
ICANN77 | PF – GDS: Registration Data Policy IRT
Wednesday, June 14 2023 – 10:45 to 12:15 DCA

ANDREA GLANDON:

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With that, I will hand the floor over to Dennis Chang. You may begin.

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DENNIS CHANG:

Thank you, Andrea. Welcome, everyone. It's been some time for our IRT meeting. I'm glad that we can finally do this. So this is the gTLD registration data policy implementation session for the ICANN 77, and in our typical way, we hold our IRT meetings. It will be a working session with this agenda. What we'll do is we'll talk about the session objective, a very brief overview of the implementation project for those of you who are new, and we will have community Q&A at the end. So you can ask all of your registration data policy questions then. But the IRT will be conducting a working session talking about the implementation project documents. We have many documents that we have been updating. And also we'll be talking about the implementation plan.

But before we go on, I have a couple of announcements. First of all, I apologize that we couldn't get the IRT meeting together earlier. I saw your request and I tried to, but unfortunately I had a family emergency in Korea. My father-in-law passed, so I had to jump on a plane and go there to conduct a week-long traditional Korean traditional funeral and burial service. So, yeah, I would love to talk about him. He is probably the single most influential person in my life, and it was totally important to me.

But with that, some happy news, and Owen has an announcement announcements to make.

OWEN SMIGELSKI:

Thanks, Dennis. Were you able to get that picture, Dennis? Were you able to get the picture?

No? We're trying. So for those of you who may know, Essie Musailov, who is with Namecheap, formerly ICANN Compliance, is not here at this meeting because she had a baby on Friday. So Maeve, is that? I don't know. I don't know if we can get that picture up there or not.

DENNIS CHANG:

No. We'll try to get it toward the end of the session, maybe.

OWEN SMIGELSKI:

Okay, so randomly, but yes. So good news, yes.

DENNIS CHANG:

Yeah, I think that's wonderful news. It's sort of funny, we had our first registration data policy with Amanda, and then we had the second registration data policy with this Amanda, and then we had the third with Jeannie, and the fourth, and fifth, and this is our sixth, number six, baby number six on this, on this reg data policy implementation. So that's the, I wanted to make sure that you knew that and celebrate together the new birth.

Jody?

JODY KOLKER:

Actually, some birthday news for Owen just turning ... I won't say the age. So, 29, we'll say. Okay.

DENNIS CHANG:

Happy birthday.

For our meeting today, I'm hoping that we'll meet these objectives. Number one, we have policy documents, as I said, with the registration

data policy itself, but along with that, six other documents that we have updated per the registration data policy requirement, and it's our goal to close those out today. And then we want to get into our implementation planning collaboration discussion for all of us, including me. I have to now start my implementation for the ICANN Org, and I need to be planning and executing along with you, and it's important that we stay connected and do it as a team.

Just one thing. As you saw from my email, GAC has requested to reserve the urgent request response time discussion for the last 30 minutes of our meeting, so we'll do that. So we'll start with our other document review, and then a timeline discussion, and then hold the urgent request discussion till the end.

So this is a very brief overview. You all know that this policy is an implementation of the EPDP Phase 1, they call it the original EPDP, the first one, with these 29 recommendations. And then we had a scope change with our phase two priority two recommendations that was rolled into our implementation project in August 2020 or July 2021, which was when we were directed to work that as well. And then the most recent scope change was in March 2022 for the supplemental recommendation, and as I said, the policy implementation includes all this recommendation and implementing them in a way of policy language as well as other impacted documents. There's some 20 of them, policies and procedure. We have to update all of them in a synchronous manner. And there are some studies and reports that we have to provide as well.

And here's a list of deliverables. We had the most recent deliverable in April 2023. It was an addendum to the public comment report where we documented all the public comments that we received and did the analysis and evaluation and provided rationale for how we treated them.

In our timeline that you're looking at, what we are planning to do is publish our policy in August of 2023. That's a couple of months away. So I was telling the IRT that it's important that we try to be done with all of our work this month in June, and then turn it over to our processing team in ICANN Org, because there is many, many documents and many, many websites that has to be updated at the same time. And then in 2025, it's our goal to complete our implementation (all of us), and we will be talking about the details of that timeline later today.

The language change is what we'll be looking at. These are going to be part of the deck that will be uploaded, so you can look at that later. But let's start with additional WHOIS information policy. So this is the additional registration data directory services information policy. It was called AWIP, right? And then what we have done as an update is based on the IRT input, we have made all the updates and I, as far as I know, don't think there's anything controversial about this. I didn't see any disagreements, but only good suggestions for updates.

So I want to take a pause here and open it up for any discussion, if you would like, to have about this. Gustavo is online, standing by to answer any questions if you had any. Just alert me if you see a hand online.

If not, we will say this is done and we will close this item for the IRT.

So that's our first document that was outstanding on this list, and we have now completed that. I'll add that to our completed deliverable list.

Next one is the RDAP response profile, and this is why Marc is sitting next to me. He didn't know. But I wanted Marc to just basically say a few words about this. Again, this homework was due on the 11th for the IRT, and what I mean by that, is for those of you who are not familiar, this is how we do IRT management. IRT has been taking on tasks issued by me since 2019, as you see their first assignment. And now we're up to (what are we up to?) task number 244. And this particular item (response profile, right?) was task number 243 that was due June 11th. And we have not received any IRT comments, so I am assuming that everybody is satisfied with the way it got updated.

Again, Rick is here. Thank you to the RDAP Working Group for working along with us all these years. I think I first came to your RDAP Working Group with your invitation, and that was 2019 maybe, so we had a long running collaboration with the RDAP Working Group. And Marc is a liaison from IRT to the working group, so we've been connected, if you will, very well. And I have to say that's the most, like, gratifying thing that I've seen in two working groups working together in such a nice, efficient manner.

So I'll turn it over to Marc, if you have anything to say about the response profile. I'll give the floor.

MARC ANDERSON:

Thank you, Dennis. I'll just provide a brief update on the new documents that we have in the IRT. As part of the overall effort, the

RDAP Working Group provided an updated RDAP profile, which consists of two documents. And those were delivered to the IRT and were published along with the draft policy that went out for public comment. Following that public comment period, the RDAP Working Group received input from ICANN Org based on their own internal review of the RDAP profile, and they had four items of feedback for the RDAP Working Group. The RDAP Working Group was always envisioned as a collaboration between ICANN Org registries and registrars, and so ICANN.org registries and registrars got together, discussed the input, and provided a new version of the RDAP profile, which received unanimous support. And that was delivered to the IRT, and that's the document that Dennis has asked us to bring up.

I'll give a quick shout out to Rick. As Dennis said, Rick is the chair of that group and had the unenviable task of managing the process and shepherding those updates through to completion, but that I think was a successful collaboration and resulted in the documents that we have before us.

So back over to you, Dennis.

DENNIS CHANG:

Thank you, Marc. So, we are going to consider this task completed and close that out.

And then the next item is the IRT Technical Implementation Guide, and again, I'll turn it over to Marc.

MARC ANDERSON: I guess I gave my update for both documents jointly, so nothing more to add. The RDAP profile consists of two documents. This is the second one. But I think the same update I provided goes for both.

If I could, I actually raised my hand. Could we go back to the AWIP update or the AWIP item? I'm sorry. I do have items on that.

DENNIS CHANG: This one?

MARC ANDERSON: Yes. So, I apologize. I was a little, a little slow in getting to my notes on AWIP. But I had a couple items of feedback in my review on that, and I don't know if they ever got responded to. The first one ... Like in the AWIP, there's a status code link. It's section 1.1.

DENNIS CHANG: This one?

MARC ANDERSON: Yes. "For more information" So I provide feedback that there's inconsistency, but it looks like ... So I pointed out the inconsistency was domain versus RDDS. So has that been updated as a result of that?

DENNIS CHANG: Mm-hmm.

MARC ANDERSON: Okay. All right. So I guess my intervention is thank you for making that change.

DENNIS CHANG: You're welcome. And thank you again for your great support and reviewing it so closely and making good suggestions.

And thanks to Gustavo, by the way, who's remote but supporting online. He has done a lot of work on all of these technically.

So we'll close that out and then we will close the RDAP technical implementation guide out as an update.

I don't see any hands, so I'm considering that this is acceptable. Thank you very much.

So that's three documents done and our fourth document is this here. And this is a URS document. And, same thing, we have put it out for the IRT review, and we have updated all the things that we understand need to be done. And unless there is any questions, we will close this one out, too.

But I'll pause here to see if the IRT has any inputs on this document. And I have to say thank you to this IRT, because as you know, there's other work, policy implementation work, going on, and they are using our red line as their base to be using the most current version of these documents for the URS.

ANDREA GLANDON: Dennis, Rubens has his hand up in the Zoom.

DENNIS CHANG: Go ahead, Rubens.

RUBENS KUHL: I noticed that these and all the other policies we updated have an effective policy date. And the thing is, our schedule doesn't have an effective policy date. It has a ramp-up period. So we should probably look into whether those policies would be in effect by the start of the period, by some other point in the middle, or at the end of the ramp-up, because different from most other policies, this one has a period, not a date.

DENNIS CHANG: Yeah, thank you, Rubens. That's our brilliant scheme. We used to call it Rainbow Bridge, I don't call it the Rainbow bridge anymore, because I'm thinking about my own dog, Gracie, who passed. So we are going to call it a transition period or phase 2. In the interim registration data policy, we have specified a phase 2 or stage 2, where we say that both interim data policy and the new policy are in effect and they can be in effect, and you have the choice to implement one or the other, or even elements of both. So this was to provide maximum flexibility to the implementers, recognizing the complexity and the magnitude of this policy implementation, especially when we have to be working together. And that means registries, registrars, and ICANN Org, and the service provider. And we will talk more about the timeline later, but it's an important point when this impacted policy, when is it effective, when is it not effective. That is a decision, clear decision, and we have to all be very clear about that, when we, registration data policy, meaning registration data policy, gets published, right? We have to be

very clear on what the effective date means for this policy and everything else.

So for now, if you notice all of these impacted procedures and policy, we have this box on top, right? This was meant to refer anyone who comes here to say this red line version is effective on this state per our reg data policy; so referring back to our policy, for the effectivity of this version. So this language is very, very important. Maybe it's too simple. Maybe we need to maybe be more elaborate, but this is a consistent [use] or comment note box that goes on all of these. Everything that you see here is going to have the same Marc. And there will be plenty of communication from us when this policy gets published or before it even gets published. And there's an ongoing what you would call information sharing and learning opportunities for everyone about all of this.

So thank you for bringing that important point up, and we're, let's talk about that a little more when we talk about the timeline later. Thank you.

Okay, the next one is this one; again, a URS document, but this is a high-level technical requirement document. And as I said, it contains the same note box on top to refer people back to the registering data policy [for effective ...]

Any comments on this?

I'm looking around. Thank you for doing all of your homework so diligently and to make this meeting efficient for us. Really appreciate that.

So we're going to consider that complete.

So as of this moment, I would like to announce all our effective policies and procedures have been reviewed and updated. Thank you very much. This was a tremendous amount of work. Give yourself a round of applause.

Okay, now let's go to the main—oh, one more quick note. Just so that we don't forget, these are other policies and procedures that we have reviewed and we determined there was no impact and no need to pay. So that was also an important point.

Now, what we want to do is the reg data policy document, our own policy document, so let's look at that together. And we'll just go from top to bottom. So this is our table of content. No change here. And introduction. No change there. Scope. There was a change. And then definition. Glad to see no input on the definition. We're 100% in agreement on all the definition. Policy effective day. This is what I was talking about earlier this is where we have to be very, very diligent about communicating our effectiveness of our policy and how we do that because of this concept of transition period; that we started out as 18 months of transition, right, and we'll talk more about that. But whatever we decide in terms of policy timeline needs to be accurately and clearly represented in Section 4 of our policy. This is where all the implementers will get their guidance and their requirement for policy effective activity, along with, of course, our activities in education that we'll be doing.

Let's see. There was data elements. We put in some elements. Let me see. I'm looking for what I talked to you about, [Sarah] and Marc. I talked

about that home page. Is it Section 10? Yeah, this one, home page. So I received an IRT comment on this home page and we learned that just saying home page is not clear and maybe even not a good requirement for our policy. And I've learned why. Thank you for educating me. But with this, we interviewed a couple of folks. And thank you for helping me with this. And we came to a simple solution of adding the words in the parentheses; in other words, home page, a publicly available web page where their domain name services are offered. Now, I think this works for registrars well.

Registry operators, does this work for you too? I want to hear from you. Any comments?

ANDREA GLANDON: Sarah has her hand up.

DENNIS CHANG: Go ahead, Sarah.

SARAH WYLD: Thank you. I know I'm not the registry that you just asked for it. So, I thought we were going to take out the word "homepage" and instead put the publicly available webpage part. So, I was just a little surprised to see all of the text remaining. But I'm not opposed. If people feel that this is the most clear way to do it, that's great. Thank you.

DENNIS CHANG: Thank you, Sarah.

Go ahead.

UNIDENTIFIED MALE:

Not part of the team, but the word “homepage” has been described as not a good idea by the very inventor of the web. Tim Berners-Lee has complained about the use of this word for good reasons. It's just highly confusing. And one of the things that could be clarified is, should it be on the main page of the website? This is actually a clear thing, or should it be just somewhere on the website, or should it be on the footer of the website? Those are things that usually are clarified. Typically you have mastheads that are required by law in some websites or what they call impressum in Germany. But [we] would still need to be clear on that. But I would remove the homepage.

DENNIS CHANG:

Thank you. We struggle with this one because of the very reasons what you were saying; the word “main page” has a definition, but it means so many other things. We toyed with “primary page,” but that also had complications; “relevant page” also. So it seems like “homepage” has some common understanding from the users, and if we supplement with the words, in parentheses, “the publicly available,” those words were very important because it was pointed out that you don't want it a page where people are behind some sort of a paywall or anything like that.

So I think for our policy this is probably good. I don't see any issue, and unless I see strong objections from any IRT members—go ahead, Jody.

ROGER CARNEY:

Thanks. It's Roger. Jody's not here, but that's okay. Just to tag along with what Sarah and Werner are saying, I think the homepage would have disappeared too, but again, I'm not against that because I think the parentheses make it clear.

And to Werner's issue of being specific about where it goes, I think this language is exactly what we were looking for because we didn't want to be specific about it having to be in a header or having to be in a footer. It just had to be accessible to everyone. And it's one of those things where, when you talk about business models, a company's home page or main page or primary page, whatever you call it, may not be the registrar's primary page or registry's primary page. So I think that this language allows that flexibility. So thanks.

DENNIS CHANG:

Yeah, thank you for that intervention, and it was also important to us that our policy is not so prescriptive and so detailed to allow the contracted parties to fit their business model. I think that's an important feature of our policy. We really, really work hard to not be technically agnostic, right? So, thank you for that.

Next is Matthew, Beth, and Marc, in that order. Matthew?

MATTHEW CROSSMAN:

Thanks, Dennis. Matthew Crossman from Amazon. I agree with Roger. I think it's important to think about the intent behind this provision. The idea is we want this in a place where our customers can find it, right?

And that place is where we offer them our services, right? And so, from that perspective, I think the clarifying language that Sarah has proposed is great.

And I'd also, I think she's right that we can then remove that homepage piece, because I think, again, if we think about the intent, I don't know that that homepage piece is getting to that intent, whereas the language that's in the parentheses does a really nice job of doing that. So, I'd support Sarah's suggestion.

DENNIS CHANG:

Thank you, Matt. Just so that you know, I use you as an example a lot, because everybody uses Amazon, right? I use Amazon, and I'm using Amazon.com, right? That's where I order things, so where is this link, huh, Matthew?

Okay. Next is Beth. Go ahead.

BETH BACON:

Thank you.. And I like to just go with mattcrossman.com or .org as is more correct as my example. So, I think for this one, while I agree with Sarah and Matt that the, her proposal is clearer, it's not really about what we think. It's about whether Compliance is going to interpret this in the same way. So, as long as we, as long as we have that understanding, I think that's what's important.

DENNIS CHANG:

Marc, you're next.

MARC ANDERSON: Thank you, Dennis. I put in that possible compromise language, I agree with the points Matt and Sarah had made. However, if keeping the word “homepage” is important, my language might be a way to get there. So keeping in that the word, “homepage,” you could say “on their publicly available”—so you’re pulling in “publicly available”—“homepage,” where their domain name services are offered. I'm editing on the fly, which is a dangerous thing, but I’m just throwing that out there to see if it sticks against the wall.

DENNIS CHANG: Next? Want to speak?

UNIDENTIFIED FEMALE: Sure. Just to address the issue of how Compliance might enforce it, I wanted to just point out that “homepage” does also appear in the RAA requirements as it concerns the abuse posting obligation. So it's something we're familiar with and we've been able to enforce without an issue or hassle. So I don't think that we have too much concern from a compliance perspective at least. Thanks.

DENNIS CHANG: Thank you.

Anyone else?

Thank you very much for that discussion. We'll continue our review.

And 10.6 is that urgent request. We will hold that discussion until later.
Oh, Marc, did you want to speak again? Go ahead.

MARC ANDERSON: Thanks, Dennis. If I could, could we go back up to the contact data elements one? Let me find the section for you. Sorry, if you could, I think it was, it's up higher above disclosure requests.

DENNIS CHANG: Section [6.10.2]?

SAMANTHA MANCIA: I believe it's 6.8.

DENNIS CHANG: Thank you, Samantha. 6.8 is where Marc wants to go. Sam is so good. She knows where you want to go.

MARC ANDERSON: All right. Thank you. Thank you for finding that, Samantha. Yeah. All right. So on this one, I had provided feedback on this that the introduction of the word “elements” here is kind of odd. So, changing it to say “The registrar may delete administrative contact data elements” I think is a post-public comment edit, right?

DENNIS CHANG: Yeah. So, Marc, here's a surprise. I agree with you. I neglected backing out the suggestions because, yeah, I didn't want to complicate the

matter. It really doesn't make it any clearer. And if it causes more discussion or confusion, then I want to back it out.

SAMANTHA MANCIA:

Dennis, this is Samantha again. If you click on the comment, you'll see the second one there on the side, the comment. Yeah, so we actually made the decision to back out this change based on Marc's feedback. So we left it in there just to show that that will be done, but we haven't backed it out yet. So sorry for the confusion around that.

DENNIS CHANG:

That's quite okay. Yeah. I forgot that you made that comment for us instead of just backing it up. Yeah. Just she's been very, very diligent about showing you what we have been doing. And that's good. Thank you.

Now, did I have somebody else raise hands? I can't remember. Go ahead.

SARAH WYLD:

Thank you. I was just going to agree, and we've all agreed now, so there we go. We agree. Thank you.

DENNIS CHANG:

Thank you. Okay. Let's go to ... Let's see. We were at Section 10. We are going to go out there later. Log file, retention, addendum, addendum 2. This one had a comment. Yeah, so on this one, I don't know if you remember, Marc, but I think this was one of your comments. You

suggested that we move this to the scope section, right? And again, it hasn't been done, but we made a note that we agree. Boy, it's your day, isn't it? Thank you, Marc.

I think that was it. Oh, just on the background, as you see, Rubens, this is a stage 2 thing that we were talking about; that this is an unusual ... It's the first time ever we've done something like this, and with the registration data policy, we are doing a lot of first-time things, and it's in our background and we'll try to reflect it correctly up in the language.

So what this means is this. We have only one requirement that we have to take a decision on, and that is the urgent request. And everything else is done as far as policy language and policy requirement is done. And thank you for those who have been planning already for implementation around our language.

So with that, we are going to go, before urgent request ... We're going to talk about the timeline first and then finish with our urgent request discussion. So the implementation plan collaboration discussion is what we're doing. When I was thinking about the implementation of this policy, after we have our firm requirement ... And when I say we have our firm requirement for implementation, I consider that to be the publication of our policy language right now targeting August of this year, which is a couple of months from now. And what do we have to think about, right? I think about these things. Who are my collaboration parties. Who do I have to work with? A lot of you are sitting right here, but some of the IRT members are not in the implementation party, right? You're not, right? You don't have to do anything. But don't go away yet, because with the way I run the IRT, your IRT job is not done

until the end of the effective date. Everything is completed and we turn it over to our enforcement. That's when we are done officially and we will be disbanding. And of course I will notify you though, so don't just think that oh we published a policy and IRT is done. It's not. Even though we may not be having regular meetings, I will be calling on you to continue to help me, because I will need the help in those implementation duration.

So what are the collaboration points? So within this 18 months or two-year, whatever we decide, as an implementation period, I think there's some important points along the way where we have to make a deliberate effort together and sort of check, are we all going in the right direction, are we going at the right speed, did we leave anyone behind, or did we get carried away somewhere, too early, or something like that? That's what I worry about. So what are maybe milestones that we should set up, and what are the dependencies. Especially this is a very important point. I have dependencies. You have dependencies with each other, right? And while I may not need to know about all of them, there are dependencies that I should know about between registrars because the point, the lead point, of implementation is me and us at ICANN Org. So you're going to come back to us to ask questions and guidance, and it's important that we understand the big picture, the total picture, to provide you with the right guidance.

And what are the priority tasks? There are so many things we got to do, but it's important, of course, that we do them in the right order, and do we have risks? Gustavo and I conducted some interviews (I think six interviews) just last week, and I heard a lot of risk. And what are the mitigations for those risks? And I don't think that everybody who is

deeply in the planning of the implementations probably have realized that there are those risks, but this is an opportunity for us, and this is just the beginning to talk about the risks, so I'd like to do that today. And then, of course, with risk, what are the mitigation, if there are some things that we can do? Or even if we accept the risk, I think that we should know that it is by design, that we're going into it with risk-accepted, and we should not be ignorant about that. And we're very fortunate to have this IRT who have experience in implementing our policy. Some of them are sitting here with me and we've implemented together in the past. So I'm confident that we're going to come up with a good implementation plan together.

So the factors that are considered, and I just jotted down some notes here. So when we think about this, I put myself in Marc's shoes as a registry, for example, and I think about what he has to do. And of course, he told me (Marc is one of the persons who I interviewed), Yeah, these are the things that we've got to get done.” And Rick and Beth, thank you for talking to us, giving us your input. And then registrars; what do they have to do? And thank you, Roger and Sarah. And then we talk about the services that have to be there. And in these cases, I think [inaudible]. I think you're depending on ICANN Org, on all of these; that we do our implementation to make sure these services that are provided to support you are there when you need it.

So for example, data escrow agents is an important example. I don't know if you have seen an announcement, but we have been approved for having a new data escrow agent. And I recall the date of the 17th of July, when we plan to make that announcement. So now this thing is happening in parallel, and I have to plan on how we're going to engage

a new data escrow agent that's coming on with our new policy that's going to be published in August, and making sure that all of their system and requirements gets implemented and will be ready to serve all of us, right? That's just an example. And of course, all of our service providers.

At this point, let me just turn it over to Gustavo to make a few remarks on things that he is concerned about, worried about, or he is thinking about. He is obviously on the technical side with me as part of our implementation team, who will be either hands-on or directing the technical implementation for ICANN org items. Are you there? Gustavo, can you speak?

GUSTAVO IBARRA:

Yeah. As Dennis explained, internally we have been doing an analysis of all the interactions that we believe exceeds within the DNS industry in which this new data model because in reality [inaudible] our policies and new data model will have an impact right? And we want to work with those providers and be sure that those tools and systems that they have can interoperate.

Just to give you an example, for example, in ICANN, we have the ICANN RDAP lookup tool. So we want to take that tool to support the redaction draft so that we can signal which data elements are redacted, for example. We know that there are others WHOIS web clients out in the wild, in the Internet, so they will also need to do these updates.

In the case of EBERO providers, we want to be sure that if they receive a deposit, let's say, without, for example, the admin contact, they are able to import this data into the EBERO service and, if there is an gTLD

transition, that we are able to support that without any issues. In the case of registry service testing, for example, that's one of the tools and systems that ICANN provides when it is an MSA, Materials Subcontracting Arrangement. And we need to be able to support all the different data models, right? Because during this parallel period, we will have the interim region data model, we will have the registry data model, and within the registry data model, we can have different variations based on which data elements are collected and which data elements are published and so on.

So, we need to take all of this into consideration, and what we are doing right now is the planning process, and we have been working on identifying all those interaction points, what changes will need to happen, when they can happen, and be sure that we have also a test plan so that we can mitigate any potential risks associated with those changes. And as Dennis mentioned, that's the work that we have been doing in the past months, weeks, and we're working on that plan.

Dennis, I don't know if you want me to go into some details or more details.

DENNIS CHANG:

Hold for more details, but I'd like to open it up to our IRT member, and in particular, I'm looking at Rick. I like what I heard from Rick and his phased approach, that three-phase approach. Can you talk to the IRT? I think that may be a good sort of a model or best practice that we can all adapt. Go ahead.

RICK WILHELM:

Sure. Thank you. I'm not on the IRT. Beth is our rep on the IRT, and so her and I talk about this a lot, as I do with Marc. I have plenty of comments about what Gustavo said and what you said, but I was called upon on a certain thing, so I'll limit my comments to what you called upon me for.

I think that the timeline should start soon and allow registries to start soon and then have phases by which registrars would be able to come into compliance with the changes that registries put into place but then have the registries not flash cut from the old data model, previous data model, to any new registration data model but instead have that be a phased approach. If they go from whatever their current data model is, that which was formerly known as thick, to the new minimum data set, they would do so theoretically in three phases.

The first would be contacts optional on registrations. Then it would be contacts prohibited on registrations, on any EPP commands. And then the last would be, "Dear registrar, we're cleaning out the contact data that we have that you're storing," and that would happen by a certain date. So the purpose of the last date would be to let the registrar know that on this date, this data is being cleaned out. "So if you have any concerns about us cleaning that out, you need to sync your databases and whatnot, because by this date, we're going to remove all those objects, et cetera," right?

So what that does is it allows the existence of those various dates by the registry saying "By this date, we will allow the first date contacts optional that would allow two different registrars to have different timelines on when they go start doing new registrations with no

contacts.” They could implement that across the entirety of their property or properties, right? They could phase it in or something like that, and then there would be a window between the first date and the second date. Date. By the time the second date comes, they would no longer be able to have commands that involve contact data, but there would be that window of a period of time. And I'm not talking about what that window would be. That would be up to individual registries and such, but then that would allow both registries and registrars to have some flex in there.

Now, during that time, there would be (and this is why it's important for, during that transition period, the other mechanisms, like escrow and things like that) a mixed bag of registration, some with contact data, some without. And then they would phase in, and then gradually the registration should change over from the existing data model to the new data model. And so the technology has to be able to adapt to this transition period.

But on the supporting systems, from the ICANN perspective, I think it's going to have to regardless, because even if you had put in a ridiculously tight and unfeasible window, unless it all happens on a flag day ... And I'm not going to make that decision because the registration systems would cease to exist. There's no way that's going to work, and no one is proposing that from what I've heard. There's going to have to be a period of time when these things coexist. And so just stretching that out just leads to more operational stability.

So, the essence of it is three phases with different dates in there, and then windows that allow registries and registrars to adapt their operational schedules.

I could, and I did, with Dennis and Gustavo, wax for a lengthy period of time about the rationale to support this. I'd be happy to, but that's the essence and really the question I was asked.

DENNIS CHANG: Thank you. Thank you, Rick. We'll come back to you for other things, but let's give Beth a chance to speak on this.

BETH BACON: Thanks. If there's comments specific to the timeline proposal, then maybe you want to do those, and then I can ask a follow-up question. I have it more related to a couple of the things that Gustavo was discussing that might impact timeline. But whatever blows your hair back. You're in charge.

DENNIS CHANG: Why don't you just go ahead and address them now?

BETH BACON: Okey-doke. Gustavo noted that ICANN is working on a plan for escrow changes, but my question is, what is the actual impact of ... If ICANN's only bringing on a new escrow provide, registries and registrars still abide by the escrow specs in our agreements. What is the impact of you changing your ICANN specs and your ICANN requirements for a new or

a different ICANN provider in relation to how we just operate? So I think if we're the implementers, we can go forward because if you're changing it in a manner with the escrow provider that would then affect a change to our agreement or something, that's a different story. But my understanding is that you guys can do that on the back end with your provider as you bring them on board, but our actual requirements and, and from the specification and the registry agreement wouldn't change with, with relation to our escrow provider. So I'm wondering how your escrow provider onboarding actually impacts this.

DENNIS CHANG:

Excellent question.

Gustavo, do you want to speak to this?

GUSTAVO IBARRA:

Yeah, and I think it's important to mention that [I suggest] one of those interactions that we have identified that may be affected, right? And we're still doing our evaluation. We cannot say at this point that your contract is going to change or not. What we want to be sure of is that that process, which is called [ISRO], continues to work for registries and registrars. And also, it's not the end of the process, right? Those data escrow deposits, for example, maybe used by a new provider or maybe used by an EBERO provider or may be used to recover a register. We want to be sure that those other processes also continue to operate when we are in this parallel period, which you can have different data models coexisting. And, and again it's just a plan that we're working on, on what are the changes, if there are going to be changes in the

contracts or not, what are the testing that we need to do in all those systems, what are the test cases, if we are going to mitigate any risk that we identified from a system change perspective or another way? There are several ways to mitigate risk. So right now, we're in that process of, let's say, a risk analysis, and we are trying to come up with some risk mitigation strategy.

At the end of the day, what we don't want is that we're going to this transition period or parallel period, whatever you want to call it. And there is a need, for example, for an EBERO to happen, or we discover that something in the EBERO system is not working because the deposit changed, or there are less data, and they are doing some verification. So we're just trying to identify those points and those risks, basically, at this point. And probably it's really premature to speak to any change on the contract or something that we're still doing our homework.

DENNIS CHANG: Roger?

ROGER CARNEY: Thanks, Dennis. And I think I was thinking along the same lines as Beth. And I think Gustavo, you kind of hit on it. It's just an unknown now. And it doesn't matter if the escrow is changing or not. And what registries and registrars provide is still fairly fluid today, even. We have a spec we follow, but that data elements specifically aren't necessarily required throughout it. So, I don't know that our spec has to change, especially for this. But Gustavo, you're right, it may, but obviously, the escrow

providers are going to have to do a different check than they do today because other data's coming through, so.

But, I actually had my hand raised because of Rick and his comments of the three approach. And I think that when you look at it, operationally, it makes perfect sense. But I think that the problem (and Rick didn't do it on purpose, I believe) is setting timeframes for all registries that have to have that first phase done by January and the second phase done by December. I think that gets really difficult, and especially when you start talking about today, there is no data processing agreements between any registry or registrar. And those have to be created before they can even change their systems because they don't even know what they're gonna request or need from registrars.

So I don't think you can set, again, a January February on those different phases just because each registry is going to have to go through and define what data they actually need and legally have a reason for and then provide that back to the registrar. So, until they do that, they won't even be able to update their systems. So, just my thoughts. Thanks.

DENNIS CHANG: Thank you, Roger. Next is ... Is it Beth?

BETH BACON: I apologize for taking the mic again, but I do want to circle back. I think, Roger, it's a good point. I do, obviously, agree with Rick. The phased approach makes sense to me and I don't think it necessarily means that we have to dictate the timelines but more the approach and when you

can start, when you can implement, and start phase one, and then the rest is up to you. Maybe Rick will kick me under the table.

But my real concern here is that it seems like ICANN ... We are the responsible parties, the implementing parties, but ICANN's readiness, (or kind of not sure where we are on the readiness) is implementing our ability to comply with this policy. I want ICANN stuff to work, because that makes our stuff work. But it also seems like we saw this coming out for a while.

So I'm a little concerned about that, and I want to make sure that we resolve not only what the contracted parties need, because we would like to do this phased approach, I think. It makes technical and logical sense. It makes Rick not lose his mind, makes me not cry in my office. And then also, I think we need to make sure that we can make sure that ICANN's ready, but I also think that shouldn't be the driving force behind the timeline.

DENNIS CHANG:

Anyone else?

Go ahead, Steve.

STEVE CROCKER:

Thank you. The transition and the phased approach, as everybody said, makes perfect sense, and there's the details of what the timing is and all of that. But stepping outside of that, when somebody wants to request information about a registration, my guess is (and this is really a question), will they see any change at all? My mindset about this is

that the request goes into the registrar. The registrar has all the data. And the transition we're talking about is whether the registry does or doesn't have some particular subset of that data at any given time. But stepping, as I said, outside and looking at making a request to the registrar, there's no change whatsoever. Is that consistent with the picture here?

DENNIS CHANG: I see a hand, physical hand, up from Rick. Why don't I let him answer the question I think he's trying to answer?

RICK WILHELM: Yeah, thank you. Thank you, Steve, for the question. Yeah, good question. And my thought is that this would really be an orthogonal thing to that. And where the data request goes is it naturally goes to the registrar regardless. This is about, as everybody within this room knows, what data is transferred from ... The key thing about what we're talking about right now is the transfer of data from registrar to registry, and this really wouldn't affect where the request goes from that standpoint. So I don't see any change there. Thank you.

STEVE CROCKER: Excellent. If I might ask another question sort of driven off of Beth's question and then on the back end of all of this, on the escrowing (I apologize if this is a detail that everybody but me knows), how much checking is there at the escrow process about whether the data that is put in escrow does or doesn't fill out the entire form? Can you tell the

difference between a thin and a thick registry at escrow time? And if not, then again, I don't see why there's any issue at all.

DENNIS CHANG: Go ahead, Rick. Answer that question.

RICK WILHELM: Thank you. So the escrow provider has an expectation of what they're going to get from the entity providing the escrow. And so, it's expecting data in a certain set of fields. And if any of those things are empty, it would note an incomplete deposit. And a light would go ding, and a thing would go ding, and something would eventually rattle into my email and say, "Hey, your escrow is not good, "right? And then we would go, "What happened?" And so lights blink [and there's a] knock at the end of the day.

STEVE CROCKER: And if I might, what happens if the registrant simply didn't provide particular fields?

RICK WILHELM: It accounts for that. The mechanism accounts for that. So the code accounts for that, but if the registry code just today just stops providing a particular field to the escrow provider, like, "Oh, we're not going to give that to you anymore," then the validation fails, right? So it's just code like, "You've got to provide these fields and it's got to match up," and that sort of thing.

STEVE CROCKER: But certainly the registry could continue to provide those fields and simply say, “We didn't get them.”

DENNIS CHANG: Steve, if you don't mind, yeah, that is a detail that demonstrates the need for collaboration and communication for the implementation. So that's exactly what we'll be doing; exactly what field, what's the checking criteria, what cost needs to change, who has to change them, where is change, how long does that going to take, after how much testing do we have to do before we productionize those things?—each of those each components. And there are many of them.

What I'm going to do is give the floor to Marc and then Alan, and after that we'll close this timeline discussion, and then we'll have to move on to our urgent requests.

I think [Ed] has joined us now. Yeah, I can see the head.

Go ahead. Thank you.

MARC ANDERSON: Thank you, Dennis. If I could, cognizant of time and where we are, can I maybe ask where we are? As near as I can tell, we're at TBD. The policy language in that document says, “The effective date is insert here, the complete transition is insert here, and your transition period is insert here.” Leading up to public comments for years, we had an agreed upon 18-month window. Coming out of public comments, ICANN Org proposed something else that was not supported by IRT members. I think I'm not going out on a limb saying that that did not receive any

support. So we're going to ask, where are we? What is the current proposal? We've been kind of dancing around it and we're running out of time to talk about it. So let's just get it out there. What is the timeline we're talking about?

DENNIS CHANG: Let me give the floor to Alan and I'll answer the question.

ALAN WOODS: Thank you very much. In the interest of time, I think it's easy for me to say I completely agree with Beth and with Rick. And I think the phased implementation should be up to the people who are going to be applying the contracts and figuring out how they approach the contracts, not as the contracted parties. And we need the time to be able to review and implement and come into compliance with the expectations of the policy in a timeline that we see fit.

DENNIS CHANG: Thank you. So I have received your inputs. And as just a quick review, this is what we propose to IRT here. If you'll notice, we propose that we publish the policy in August and have our preparation period all the way to August of next year. And in one month, we'll all transition to the new policy. That was not met with positive [feedback]. So we got you, okay? So what we originally had was this, 18 months of transition period. That also has some difficulties because it's too many variations.

So what we're doing is we're going to take all of your input, including ...If there's any non-implementers wanting to comment, I particularly

would like to hear about the difference between the final effective date ... Is policy implementing in 18 months an important thing? If it is, is two years okay? Is anybody going to be bothered if we stretch it out to give us six months more of a room?

I take your point. Thank you for that, Roger. You have millions of customers you have to contact, and I certainly don't want to take the risk of rushing this thing. We have enough risk already.

And I wanted to hear from anyone if you had any concerns about the fact that we had originally intended to complete our policy in February of 2025, but now we're considering stretching it out to August of 2025. Is that, does that seem reasonable to anyone, to you non-implementers?

UNIDENTIFIED MALE:

No, I think that what we have, if I understand it correctly, is that folks can use the new regime already. And I think it doesn't harm giving the operators a little more time to adopt their systems. I think that's quite a Herculean task, so that doesn't harm. But it's important to get it done and dusted so that folks that want to move to the new regime can do that as soon as possible.

DENNIS CHANG:

Yes, I think the important point is to allow you to transition for those of you who's ready and willing to allow. I think that's the important point. So when we start that transition and when we can all agree that we're all ready and begin to transition, I think it's an important quote-

unquote milestone, even if it's informal and communication collaboration point. That's what I meant.

Now, I see Sarah and Rick. And Thomas raised his hand. Do you have comments on timeline or is it something else?

Sarah, go ahead. Let's do this quickly then move on to the urgent request.

SARAH WYLD:

Thank you. So, what I'm hearing is we're going to publish the policy and then we can start implementing it and we have either 18 or 24 months. You said two years, and I got a little confused in there, but yes, as long as we can start implementing it now, I think we all just want to go. We want to do this. So, that sounds great. Thank you for considering our input on that window because waiting until August two years from now is not great. This is much better. Thank you.

DENNIS CHANG:

Next, Rick.

RICK WILHELM:

Thank you. So a question. if a registry does an implementation, how do we know with certainty what compliance regime we're under, and is there a way that a registry declares that to ICANN? Because one of the concerns that a registry could have is that ... A firm regulatory footing is something that any entity seeks, right? And so any registry [that] doesn't want to comply with a policy, and then while this window is open, suddenly have ICANN say, well, it's changing, and since the

window wasn't closed, the policy is going to change since the 24-month window hasn't closed ... We're not to the end of that yellow bar. The policy is still subject to shifting, right? And so how do we know that we're being governed by the regulatory regime that if we switch to using the new policy, we come in and we ... whatever. I don't know if it's whether we get our ticket punched or something like that. And then we're in that, and then there's no chance of the regulation the policy regulation changing on us without a subsequent PDP. Does that make sense?

DENNIS CHANG: Yes.

RICK WILHELM: Stability of regulatory regime is what we would seek as a contracted parties.

DENNIS CHANG: That is a very, very important implementation. And we are going to have to make it absolutely clear to all of us how the enforcement happens, and that's part of the implementation.

So Marc, Chris, and Beth, the queue is lining up, and we need to really move on to the urgent request. Marc, go ahead.

MARC ANDERSON: Thank you, Dennis. I guess I want to ask for clarification, right? We still have the two different proposals that we talked about. Like what is the new proposed language that's on the table for us to consider here?

DENNIS CHANG: I have not proposed a new proposed language, and I will be coming to you. That's the point. I don't have a new proposed language, but the language that I will be providing to you will be some sort of a decision from these two models, whether it's one or the other. I think with the two-year, the way we had laid out, it was 23 months prep and one-month transition. Especially the one-month transition after hearing your input is not acceptable to me, so I will not propose that. But I will come back to you on how we are going to structure this with your input.

MARC ANDERSON: Okay, so you're saying ...

DENNIS CHANG: Hold tight.

MARC ANDERSON: Okay. So we're ending with TBD still.

DENNIS CHANG: Yes. Sorry, Marc.

And Chris, hello. Chris, you have a comment on the timeline. Make it quick and let's talk about the urgent request.

CHRIS LEWIS-EVANS: Very quick one. Obviously the [GAC's] comment about fragmentation of the system ... So anything we can do to reduce the timeline while understanding [time] needs to be reasonably necessary for them to be able to implement that, I think, is key for us.

The only other thing about the end date that I would like to comment on is it probably does have some implication on the use of RDRS. So having this implemented before the end of RDRS could probably be helpful for proper data collection on that system. Thank you.

DENNIS CHANG: That's good input. Thank you, Chris.

Beth, last comment on timeline.

BETH BACON: You're going to close the queue with me? Dangerous. I just wanted to say, to follow up on what Rick was saying and a couple of the comments in the chat, with regards to ongoing coordination, I think one of the things that we can all agree to is that if we have those 18 or 24 months, (whatever), it's better than a month. So thank you for taking that on board and chatting this out with us.

But I think one of the other tasks that won't appear in the timeline explicitly but will be something that we continue to work on and I think will help with maybe some of the [oh heck] list that ICANN is trying to think about right now of the dependencies and the concerns ... And one of those is what we're getting to: you don't want compliance to have to

continually monitor all 3,000 of us to figure out what our end goal is. So if we can work out a notification of saying, “Hey this registry is going to do this. These are our three phase dates,” ... And we will work that, obviously, out with our registrars as our partners, and we can communicate that clearly. It’s like, “We are starting on these dates. These are going to be our timelines. This is what we're going to look like at the end,” and then everyone knows where they are. So, if that's something that's going to be helpful, I think we should start to think about those things as well.

DENNIS CHANG:

Absolutely, that was exactly what I had in mind in ongoing collaboration of the timeline and implementation.

With that, let's switch to urgent request and let me find the urgent request. So just to set the stage and remind everyone what is the urgent request we're talking about, this is a recommendation language that we received from the working group. And I want to point out that it gave us the job to define the definition, criteria, what urgent request is, and at the same time, the timeline for the response.

So in particular, I thought the word “immediate” jumped out to me, and after reading the public comment, that meant a lot. “Immediate.” What does “immediate” mean to common folks and everyone who's reading this policy.

And then also evidence to support, evidence to supply and to show, I think, was a very important topic, an important point.

And currently the policy language says this. We have urgent requests defined and serious bodily injury, imminent threat to life, critical infrastructure, child exploitation. These are the words that we, this IRT, has agreed to define what urgent request meant. So therefore, when we originally had two business days ... And I used a lot of the logic. Remember, you guys? I used a logic table to get to our two business days; what does X mean, and X could be zero, that's the lowest number, let's not go minus X. And so we settled on two business states. That's what we published for public comment, but after receiving the public comment from the public, which means outside of this IRT, we revised it to 24 hours. And I won't read them, but these are the comments that we received from GA[C], INTA, ALAC, and BC. And then we have subsequently received these comments from IRTs, which you all know about, because they're all part of the IRT emails.

So I'll open it up right now, starting with Thomas. Go.

THOMAS [RICKERT]:

Thanks very much. And you mentioned that I'm not an implementer, so I come from a slightly different perspective. Two considerations I would like to share. One is that I think we came up with these two days for a reason. And the other point that I'd like to make is that my law firm is helping registries, registrars, and also hosting companies with their responses to third-party requests, including law enforcement requests. And what I've seen over the years is that when something urgent is coming in, they deal with it with priority. So they do what they can in order to be responsive as quickly as they can.

Now, as we know from the EPDP deliberations, we need manual intervention for responding to those requests. So there might be instances in which they are confronted with numerous requests that need to be reviewed. And the question is whether we want to punish them with ICANN Compliance going after them if their toe slips over slightly over these 24 hours. So I would highly recommend that we keep it at the two days, noting that the registries and registrars do what they can in order to be responsive in a shorter period of time.

DENNIS CHANG: Thank you. Recommendation received.

Next is Sarah.

SARAH WYLD: Thank you. Plus-one Thomas. The evidence requirement and the immediate need is informative. I had sort of read past that in my review of the text, but I do not believe it overrides the timeframe frame of less than X business days. Responses will be without undue delay, so that I think includes or accommodates the immediacy requirement, but we need to implement the recommendation. It should remain two business days. Thank you.

DENNIS CHANG: Thank you. Owen?

OWEN SMIGELSKI: So I'd like to plus-one both Thomas as well as Sarah, and just point out I know people had come to discussions that, oh, well, the registrars already processed abuse complaints from law enforcement within 24 hours. Well, that's a little bit different than when you're having to do a disclosure request and weighing that and the potential GDPR fines that are there for inappropriateness. Having it 24 hours is just unreasonable. There's absolutely no way that they can do it, and I'll say right now, we won't comply with that. We won't be able to do that. Yes, if there's an imminent situation, we'll certainly work faster, but 24 hours is just an unreasonable expectation, and I think that would be very difficult for pretty much everyone to do. Thanks.

DENNIS CHANG: Thank you. And Marc?

MARC ANDERSON: Sorry, I was looking for my Zoom on mute, forgot I was in the room. Yeah, I noticed there's some people are pointing to the “immediately” and “without undue delay” part. I always thought that was the most important part of this language. The “but no more than” I think is irrelevant and can be dropped altogether. You know, registry operators must acknowledge and respond without undue delay, period. Hard stop. You know, you pointed out from the get-go that we set a bar for urgent. We set the bar high. We set it that way on purpose so that only truly urgent requests that really rise to the level of being urgent will be considered under this this obligation. Registries and registrars cannot do more than “we’ll acknowledge and respond without to undo delay.” You know, they can't do better than that. We can set whatever kind of

timeline we want, but on a truly urgent request, we're gonna respond as quickly as we possibly can. And everything that comes after that I've always thought is a distraction beyond the point. You know, we really should focus on the obligation, which is “for truly urgent requests, acknowledge and respond without undue delay,” hard stop. That's what matters.

DENNIS CHANG: Yeah. Am I hearing that you are proposing actually dropping the timeline altogether? Did I hear that correctly? That's your alternative proposal?

MARC ANDERSON: I was just pointing out that the key language in all of this is “must respond without undue delay.”

DENNIS CHANG: Okay. Next is Chris. Go ahead.

CHRIS LEWIS-EVANS: Thank you. I'm just mulling over what Marc has just said, actually. But while I mull that over, if I can do two things at once, we're getting towards the end of the week, and at least I do know I'm in the room. You know, what we try to do with this is limit the circumstances that an urgent request can be made. They are egregious situations. They are situations that require release of information to protect someone's life. At the end of the day, that's what we're talking about. And I'm talking to

a lot of people that do respond (and thank you very much) in a very quick time frame, and we have contact points and everything else.

So I think where we were at the end, if I can remember that far back, of phase one, is that a separate timeline (and this is the point) would be discussed. And the X business days, for me, always was an example of what we might think about. We've got views from one party, we've got views from the others, we've had the public comment. 24 hours has come out from an ICANN perspective as being a change that is worth consideration. It's something I know the GAC and a number of other public comment parties support and certainly is one that without re-litigating through everything I would continue to.

However, I would need to consider Marc's proposal and whether that is something that we could live with or not. Thank you.

DENNIS CHANG: Thank you, Chris. Volker?

VOLKER GREIMANN: Thank you for the comments. I think the change is unreasonable and totally neglects the business realities of our business. We have weekends, we have holidays, and we will not be able to set someone in there to just scan for urgent to disclosure requests. What is urgent might be different from person to person. Two business days was agreed for a reason. I think it should remain that because that's what we can operate. And frankly law enforcement already has an urgent request under the rights-to-abuse requirements and that's a different channel. These requests go into the same channel so that means that

somebody has to sit down there and scan for those requests. We simply cannot do that in a reasonable way. And anyone who demands that we operate on a 24-7 basis is hereby cordially invited to sit down at our abuse desk on Christmas Eve and every Saturday and Sunday and do the job themselves. Thank you.

DENNIS CHANG: Thank you. Rubens, go ahead.

RUBENS KUHL: Thank you. I just want to comment that if a policy language that violates the policy by specifying, like, 24 hours which would be a violation is approved, it will trigger an immediate request for reconsideration so it doesn't move forward. Just saying.

DENNIS CHANG: Understood. Chris, did you want to speak again?

CHRIS LEWIS-EVANS: Yeah, just very quickly on Volker's I just want to make a point about it being agreed for two business days, during the talks that we had, it was an objection I had of not agreeing and said I'd raise it in public comments. So just to be clear on that. Thank you.

DENNIS CHANG: Yes. Anyone else? Amadeu, please go ahead.

AMADEU ABRIL: Okay. Sorry for not raising my hand on Zoom, but it's closed. I want to support what everybody else on the implementing side has said, and that's something else. You're hearing here people that have that come

from big companies, have dedicated compliance teams like Volker, et cetera, or myself, even in a much smaller company. But imagine what are the reality of the vast majority of registrars that don't have that, that probably will need to sleep some hours a day and that, as someone said, needs to consult somebody external to handle that. The result of putting 24 hours would simply mean that they will see urgent and they would need to provide the information, even if it was a trivial trademark-related request, which the vast majority of things we'll receive are. It would be impossible to check these complex concepts of body injury, et cetera, for non-experts. It simply will receive anything called urgent, coming not just for the police, but for anybody. The result would be that would be compliant with ICANN, because of the immediate danger, but then we will not be compliant with data protection policy, which is a much bigger risk from an economic point of view. Sorry, this is unfeasible in real life with the vast majority of registered business today. If we only want very large companies to be registrars, let's go ahead and say it, but they don't think that's the model.

ANDREA GLANDON:

Dennis we do have to end. We're already five minutes over. We have to end.

DENNIS CHANG:

Yeah. Can we have one more comment? Steve has been waiting.

STEVE CROCKER:

Thank you very much. I tried to respond vigorously and previously. In my view, there's two things that are tangled up here that need to be carefully dissected and separated. The whole discussion about one day versus two days or two business days and whether or not large versus small registrars have the resources to respond is focused on making a determination on whether or not to accept the request, whether the request is indeed urgent and meets the various legal requirements for all that and sorts out the liability issues. When somebody has an urgent request that meets the definition here, that decision has already been made, at least on the part of the requester; that this is something that has to happen right now. I mean right now. I don't mean in an hour from now, I don't mean in a day from now, I don't mean I want to talk to somebody who's going to think about, "Well, tell me what your request really is all about." I need to make a decision as to whether or not you have an urgent request. God damn it, I have an urgent request right now. And I want a response not in as soon as you can think about it, but type it in now and give me the response right this minute because we've got life-threatening urgencies, and you're going to explain this? This is going to be a big mess later. This is going to be an embarrassment for ICANN. It's going to be an embarrassment for the whole internet. What do you mean you're going to take a day or two and you don't have the resources to think about it?

Let me now bring the temperature level down. There are people that if they make a request, you're going to say, "Oh, I know you. You have made requests before, and we trust you because you are an authorized requester," whether it's law enforcement or some other party. But if somebody new shows up that you have no idea about, and they come

in like a raving maniac and say, “I have an urgent request,” and you have to say, “Well, wait a minute, I never heard of you before, and just because you say it's an urgent request, I can't accept what you say”? So we have to have a long conversation about that.

You need to separate these two processes completely. And it's easy to separate the processes by a pre-authorization process, followed by a request. And if you don't do that, then all of this is complete nonsense. And it's complete nonsense and you can say, “But we have a process here We're making decisions, and this is our policy development process, and we're gonna send this up to the Board.” Good luck to that because it's going to hit the fan. Whether it hits the fan at the Board or it hits the fan in a public forum external to ICANN and becomes a government mess, this is not the language that you want to forward. Thank you very much.

ANDREA GLANDON:

Thank you. We need to end today's session. Thank you, everyone. Have a wonderful rest of your day.

[END OF TRANSCRIPTION]