any of its analysis about its existing practices.

Milton Mueller (NCSG): (08:28) It's a disclosure issue not a purpose

Milton Mueller (NCSG): (08:28) It's not complicated at all

Georgios Tselentis (GAC): (08:28) Do we accept that research for DNS security and stability is in ICANN's mission or not? I am confused here

Stephanie Perrin (NCSG): (08:28) precisely, Milton

Kristina Rosette (RySG): (08:29) Just because someone, some time mentioned a Purpose for research, does not mean that we've agreed to include it and in what form.

Milton Mueller (NCSG): (08:29) Georgios: ICANN's internal research may be defined as a legitimate third party interest warranting disclosure.

Stephanie Perrin (NCSG): (08:29) Third party disclosures are bounded by the determination of legitimate interests.

Kristina Rosette (RySG): (08:29) Slight exaggeration, but the point is that abstract discussion of the concept is not sufficient here.

Margie Milam (BC): (08:29) Georgios -- some of us do

Matt Serlin (RrSG): (08:30) feels like there are all kinds of divergent views on this and i'm not sure how we could include it in a report tomorrow at this late stage

Thomas Rickert (ISPCP): (08:30) We have ICANN reps on the call and Board liaisons. I find it absurd that we are trying to second-guess what they might data for and what data. They should make the case for research.

Mark Svancarek (BC): (08:30) cannot hear you

Milton Mueller (NCSG): (08:30) Kurt why are you deciding we need to "preserve this issue" when at least half of us feel it is not needed in the report?

Georgios Tselentis (GAC): (08:30) @ Milton I am trying to understand ICANN vs. 3rd party distinction in what you just say

Stephanie Perrin (NCSG): (08:30) Precisely Matt.

Kristina Rosette (RySG): (08:30) still can't hear you, Lindsay.

Terri Agnew: (08:30) @Lindsay, let me know if a dial out on the telephone is needed

Mark Svancarek (BC): (08:31) still can't hear

Stephanie Perrin (NCSG): (08:31) Lindsay you had better type it in the chat as well

Matt Serlin (RrSG): (08:31) maybe we just need to state it was raised as a potential purpose but the group did not have the opportunity to fully discuss it and will do so prior to a final report...

Mark Svancarek (BC): (08:31) +1 Matt

Lindsay Hamilton-Reid (RrSG alt): (08:31) Terri, I think I need a call out.

Lindsay Hamilton-Reid (RrSG alt): (08:32) So I said that we should not include this as a purpose as we have not discussed it but it should be mentioned as a question in the report.

Kurt Pritz: (08:32) @Matt - include it in the report to get comment - otherwise we will have no input at all.

Terri Agnew: (08:32) @Lindsay, I sent you a private AC chat to verify number

Lindsay Hamilton-Reid (RrSG alt): (08:33) Thanks Terri.

Lindsay Hamilton-Reid (RrSG alt): (08:33) Agreed it should be mentioned in the report but no recommendation.

Matt Serlin (RrSG): (08:33) yes @Kurt...basically just a statement that it was raised, but wasn't discussed enough to include as an actual purpose

Farzaneh Badii (NCSG): (08:34) Benedict also suggested that "Registry pseudonymises registration data using industry bestpractice techniques, and transmits it to ICANN. ICANN has legitimate interest in performing research using this data, and lawful basis is Article 6(1)f." if data is pseudonimized is it subject to GDPR?

Rod Rasmussen (SSAC alt): (08:35) ICANN is responsible for the SSR of the system and thus has its own direct purpose for ensuring there is adequate information collected in order for it to do its job. Does this require collecting *new* data that they haven't before? Pretty likely no, but don't box yourselves in (legal vs. natural person could be an example) Obviously this needs a lot more baking, and that's exactly why we need some more input on this issue.

Rod Rasmussen (SSAC alt): (08:35) As long as the concept is surfaced in the doc so that such comments could be solicited, I'm fine, and I think it covers Benedict (trying to channel).

Farzaneh Badii (NCSG): (08:35) as far as I know ... OCTO does not need personal info at the moment. and even if they do it can be hashed personal data.

Milton Mueller (NCSG): (08:35) Rod, if it doesn't require new data then it is already covered by Purpose B

Farzaneh Badii (NCSG): (08:36) accuracy was not even in the picture Alan!

Margie Milam (BC): (08:36) +1 Tod

Margie Milam (BC): (08:36) Rod

Trang Nguyen (ICANN Org Liaison): (08:36) ICANN org has previously provided the following response to the question of how OCTO uses gTLD registration data: "Regarding the EPDP Team's follow-up question on how OCTO used WHOIS data for training and outreach activities, prior to the effective date of the Temporary Specification, use of WHOIS data to identify the registrant and the technical data related to a domain name was part of the training materials. The training showed how one could use WHOIS data to attempt to contact a registrant or the hosting provider in cases of compromised machines, etc. Since the Temporary Specification became effective, the training no longer shows one how to use public WHOIS data to contact a registrant, instead as part of the training, a brief overview of where the policy discussions are and how people can get involved in the discussion is provided.

Milton Mueller (NCSG): (08:36) legitimate interest, Alan

Trang Nguyen (ICANN Org Liaison): (08:36) "...The EPDP Team's follow-up question also asks how OCTO used WHOIS data for engagement with cybersecurity community, or to facilitate or respond to large scale botnet attacks, such as Conficker or Avalanche. Conficker, Andromeda and other large-scale actions are typically managed by the Law Enforcement agencies, not OCTO. OCTO's role in those activities does not involve the use of personal data in WHOIS. Those Law Enforcement agencies would be better placed to discuss their operational procedures and the effect of the Temporary Specification on their operations."

Diane Plaut (IPC): (08:36) IPC absolutely support Alan G and Margie - this is within scope and there is not a lack of clarity on the issue - it directly and inherently relates to the charter questions and it is not accurately in Purpose 2 - by adding it there is no negative it is a clarifying issue for the final policy

outcome and for ICANN as it relates to the relevant changes to the ecosystem. It should be included and if not simply for public comment.

Milton Mueller (NCSG): (08:37) compliance also

Farzaneh Badii (NCSG): (08:37) nope I am down

Farzaneh Badii (NCSG): (08:38) there is no personal data involved. whether in the future it would be ... well that is too futuristic

Ayden Férdeline (NCSG): (08:38) In Trang's comment it says, "OCTO's role in those activities does not involve the use of personal data in WHOIS." Important to emphasize this I think.

Margie Milam (BC): (08:38) Personal data is involved in the Accuracy Reporting System

Farzaneh Badii (NCSG): (08:38) and seems like pseudonymized data is acceptable.

Farzaneh Badii (NCSG): (08:38) Accuracy reporting system is a totally separate issue Margie

Margie Milam (BC): (08:38) so I disagree with limiting it

Margie Milam (BC): (08:38) no its not-- its accuracy reporting statistics

Farzaneh Badii (NCSG): (08:39) it's not for ICANN research

Margie Milam (BC): (08:39) its research based

Marc Anderson (RySG): (08:39) I didn't understand this purpose to be intended to cover JUST ICANN's use of the data for research, but also third party researchers.

Lindsay Hamilton-Reid (RrSG alt): (08:39) Agreed Farzaneh - this is not an issue here. Research is too broad a term.

Rod Rasmussen (SSAC alt): (08:40) The debate itself here is evidence that this needs more work but is important enough to discuss and thus solicit input from the public on.

Lindsay Hamilton-Reid (RrSG alt): (08:40) Again, ICANN may need this data for compliance purposes but why would anyone need the personal data for research purposes?

Kristina Rosette (RySG): (08:41) Seems clear that we have a number of open questions about Purpose O that need to be definitively answered by the proponent(s) before we can do anything other than mention it's been proposed, but, because of the timing of its submission, has not been discussed by the EPDP WG.

Alan Greenberg (ALAC): (08:41) The fact that this conversation has gone on this long says it is controversial. Therefore we need public input on this.

Lindsay Hamilton-Reid (RrSG alt): (08:41) Agreed Kristina. I think we need to move on from this discussion.

Milton Mueller (NCSG): (08:41) Will you use that standard on things you don't like, Alan?

Rod Rasmussen (SSAC alt): (08:42) @Alan - looks like we said the same thing with different words. :-)

Mark Svancarek (BC): (08:42) Lost you, Stephanie

Alan Greenberg (ALAC): (08:42) Lost Stephanie?

Mark Svancarek (BC): (08:42) your back!

Milton Mueller (NCSG): (08:42) A poorly formulated half-purpose is going to get poorly conceived answers in the public comment

Mark Svancarek (BC): (08:42) and gone again

Terri Agnew: (08:42) @Stephanie, your line is cutting in and out

Farzaneh Badii (NCSG): (08:43) you brought up another issue Alan which we have not discussed and not within scope of research even

Stephanie Perrin: (08:43) It is not a purpose

Hadia Elminiawi - ALAC: (08:44) GDPR puts research in a privileged position as long as safeguards are put in place research is important for technological development it is necessary to have a separate purpose for this, one of the reasons GDPR put this as a purpose is to encourage innovation

Rod Rasmussen (SSAC alt): (08:44) Silence on an important issue is likely going to get even more poorly conceived answers from the public comment.

Mark Svancarek (BC): (08:44) +Rod
Kristina Rosette (RySG): (08:44) proposed Purpose.
Margie Milam (BC): (08:44) it is a purpose
Margie Milam (BC): (08:44) a proposed purpose
Margie Milam (BC): (08:45) +1 Rod
Lindsay Hamilton-Reid (RrSG alt): (08:45) This is also not about adding anything new to the purposes or processing activities.
Farzaneh Badii (NCSG): (08:45) no Kurt. there is no consensus on accuracy we have not even discussed it
Kristina Rosette (RySG): (08:45) I'd like to request that staff put together some language and circulate to the team. Drafting on the fly, as we speak, is not helpful at this point.
Alex Deacon - IPC: (08:46) +1 Kurt - seems like a pragmatic way forward.
Farzaneh Badii (NCSG): (08:46) we did not discuss accuracy at all with Benedict.
Ayden Férdeline (NCSG): (08:46) +1 Milton
Diane Plaut (IPC): (08:46) +1 Kurt - well- said and clear
Mark Svancarek (BC): (08:46) It was proposed as a purpose as far back as LA. But it has not been discussed in any way, not even superficially. It should be called out in a way that (1) exposes the reader to it and solicits public comment (2) acknowledges that it hasn't been discussed yet
Lindsay Hamilton-Reid (RrSG alt): (08:46) +1 Milton
Margie Milam (BC): (08:46) We have been talking about this since LA
Hadia Elminiawi - ALAC: (08:46) Statistical analysis is also important and is spelled out in the GDPR
Farzaneh Badii (NCSG): (08:46) Kurt I suggest you also take into account the members opposing inclusion of this purpose and including accuracy.
Margie Milam (BC): (08:46) its not new
Hadia Elminiawi - ALAC: (08:47) @Milton don't worry we don't have that many friends
Kristina Rosette (RySG): (08:47) Staff, please.
Matt Serlin (RrSG): (08:47) Kurt's right...we haven't actually discussed it...it's been out there but hasn't been discussed in depth until today
Stephanie Perrin: (08:47) I thought my comments were clear enough. I object.. If you are going to put in a rumination on whether or not the OCTO research, and the ICANN ARS activities are in scope, then I insist you include my ruminations which I just tried to express, on how ICANN has not analysed its own activities in the light of its controller/co-controller/processor roles
Matt Serlin (RrSG): (08:47) and clear based on this conversation there's very different views
Hadia Elminiawi - ALAC: (08:49) @Farzi we already admitted and said that we did not discuss it, however we all know and agreed that such a purpose is going to be drafted and you were part of this
Diane Plaut (IPC): (08:49) Milton this is not a popularity contest - this is going to a serious comment topic for the population who can greatly benefit from having the opportunity to comment on this issue and this is the fundamental basis of the ICANN policy creation process
Ayden Férdeline (NCSG): (08:49) It has not been "recommended" - I do not support the use of that word here
Milton Mueller (NCSG): (08:49) I can think of 20 other topics that would be true of, Diane
Kristina Rosette (RySG): (08:49) No. I simply can't and won't support inclusion of the workbook. That's an endrun around the decision to not include the Purpose.
Ayden Férdeline (NCSG): (08:49) +1 Kristina
Milton Mueller (NCSG): (08:49) Right Kristina.
Lindsay Hamilton-Reid (RrSG alt): (08:50) Agreed Kristina
Milton Mueller (NCSG): (08:50) How can we include NOW a purpose we have rejected?

Mark Svancarek (BC): (08:50) There was no decision not to include the purpose, any more than there was a decision to include it

Marika Konings: (08:51) As a reminder, the language in relation to purpose O would not be included as part of the recommendation, but merely as part of the section that describes what has been or is being considered by the EPDP Team.

Matt Serlin (RrSG): (08:51) I'm sorry, what was the resolution of the purpose O...are we going to see a updated text on the list?

Stephanie Perrin (NCSG): (08:52) If there is going to be an astro-turfing exercise to get every cybersecurity researcher to write in and protest about the Internet crashing, we endured 2 years of that on the RDS with very little substantive contribution to the data analysis. Please, do not insert this trigger for that batch of comments, without doing the heavy lifting on how accuracy analytics fits in the ecosystem, who is accountable for it and who isn't...al of which I believe is out of scope for this EXPEDITED pdp.

Lindsay Hamilton-Reid (RrSG alt): (08:53) Agreed Stephanie - we need to keep within the scope here.

Milton Mueller (NCSG): (08:53) We can call this the "Domain Tools" purpose

Stephanie Perrin (NCSG): (08:53) Maika, we understand that but it still does not belong in the report, because of the lack of maturity of the discussion on roles and responsibilities with respect to the data.

Lindsay Hamilton-Reid (RrSG alt): (08:54) That's not a purpose @Milton :-)

Farzaneh Badii (NCSG): (08:54) agreed Stephanie

Milton Mueller (NCSG): (08:55) RE; your point Mark "There was no decision not to include the purpose, any more than there was a decision to include it" that;s a pretty bizarre claim given that we went all the way from L.A. to Barcelona with a list of purposes that did not include O

Mark Svancarek (BC): (08:56) Mllton, Benedict told us many times, every few weeks, that the language would be available soon. It was reasonable to assume that it would arrive and be discussed. In retrospect, we should have transitioned it to new ownership at some point.

Kavouss Arasteh (GAC): (08:56) I think the issue is being setteled

Milton Mueller (NCSG): (08:57) Like all other purposes regarding legitimate interests, it was incorporated into Purpose B

Milton Mueller (NCSG): (08:57) that's why it fell out

Lindsay Hamilton-Reid (RrSG alt): (08:58) Maybe also make it clear that any such agreements are not part of this EPDP.

Mark Svancarek (BC): (08:58) I would have preferred to keep in in P.B (the question of whetehr one part of a controller - ICANN - can also be a third party aside); at the time we were pursuing granular specificity so it was broken out.

Kristina Rosette (RySG): (09:00) Thomas, in the meantime, can you share with the list your responses to Marc? That would be helpful background.

Diane Plaut (IPC): (09:00) Thomas - it does also not include the language I sent to you and Marika which provides further clarity as well

Diane Plaut (IPC): (09:01) Yes, Kurt my additonal vwording addresses that

Marc Anderson (RySG): (09:01) Thomas' response to me did go to the whole list.

Marc Anderson (RySG): (09:01) yesterday afternoon

Marika Konings: (09:01) Diane, I just saw your email. Can I forward it to the mailing list?

Trang Nguyen (ICANN Org Liaison): (09:01) Thanks, Thomas! There are still some implementation-related issues to think through in continued future discussion, such as cases where, for example, a Chinese registry operator using Chinese registrars and don't want to enter into a JCA. What about brands? What if the registry operator does not cooperate or is unreasonable?

Marika Konings: (09:02) apologies for missing it yesterday, I didn't realise it didn't go to the list.

Kristina Rosette (RySG): (09:02) That was Lindsay.

Kristina Rosette (RySG): (09:02) But I agree with her.

Diane Plaut (IPC): (09:03) Of course - minor additions but ties together the work of our group to date and the ICANN Legal conversation and in line with Recommendation language

Thomas Rickert (ISPCP): (09:04) Trang, the issue of a party not wanting to be compliant is something for ICANN compliance :-)

Thomas Rickert (ISPCP): (09:05) Marc, I will do a redline.

Thomas Rickert (ISPCP): (09:05) Thanks, Kurt!

Marc Anderson (RySG): (09:05) thank you Thomas

Marika Konings: (09:06) just spotted that one strikethrough word is still remaining in the clean version - apologies about that.

Marika Konings: (09:06) and as a reminder, this language would be part of the body of the report, not as part of any recommendation.

Lindsay Hamilton-Reid (RrSG alt): (09:07) Why do we need pre-filing disclosures? If you can file without disclosure, why should we do so?

Milton Mueller (NCSG): (09:07) can we scroll the display, please?

Lindsay Hamilton-Reid (RrSG alt): (09:08) Again, there should be no disclosure for potential or possible cases.

Trang Nguyen (ICANN Org Liaison): (09:08) @Thomas, I'm not sure I understand your comment about it being an ICANN compliance issue. Perhaps we could discuss further if there's a follow-up call on the topic of roles and responsibilities.

Milton Mueller (NCSG): (09:08) No

Mark Svancarek (BC): (09:08) Yes

Lindsay Hamilton-Reid (RrSG alt): (09:09) Not really. It needs to state more clearly that there is no consensus for this.

Lindsay Hamilton-Reid (RrSG alt): (09:09) Agreed Milton.

Mark Svancarek (BC): (09:09) OK with me to state no current consensus

Ayden Férdeline (NCSG): (09:09) +1 Lindsay

Kristina Rosette (RySG): (09:10) Separate from the concept, the wording is very confusing. Also, am checking something else.

Thomas Rickert (ISPCP): (09:10) Trang, I think the only way to tackle this is to have a consensus policy requiring the contracted parties to do certain things, one of them is to make data processing compliant by entering into a JCA. This makes it an obligation for the contracted parties and if they fail to enter into such agreement, it would be a matter for ICANN compliance to pursue,.

Farzaneh Badii (NCSG): (09:11) the aspects of disclosure that relate to UDRP should be discussed in second segment of EPDP. we discussed this beforehand ...

Lindsay Hamilton-Reid (RrSG alt): (09:11) It doesn't matter if privacy and proxy is separate, the process is the same, so why would you need to have pre-filing disclosure?

Stephanie Perrin (NCSG): (09:12) what on earth is "the right" comment? We are not here to engineer comments, we are here to present facts from our analysis. Sadly thin in some areas....

Ayden Férdeline (NCSG): (09:12) But who believes this? Can we please attribute the comment to those who believe it?

Lindsay Hamilton-Reid (RrSG alt): (09:12) Agreed Ayden

Milton Mueller (NCSG): (09:12) Kurt I just didn't understand the relevance of the proxy/privacy reference

Farzaneh Badii (NCSG): (09:12) agreed Ayden.

Hadia Elminiawi - ALAC: (09:13) @Marika fair enough

Alex Deacon - IPC: (09:13) Specifying who is fine (I had thought we had already done that).

Matt Serlin (RrSG): (09:13) I do agree with attributing support/opposition where we can

Mark Svancarek (BC): (09:13) Attribution is OK
Milton Mueller (NCSG): (09:14) yes
Marika Konings: (09:14) Margie, would you also remove the 'for example' sentence?
Milton Mueller (NCSG): (09:14) i hope so
Margie Milam (BC): (09:14) yes
Marika Konings: (09:14) ok, thanks for confirming.
Margie Milam (BC): (09:14) the for example
Margie Milam (BC): (09:14) is ok to delete
Marika Konings: (09:15) I think that 'some believe' is to be updated with BC and IPC?
Lindsay Hamilton-Reid (RrSG alt): (09:15) Yes Marika and anyone else that thinks that.
Marika Konings: (09:16) I think I have taken good enough notes to do the rewrite
Milton Mueller (NCSG): (09:16) "Proponents of this view, the BC and IPC..."
Lindsay Hamilton-Reid (RrSG alt): (09:16) thanks Marika
Ayden Férdeline (NCSG): (09:17) I like this language (Rec #2)
Marika Konings: (09:17) Here is the updated language for UDRP: "However this proposed addition was not supported by others who pointed out that in the case of privacy/proxy registrations complainants often do not have access to registrant information pre-filing. Proponents of pre-filing disclosure, BC and IPC, believe that GDPR redaction is distinguishable from a privacy/proxy registration. Similarly, concerns were expressed about how pre-filing disclosures could be implemented in practice as it could result in information being disclosed to anyone claiming to be interested in filing a UDRP complaint, without any obligation to follow this through. BC and IPC believe that this concern can be addressed through policy recommendations to be explored further in a later phase of this EPDP."
Milton Mueller (NCSG): (09:18) Good we're done.
Milton Mueller (NCSG): (09:18) AWWWWWWWWw
Matt Serlin (RrSG): (09:18) fine with that language @Marika
Farzaneh Badii (NCSG): (09:18) where are we going back to? is there a time machine? can we use it and go to the future instead?
Kavouss Arasteh (GAC): (09:18) Yes wer wertre done befofre as gthe issue was crystal clear
Matt Serlin (RrSG): (09:19) Again, I don't like using "some" as we should be specific in attribution...
Thomas Rickert (ISPCP): (09:20) Alan, the accuracy stuff has nothing to do here.
Farzaneh Badii (NCSG): (09:20) I agree Matt. we need attribution
Farzaneh Badii (NCSG): (09:20) so we didn't focus on it!!
Thomas Rickert (ISPCP): (09:20) I oppose to its inclusion.
Farzaneh Badii (NCSG): (09:21) Hadia, that is wrong. we did not all agree we decided to discuss with a small group of people Benedict was leading it.
Lindsay Hamilton-Reid (RrSG alt): (09:21) I also oppose its inclusion - it's far too vague.
Kristina Rosette (RySG): (09:21) That's inaccurate, Margie. We didn't have the specific language in LA and, in fact, didn't actually receive it until last week. That late introduction is why we're having this discussion now.
Margie Milam (BC): (09:21) We have been talking about having a discussion on Purpose O since LA
Marika Konings: (09:22) How about changing the first sentence to 'Following some initial EPDP Team discussions, an EPDP Team member recently introduced'.....
Thomas Rickert (ISPCP): (09:22) Margie - yes, but not with the accuracy part that Alan is asking for.
Margie Milam (BC): (09:23) its not a red herring -- its a type of research that ICANN does & reports on
Kristina Rosette (RySG): (09:23) Throwing this out there (with caveat that RySG folks haven't seen it yet): An EPDP Team Member proposed a Purpose for Processing Registration Data to address the needs and benefits provided by DNS security and stability research through publication of reports on threats to the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS.

The EPDP Team did not have sufficient time to discuss this proposed Purpose before publication of the Initial Report . The EPDP Team seeks community and ICANN Org input on whether the Purposes agreed upon by the EPDP Team already encompass this proposed purpose and, if not, whether this proposed purpose should be added. [Add our standard "please provide a rationale, keeping in mind GDPR compliance" language.]

Farzaneh Badii (NCSG): (09:23) accuracy was introduced by Alan pretty much recently .it's just unfair.

Thomas Rickert (ISPCP): (09:23) I am ok with the language proposed in the note section

Margie Milam (BC): (09:23) we have had it raised on email for some time now

Milton Mueller (NCSG): (09:23) isn't it a compliance matter?

Margie Milam (BC): (09:23) no

Margie Milam (BC): (09:23) its not done by Compliance

Margie Milam (BC): (09:23) its done by GDD

Lindsay Hamilton-Reid (RrSG alt): (09:24) That sums it up well Kristina. I wasn't happy with the original wording proposed.

Ayden Férdeline (NCSG): (09:24) I like Kristina's version too

Hadia Elminiawi - ALAC: (09:24) During our last meeting in Barcelona benedict was asked about purpose O and he said that he was done with it and would post it soon - no one opposed back then to having such a purpose

Matt Serlin (RrSG): (09:24) I'm okay with that language from Kristina

Beth Bacon (RySG): (09:24) +1 to kristina

Milton Mueller (NCSG): (09:25) Again, I would ask that Kristina's proposed message to specify Purpose 2 and any other specific purposes that they believe already encompass this proposed purpose

Thomas Rickert (ISPCP): (09:25) Happy with Kristina's language

Lindsay Hamilton-Reid (RrSG alt): (09:25) We hadn't really discussed it though Hadia, so I don't think you can really say that.

Ayden Férdeline (NCSG): (09:25) +1 Lindsay

Kristina Rosette (RySG): (09:25) @Milton, if that's a "friendly amendment", I'm fine with it.

Kavouss Arasteh (GAC): (09:26) it seems that there is general agreement among different members of the Team

Farzaneh Badii (NCSG): (09:26) support Kristina's language with Milton's amendment

Marika Konings: (09:26) @Milton - can you provide your amendment?

Milton Mueller (NCSG): (09:26) Here's my version of Kristina's:

Milton Mueller (NCSG): (09:26) An EPDP Team Member proposed a Purpose for Processing Registration Data to address the need for DNS security and stability research through publication of reports on threats to the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS. The EPDP Team did not have sufficient time to discuss this proposed Purpose before publication of the Initial Report . The EPDP Team seeks community and ICANN Org input on whether the Purposes agreed upon by the EPDP Team, such as Purpose 2, already encompass this proposed purpose and, if not, whether this proposed purpose should be added. [Add our standard "please provide a rationale, keeping in mind GDPR compliance" language.]

Margie Milam (BC): (09:27) Do not support Miltons

Margie Milam (BC): (09:27) its too narrow -- Kristina's is better

Matt Serlin (RrSG): (09:27) fine with Milton's additional text

Ayden Férdeline (NCSG): (09:28) +1 Milton

Milton Mueller (NCSG): (09:28) how is it too narrow?

Lindsay Hamilton-Reid (RrSG alt): (09:28) Happy with that Milton.

Marika Konings: (09:28) Milton, was your only addition 'such as Purpose 2'? Just to confirm.

Milton Mueller (NCSG): (09:28) it just specifies purpose 2 and eliminates some unneeded words in the first sentence

Alex Deacon - IPC: (09:28) I prefer Kristina's original version.

Hadia Elminiawi - ALAC: (09:28) @Lindsay lets say that we haven't discussed it - but saying "an EPDP member" suggests that only one person came up with this while the fact of the matter is others were involved

Milton Mueller (NCSG): (09:29) No, I replaced "to address the needs and benefits provided by" with "need for"

Stephanie Perrin (NCSG): (09:29) HOW is any of this going to prompt intelligent, informed response?

Ayden Férdeline (NCSG): (09:29) Milton's language - "such as Purpose 2" - how is that narrow?

Lindsay Hamilton-Reid (RrSG alt): (09:29) Yes Hadia, which is why we should specify which groups were for and against.

Hadia Elminiawi - ALAC: (09:30) +1 Margie

Alan Greenberg (ALAC): (09:30) "An EPDP Member" does not convey the right message.

Milton Mueller (NCSG): (09:30) I don't get it. there is no difference between the two in that regard

Hadia Elminiawi - ALAC: (09:30) but I would change "An EPDP team member"

Mark Svancarek (BC): (09:31) Milton, is Purpose 2 = Purpose B ?

Kristina Rosette (RySG): (09:31) I'm fine with Milton's specific reference to Purpose 2. I think it's helpful.

Milton Mueller (NCSG): (09:31) Yes, Mark

Marika Konings: (09:31) How about changing the first part to 'Following some initial EPDP Team discussions, an EPDP Team member proposed'.....

Milton Mueller (NCSG): (09:32) it says

Milton Mueller (NCSG): (09:32) "such as

Milton Mueller (NCSG): (09:32) "such as"

Lindsay Hamilton-Reid (RrSG alt): (09:32) Maybe take out the part about EPDP team member and it just leave it as 'it was proposed '

Marika Konings: (09:32) it is purpose 2 in the Initial Report

Margie Milam (BC): (09:32) agree with Alan

Diane Plaut (IPC): (09:32) An outward facing issues "An EPDP Member" should instead say - "It was put forward within the work of the EPDP that a Purpose... otherwise it appears that one individual raised this and it was not vetted at all. That is not appropriate to put in a Report. Moreover, to say "we did not have time" instead "The Issue was not full reviewed prior to publication"

Margie Milam (BC): (09:32) agree with Lindsay

Kristina Rosette (RySG): (09:33) @Lindsay: +1 to "was proposed"

Matt Serlin (RrSG): (09:33) +1 Lindsay

Margie Milam (BC): (09:33) +1 Diane

Margie Milam (BC): (09:34) Disagree with Stephanie's view

Kristina Rosette (RySG): (09:34) @Diane: Not fully reviewed prior to publication sounds like the WG dropped the ball, which was not the case. The fact of the matter is that we received the Purpose O language last week. Had it we received it earlier (like, for example, when I put forward Purpose N), we would have had time to discuss.

Kristina Rosette (RySG): (09:35) But, if others are OK with that, it's not a huge issue for me.

Diane Plaut (IPC): (09:36) Not fully reviewed prior to publication of the Initial Report but will be full reviewed prior to the publication of the Final Report.

Alan Greenberg (ALAC): (09:37) We must reference the ARS somewhere. It is clearly a controversial issue and we need to solicit input.

Ayden Férdeline (NCSG): (09:38) I can live with version 2, prefer version 3, do not like Version 4. I think the first sentence is too ambiguous - suggests more support than there really is.

Stephanie Perrin (NCSG): (09:39) Why on earth do we need to reference ARS somewhere? it is a data quality issue. That is implementation. NOT a purpose

Lindsay Hamilton-Reid (RrSG alt): (09:39) Well, we can add in the specific groups who did propose it Ayden - would that work?

Margie Milam (BC): (09:39) its accuracy research reports

Ayden Férdeline (NCSG): (09:40) Yes, I could live with that Lindsay

Kristina Rosette (RySG): (09:40) And, I'm totally agnostic on what the other relevant Purposes are. Leave that to others.

Marika Konings: (09:40) Note that version 4 is Kristina's version with the EPDP Team member reference updated and added "such as Purpose 2"

Lindsay Hamilton-Reid (RrSG alt): (09:40) Thanks @Ayden :-). Who did propose it?

Alan Greenberg (ALAC): (09:40) @Lindsay: GROUPS (plural)

Lindsay Hamilton-Reid (RrSG alt): (09:40) Which ones Alan? We should specify :-)

Mark Svancarek (BC): (09:41) I support adding "such as purpose 2"

Milton Mueller (NCSG): (09:41) accuracy is referenced in one of the recommendations

Milton Mueller (NCSG): (09:42) and there is a footnote we agreed to to continue discussing it

Farzaneh Badii (NCSG): (09:42) yes Milton

Alan Greenberg (ALAC): (09:42) I believe it was supported by SSAC (as individuals), ALAC, BC, IPC, GAC, but they need to speak for themselves.

Rod Rasmussen (SSAC alt): (09:43) I believe version 4 looks pretty good. To me it's important to have the issue of purpose 2 potentially covering the topic to focus responses on where it *doesn't* cover it. That's actually one of the main reasons for pulling this out in the first place.

Lindsay Hamilton-Reid (RrSG alt): (09:43) OK thanks @Alan. We should put in those groups then.

Marika Konings: (09:43) Footnote currently says: "The topic of accuracy as related to GDPR compliance is expected to be considered further."

Alex Deacon - IPC: (09:43) We can list IPC here

Margie Milam (BC): (09:43) yes BC

Rod Rasmussen (SSAC alt): (09:44) @Alan - that is accurate from at least this SSAC individual. :-)

Lindsay Hamilton-Reid (RrSG alt): (09:44) Is everyone happy with that then?

Marika Konings: (09:44) Rod, should SSAC be added as well?

Lindsay Hamilton-Reid (RrSG alt): (09:44) Yes @Kurt.

Milton Mueller (NCSG): (09:44) concept of "happy" and EPDP don't mix

Matt Serlin (RrSG): (09:44) quick let's end the call...we're all happy!

Alan Greenberg (ALAC): (09:45) There was at least one e-mail with the GAC supporting inclusion of the ARS.

Lindsay Hamilton-Reid (RrSG alt): (09:45) I shall choose my words more carefully in future @Milton

Rod Rasmussen (SSAC alt): (09:45) @Marika, In the way Alan phrased it - SSAC as a whole isn't accurate for anything other than when we have published something. :-)

Marika Konings: (09:45) ok, so I won't add it :-)

Alan Greenberg (ALAC): (09:47) Or add SSAC (as represented by its members during EPDP discussions). Omitting even a reference to SSAC on a security/resiliency issue is problematic in my mind.

Rod Rasmussen (SSAC alt): (09:48) @Alan - that won't work, but your original version does.

Milton Mueller (NCSG): (09:48) can people file comments without using the form?

Stephanie Perrin (NCSG): (09:48) Given the absence of any regulatory impact assessment actions on the part of ICANN, the public comment is a vital outreach effort to assess the impact of our policy recommendations. It is a responsibility to assess impact....I don't think that quite fits under new ideas

we have not thought of. Ofcourse, this is my personal view, not necessarily shared by ICANN in either its org or MS forms.

Kristina Rosette (RySG): (09:49) We're not asking commenters to create an account in order to comment, right?

Lindsay Hamilton-Reid (RrSG alt): (09:49) I hope not Kristina

Milton Mueller (NCSG): (09:49) god i hope not

Alex Deacon - IPC: (09:49) Note that observers can't see the screen being shared in the AC.

Marika Konings: (09:50) No, an email address is needed to fill out the form, but as noted, this address will not be publicly posted.

Ayden Férdeline (NCSG): (09:50) Ok that is good, I am glad submissions will be immediately public

Ayden Férdeline (NCSG): (09:51) Can all of the questions be viewed prior to one beginning to complete it? i.e. can one preview all the questions ahead of time before starting to fill it out

Marika Konings: (09:51) only certain fiels are required such as providing name and consent.

Kristina Rosette (RySG): (09:51) Good (not required to create an account)! Thank you.

Marika Konings: (09:51) @Ayden - yes, a downloadable form will be available.

Stephanie Perrin (NCSG): (09:52) cough cough it is not like everything in the report is GDPR compliant.//

Lindsay Hamilton-Reid (RrSG alt): (09:53) I hope you are not asking to publish the name of the commentor?

Milton Mueller: (09:53) can we scroll down and see what kind of fields the comments will go into?

Marika Konings: (09:53) I believe names and affiliation are usually posted in the public comment forum as well

Ayden Férdeline (NCSG): (09:53) if we are not publishing the name of the commenter, I am worried as to how we will prevent people from inadvertently submitting comments on behalf of a group if they are not authorised to do so? i.e. if someone claims to complete it on behalf of the NCSG (perhaps because they are an NCSG member) when they are really completing it in their individual capacity, i hope this will be verified w/ the EPDP members from that part of the community that we did submit this comment

Stephanie Perrin (NCSG): (09:55) This sounds pretty dangerous.

Ayden Férdeline (NCSG): (09:55) maybe this is not a common issue across the community but i have seen it happen before.....

Milton Mueller: (09:55) I am not so worried about it, if they make a false claim we can expose it later

Alex Deacon - IPC: (09:55) +1 Milton

Ayden Férdeline (NCSG): (09:56) it is starting to look like a poll to me

Stephanie Perrin (NCSG): (09:56) What was the answer to the question re can someone just write a document and send it in?

Milton Mueller (NCSG): (09:56) interesting. this is being formated as an opinion survey in some sense

Lindsay Hamilton-Reid (RrSG alt): (09:56) I worry more about the data risk. I would maybe not ask for affiliation then.

Milton Mueller (NCSG): (09:56) which will yield quantitative data

Marika Konings: (09:56) @Stephanie - that is being discouraged as it will be very challenging for the EPDP Team to align with the input that will be received through the form.

Milton Mueller (NCSG): (09:56) @Alex: I promise I will not file comments on behalf of IPC!

Alex Deacon - IPC: (09:57) @milton - working on my NCSG comments as we speak!

Alex Deacon - IPC: (09:57) I also plan on entering a URL to a webform for my email address.

Ayden Férdeline (NCSG): (09:57) what if someone does not agree to ICANN's privacy policy (mandatory field) - they can't submit a comment?

Milton Mueller (NCSG): (09:57) I am going to have fun with BC though

Milton Mueller (NCSG): (09:57) Just call me "SDB"

Mark Svancarek (BC): (09:57) +1 Alex

Stephanie Perrin (NCSG): (09:57) I appreciate the desire to format this stuff like a doodle poll, but if people object to the way we have patterned this they should be free to do so. WE cannot reduce comment on this extremely important pdp to a doodle poll

Ayden Férdeline (NCSG): (09:58) +1 Stephanie

Diane Plaut (IPC): (09:58) Milton - I know you will file prolific support all of our positions!

Marika Konings: (09:58) @Ayden - correct, I believe the consent part is a required before someone can progress to the rest of the survey as part as comments are publicly displayed for transparency reasons.

Milton Mueller (NCSG): (09:58) gotta go

Lindsay Hamilton-Reid (RrSG alt): (09:59) thanks Marika, that was going to be my next question.

Lindsay Hamilton-Reid (RrSG alt): (09:59) Bye Milton.

Julf Helsingius (NCSG): (09:59) Ah, my phone line just dropped, so I guess we have been on for 2 hours....

Ayden Férdeline (NCSG): (09:59) i have to drop unfortunately, bye all

Stephanie Perrin (NCSG): (09:59) Alex, you will always be welcome in the NCSG if you decide to leave the dark side! Feel the force....

Diane Plaut (IPC): (09:59) I must drop as well

Kristina Rosette (RySG): (10:02) Alex - I crossed over without any apparent harm. :-). Still amazed that I made it to my seat in my first RySG meeting without bursting into flames . . .

Thomas Rickert (ISPCP): (10:02) Will send as soon as possible

Kristina Rosette (RySG): (10:03) I vote that the person who says that has to be identified in the report. JK.

Marika Konings: (10:03) Thanks, Thomas. Staff has already updated all other parts so as soon as we have Thomas's language, we can send the group the 'final' version.

Marika Konings: (10:03) No pressure :-)

Kavouss Arasteh (GAC): (10:05) dEAR aLL, I habve to drop as haing another meeting which already stasrted

Lindsay Hamilton-Reid (RrSG alt): (10:06) Happy holidays for those of you in the NA!

Ben Butler (SSAC): (10:06) Thanks all.

Alex Deacon - IPC: (10:06) thanks !

Rafik Dammak (GNSO Council Liaison): (10:06) thanks all

Matt Serlin (RrSG): (10:06) thanks all

Julf Helsingius (NCSG): (10:06) get that turkey!

Georgios Tselentis (GAC): (10:06) great! bye and thanks everybody

Thomas Rickert (ISPCP): (10:06) Bye all!

Marc Anderson (RySG): (10:06) thank you

Kristina Rosette (RySG): (10:06) Bye all, Happy Thanksgiving (or Happy Thursday), as appropriate!

Rafik Dammak (GNSO Council Liaison): (10:06) bye

Hadia Elminiawi - ALAC: (10:06) thanks all bye