ICANN83 | PF – GNSO: RrSG Membership Meeting
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TERRI AGNEW

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ROGER CARNEY

Thanks, Terri. Welcome, everyone. Again, we've got a full schedule, so we wanted to get started here as Owen's getting his badge. But I think I will go ahead. For those that haven't been to Prague, it is actually a really easy town to walk around in once you get to the flat parts. There's some hills in between, but the flat parts are nice to walk around in. But anyway, I think I will turn this over to Eric so he can give us an update on elections.

ERIC ROKOBAUER

Thanks, Roger. Hey, everybody. This is Eric Rokobauer, your secretary. Quick administrative plug. So as you all know, we are currently in the middle of a voting period for our latest round of elections. This is just a reminder to vote. We have it going until Thursday, June 12th at 18:00 UTC. Or if you're here locally in Prague, that's 8 p.m. Thursday. We have about 31% of our voting members have submitted their votes so far. So if you haven't yet, this is your chance to do so. An email to vote would have gone to the email address of your designated representative for your registrar. So if you're unsure who that is for your registrar or you just haven't seen the email come from election buddy, please connect with me or Zoe. We can help you get squared away.

And so again, the reminder of this vote is for the latest elections for your new secretary, replacing me, and then your two new GNSO council positions. In addition to the election, we also have one yes-no vote to confirm for the membership if any revisions to language in section 3.3.3 of our charter should be considered by our membership review team. So again, yep, we've got the vote going. Please vote. If you have need help trying to vote, Zoe and I can be your connections. Thank you all. I'll take any questions if you have them. That'll do me. Thanks, Roger. Or Owen's getting settled. So, Roger, thanks.

ROGER CARNEY

Great. I'll give Owen two minutes to get set up. So thanks, Eric. Again, please vote. We've got what sounds like almost four days. So let's get in and vote if you haven't voted already. Urgent request is up next. I think this is probably going to be Sarah. So if she can give us an update. Yeah. All right. So, Sarah, please take it away.

SARAH WYLD

Thank you. Hi, this is Sarah. Can I have the next slide, please? Okay. So we're going to have an update as to the status of the work on urgent requests and then discussion because I need input and hopefully agreement among the stakeholder group.

So, already we have our registration data policy that was finalized without completing implementation of one piece of recommendation 18, which said that a separate timeline will be determined for urgent requests. So now the IRT is reconvened to figure out what that timeline will be. Separately, a group of GAC and GNSO people, registrars, I've lost track, are working on authenticating law enforcement. So when we deal with the timing, we know that the request will come from an authenticated law enforcement member and we will know that the request meets the definition of urgent. We in the IRT have taken the definition from phase two EPDP, so it matches other policy requirements.

In terms of the timing, we, the registrar members of the IRT, have proposed that we return to timing that we were discussing in July of 2023. The idea is when we receive an urgent request for disclosure of registration data, we must respond generally, sorry,

we must respond without undue delay, generally within 24 hours, with an option to extend by up to two business days if we need to, in which case you have to tell the requester within the first 24 hours that we're going to extend it. And if you need a third business day because you have a huge number of urgent requesters, unusually complex, that's also an option.

So the question is right now, can we lose the word generally? I think if we can come to agreement on that, then we can get the rest of it also accepted with the 24 hours but the business days extension. Do we have-- I think I've said everything. And so the bottom part on the slide here that we should be able to define where requests are sent, that's a little bit unclear right now. ICANN will not maintain a contact list, so I think the LEA group is going to have to figure out how does the request come to the registrar, or each registrar will define it for themselves. That doesn't need, I know it's weird for me to say this, not everything has to be policy, that I think doesn't need to be in the policy. So what do we think? Thank you. I see Michele and then Ashley and then Greg.

MICHELE NEYLON Thanks Sarah. Michele for the record. My main issue with this is what the hell constitutes urgent? I mean there seems to be this fixation that somehow WHOIS data is going to somehow fix some massive problem that nothing else could possibly fix, and I just see this being abused. Taking away the way the word generally means

that you move the obligation from being a flexible 24 to a hard 24, and I'm not sure if I'm comfortable with that.

SARAH WYLD: Thank you, Michele. That's very helpful feedback. In terms of what actually is defined as urgent, I just pasted a document which is an ICANN doc, although there is a registrar copy if you want to put your opinions. So here's the copy for sharing. What's wrong? Okay. You know what, yeah, and nobody look at that.

UNKNOWN SPEAKER: So take this.

SARAH WYLD: You what? Yeah, going to do that. All right, thanks for that reminder. Hadn't thought about whether this meeting's open or closed. The definition of urgent comes from the phase 2, and so it's imminent threat to life, serious bodily injury, critical infrastructure, or child exploitation, and the disclosure is necessary to deal with that. So I hope that helps. We'll go to Ashley next.

ASHLEY HEINEMAN: Thank you, Sarah. Ashley with GoDaddy. And yes, with that definition, feeling much more comfortable with the assumption that this applies to authenticated LEA. My question is, and perhaps there needs to be clarity, is that is in the case? Because if we're opening this up to not authenticated beyond LEA, then less

comfortable with changing it, but as stated, at least as understood, is that this applies to authenticated LEA, feeling comfortable with removing generally. Thanks.

SARAH WYLD

Thank you, Ashley. Yes, it is definitely limited to the authenticated user. We have Greg next.

GREG DIBIASE

Thanks. You know, so not ideal, but I'm comfortable with removing it, because this is so narrow, I think, right? This is for authenticated requests that go through this system and meet this urgent request definition, right? And I'd also note that if the registrar disagrees that this is urgent, after looking at the request, they can push back on that, right? So this is not you will respond. This is an automated disclosure, right? And that's something we need to make sure that we keep saying very loudly, right?

But if this is just a response time to respond, and that response could be, I don't think this is urgent, or this is more complicated, I'm comfortable with removing generally. And then just on a side note, being done with this, right? Like, we've been talking about this way too long. We should be doing things. If it's within the realm of acceptable outcomes, we should try to move this forward.

SARAH WYLD

Thank you, Greg. Yeah, something I'm also concerned about is the potential of receiving a request from an authenticated entity that is claimed to be urgent, but does not meet the definition. And the reason why I'm concerned about that is because we see mislabeled requests now, but they're not from the authenticated entity. And so my hope is that we can sort of connect those things within the group that's working on the authentication, so that there's some kind of consequence where if an authenticated entity submits a non-urgent request through this path, maybe they can't make any more. But that's not part of the timing work, which the IRT is very limited to be discussing. Roger.

ROGER CARNEY

Thanks, Sarah. This is Roger. Yeah, and I agree. I think that generally can be removed, and it gives both sides an easy win there. But I think that getting back to the process to follow, the authenticated LEA is a new process that's coming. What that means today, we don't know for sure. LEA is working on a process to provide additional information via whatever they're going to provide. But one of the things that that group has talked about is it's still something that the registrar has to agree to, that that is an authenticated person. So it's not like it's going to come from a list from ICANN, and everyone on that list is good. Again, this process is still being discussed, but that's being recognized as a single list isn't going to exist for all time. So it is going to be something that's

maintained. And like the urgent definition, LEA authentication is a registrar discretion thing.

SARAH WYLD: Thanks, Roger. Just before we go to Owen, I note that Luke has a comment in the chat that we should also focus on the applicable jurisdiction, which I do agree that that's a very important factor. It's hard because within the IRT talking about timing, that's not part of the timing discussion, but yes. Owen.

OWEN SMIGELSKI: Thanks. Owen Smigielski, for the transcript. So just to confirm, this is only with regards to law enforcement that's going to be doing this or?

SARAH WYLD: I'm not. So the group that's working on authentication is working on law enforcement authentication. And so I think that the actual policy recommendation doesn't say that only LEA can make an urgent request, but who's going to know about it other than LEA, right?

OWEN SMIGELSKI: Okay. Yeah. I generally support moving generally if it is for the authenticated law enforcement. And like Luke said, also, based upon a jurisdiction, because I don't want whatever a stand sending a request to us, and we have to jump and respond to that. And as

Michele said, how many types of these requests are we going to get? Where are they going to come from? And having looked at the urgent, and air quotes I'm using for those who aren't in the room, requests that we've received through RDRS, almost none of them are.

And so that's a big concern is opening this up to potential abuse, because when everything's urgent, then nothing is. So I think we just need to make sure that it's a very small pool that has very strict guardrails and guidelines about what is urgent, how they can use this, so that we don't get those requests that are just going to waste our time on things that are absolutely not urgent. Thanks.

SARAH WYLD Thank you, Owen. Michele?

MICHELE NEYLON Yeah, thanks, Sarah. Michele, for the record. With respect to response, is that defined?

SARAH WYLD Yes, it is. Thank you for asking that, Michele. So what their policy says is that we must acknowledge within, I think it was two hours, and that is an autoresponder. That's a ticketing system or something that says, yes, we got the request. Then response means actually review the request and consider it and make a decision and carry it out. Either disclose the data, or don't disclose

and tell them why. So that's the same for both urgent requests and regular requests. And you can also review that within the registration data policy for how it works for regular requests. Or extend, yes, or extend it if need be. Thank you, Roger. Michele, do you have a follow-up for that, or that's helpful? Good, okay. Volker?

VOLKER GREIMANN

Yes, thank you. Volker Greimann speaking for the record. Yeah, I'm not a big fan of removing generally, because generally basically means that if one is out of the 24 hours, but the rest of them are within, then that one won't, they won't use the one to hang us. If we remove the generally, then all requests need to be responded to in that time period. So I'm very much opposed to removing the generally, because that actually boxes us in.

Also, I am not a big fan of the general timelines of 24 hours, 2 business days and so forth and so forth, simply because of the fact as a European, we have weekends. We have holidays. Nobody works on weekends and holidays, especially no lawyers that can review such urgent requests and provide responses to those. This is basically Wishlist bullshit that we should be fighting against, fighting back against very strongly.

What I would be amenable to is accepting timelines that are already established in law. So for example, if we have a more general definition of urgent response, urgent requests must be responded to within the timelines applicable to the entity within

their chosen law jurisdiction. I mean, there are response timelines in European law for under NIS2 that could be basically adopted and said, okay, if a registrar is based in Europe, then they have to follow the strictest in their jurisdiction. I think that makes much more sense because it aligns our response timelines with other response timelines that we already have on the law instead of implementing an arbitrary one. So I would like to push back on the removal of generally and the timelines that are proposed here.

SARAH WYLD Thank you, Volker. I hear what you're saying. I hope that it helps that, especially with regards to the weekends or the example we had given is that not every registrar has a lawyer in-house that can make that determination. So they might need to contact external counsel who doesn't work on weekends. Our hope is that the extension of the two business days would resolve that. But yeah, I can see that it's not acceptable to everyone. We'll go to Ashley next and then back.

VOLKER GREIMANN It still means that somebody has to look at that and respond that they request that extension. So I don't feel comfortable with that.

SARAH WYLD Okay, thank you. Ashley.

ASHLEY HEINEMAN

Thank you. Ashley with GoDaddy. Just to respond to Volker, I understand your rationale, but I'm a little bit concerned that that is just begging for each country to start regulating us much more than they already are today. I understand what you're saying, and maybe there's ways to word your concern in a way that would make me feel better. But saying, putting in our contracts that we just need to do what our laws tell us to do is just basically begging for every country to start regulating us in ways that will make things a lot more complicated. But just a reaction there to Volker's recommendation.

SARAH WYLD

Thank you, Ashley. We have Michele next and then Greg. And Volker, your hand is still up.

MICHELE NEYLON

Yeah, thanks. It's Michaele again. Look, I suppose the thing here is that there's one thing, what goes into a contract, and then there's what happens in reality. In the real world, Irish law enforcement don't give a damn about ICANN, haven't heard about ICANN, and really have no interest in learning about ICANN. If they come to us with a request, then we're going to have to deal with it. And it's the same with French law enforcement or any of the other ones.

Under EU law, if it's a terrorist-operated website, we have to take action within two hours. It's not 24, it's not 48, it's not two working days. It's two hours. The reality is, of course, that the likelihood of

you actually getting one of those requests is pretty slim. And if you do get it, it's going to be heavily vetted. It's going to come through particular channels, and they will hunt you down at the weekend. And they do know where I live, I suspect. But thankfully, I don't live in a police state, so maybe they don't. Who knows?

I think the problem we have here is that if something is put into our contract, somebody somewhere is going to use that language against us. Because while we might act in good faith, many others who come to the ICANN multi-stakeholder party don't. They are constantly looking for ways to beat up on us. And I think that's where there's a degree of paranoia for a lot of us because of how these things have been used against us in the past. I think in reality, nobody is going to look you straight in the face and say, hey, I'm not giving you data to save a life or something like that. I don't think anybody's saying that.

I think the problem is that, as Volcker says, if you remove the word generally, that one time that it took you 25 hours to respond to something, you're now being beaten over the head. And I think that's a level of paranoia and lack of confidence in the system that is not easy to fix. And I don't know how we can fix that, but I can completely understand why we're in this position. And I get what Ashley's saying. The reality is that for many of us, that ship's already sailed. You know, the terrorist operator website stuff, it's two hours.

SARAH WYLD: Thank you, Michele. We have Greg and Catherine, and then we'll close the queue there. Thank you.

GREG DIBIASE: Yeah. So, I mean, I definitely understand Volker's perspective, but I really think this is a pretty narrow case in the urgent request definition, which you can push back on if you disagree with this, is a threat to life, right? This is a very narrow use case that we're talking about. This isn't for all law enforcement requests generally, right? They have to be authenticated. They have to be this specific.

And then I think the other context I would add here is that the Board initially provided feedback that they were uncomfortable with this recommendation originally because there wasn't authentication, and that could take time. But at the same time, they noted that urgent requests should be faster than multiple business days. So that's the guidance that the Board has given. I don't think that's going to change. So, I don't know. I feel like we shouldn't drag this on. This is very narrow. I really do understand the concern, but I think we should be okay with removing generally to move this forward.

SARAH WYLD: Thank you, Greg. All right, Catherine.

CATHERINE PALETTA

Hi, everybody. Did you miss me? I promise I'm here wearing my name.com hat. Beth Marty couldn't make it in time for this session, so I'm just representing her. I just kind of following on to what Greg was saying. I think it would be appropriate to think also politically about this. You're arguing against disclosures when it's going to save someone's life. I know that lots of us in here are maybe skeptical that there's ever a situation where disclosure registration data is going to save somebody's life, but that's the other side, right? So, the other side is just going to say, okay, so people should just die because you guys can't respond in 24 hours.

So, keeping in mind that that's what you're going to have to respond to, and how does I don't work on the weekends justify someone potentially dying, whether we think that is going to happen or not, right? But that's what the argument on the other side. So, I think to Greg's point, it's time to put this to bed, and then we never have to talk about it again, hopefully. Thanks, guys. I'll be quieter in the next topics.

SARAH WYLD

Okay. Thank you very much, Catherine. Volker and Ashley, you each get 30 seconds.

VOLKER GREIMANN

Okay. Just a serious question. How many requests from law enforcement regarding a life that was in danger that would have been saved if we had responded within 24 hours have you ever

gotten? We have gotten zero. I expect most in the room have gotten the exact same number, and I kind of refuse to create jobs or create cost basis for 0% likelihoods just because it makes somebody feel good.

SARAH WYLD Thank you, Volker. You know, it is indeed a really tiny edge case, but it is a thing that happens. Ashley?

ASHLEY HEINEMAN Yes, and I invite Roger to correct me if I'm wrong, but from GoDaddy's perspective, yes, we've had very few, and we are a pretty big registrar, and I think that's why we feel comfortable with removing generally. If it's been that few, we really feel that we are capable of handling that workload. Thanks.

SARAH WYLD Thank you, Ashley. Okay. So, we're going to go to the next slide, and I'm going to be Reg for just a moment because she couldn't make it here at this time. Also, an update with regards to the LEA authentication group that I mentioned earlier on in this conversation. It is a small group. It is not an official working group. They are not creating policy. They are using ICANN's resources and existing LEA processes to determine how a law enforcement person or entity can be authenticated so that the registrar then knows that they really are law enforcement. This is important because people fake it. Okay. It is still early. There is no output yet, but we will be

watching that work closely. Thank you all very much for this conversation. Oh, and Roger, you got the last word.

ROGER CARNEY

Thanks, Sarah. Yeah, and just to add, since I do participate in this, they are making good progress here. And as Sarah mentioned that sometimes law enforcement that can be gamed as well. Gabe did admit that back in Turkey, I think, the FBI was hacked, and they did, for a few hours, have some emails go through their system that was not sent by them. So, it does happen. So, it is not, again, like I said earlier, it is not that there is a list that is going to exist and you have to abide by this list. It is still the registrar's decision on these things. So, thanks.

SARAH WYLD

Yes, thank you, Roger. And just to emphasize that the policy recommendations and the registration data policy as implemented both say that the registrar still makes the review and the decision about whether to disclose. There is no automated disclosure. Thank you.

GREG DIBIASE

Hey, everybody. So, this is a quick update on where the GNSO is headed, what is going to be on our plate for the next couple meetings. Next slide.

So, more generally, backing up for a second, what the GNSO is the manager of the PDP process. So, what that means is people within the community suggest an issue that could be addressed or partially addressed through policy development or some other mechanism within ICANN, and then the GNSO starts a PDP through an issues report, and then helps guide that PDP to eventual policy is the ideal.

So, the GNSO just finished a couple big policies, the SubPro recommendations are finalized, the transfer policy recommendations are finalized, and so they are looking at new topics that have been raised for the community. So starting with DNS Abuse. This is a topic that is always within the community, how can we address and improve mitigation strategies for DNS Abuse. There was an original DNS Abuse small team that noted that compliance may not have all the tools they need. That resulted in the amendments to the RAA, which strengthened the provisions on responding to abuse reports.

Now, the small team is reconvening to look at the state of play, look at what's changed since the amendments have come out, what issues people are still seeing, what things registrars have been working on in the interim, and then identifying potential gaps in process, and then suggesting topics that could be suited for a PDP. So, I think this small team is going to be working with the CPH abuse small team and gathering ideas for narrowly scoped topics to address an abuse report.

So, just as an example, this hasn't been discussed at council or anything, but there's an idea of the pivot that's been raised on the CPH abuse small team, where an abuse report is received, would it be beneficial to have some policy or guidelines for a registrar to take additional action after that first abuse report is mitigated, like looking at the account. So, that's just an example.

And the registrar representatives on this GNSO small team will be working with the CPH abuse team to get kind of feedback on what the CPH thinks are topics that are ripe for discussion or potential policy. So, I'll pause there and see if people have questions on that bullet. Michele?

MICHELE NEYLON Yeah, thanks. So, my main issue here is that you can make lots of recommendations, which might seem like they're wonderful ideas, but whether they're practical, implementable, or economically viable is a whole other conversation. And the cost for any other member of the ICANN circus to ask us to do all sorts of crazy things is zero. The cost for us to implement it is significantly higher than zero.

GREG DIBIASE Sure. And so, I think that is on us as a stakeholder group and the CPH abuse small team to suggest potential issues for council to look at that make sense for us to tackle, right? It's not just busy

work. It could actually move the needle and improve the DNS ecosystem without putting undue burden on registrars. Roger?

ROGER CARNEY

Thanks, Greg. Yeah, and I would say that's what our counselors are for as well. I mean, just because a small team says, hey, this seems like a good idea. You know, if this group doesn't agree, our counselor should be fighting that, hey, we don't support this and we're not going to let this become the next stage. I mean, a small team recommendation is just that. It doesn't have to do anything. It goes to council and council decides.

GREG DIBIASE

Right. And I think also we have the opportunity to lead here, right? Like if we think there's an issue that makes sense if we're holding the pin and being the first person to suggest something, I think that helps avoid going down roads that we don't want to go down. Volker?

VOLKER GREIMANN

Yes, thank you. And I wish the small team the best of luck because being one of the participants of the original scoping team on accuracy, I still wear those battle scars proudly because we couldn't even agree on a basic definition of accuracy. What does it actually mean? The small team surely has its work cut out for them, and I don't envy them because this is going to be very contentious

from the start. And if there's a result, all the power to them, I wish them luck.

GREG DIBIASE

Thanks. So I guess that's a segue on to the next topic, which is a small team on accuracy. And so we're taking a different approach than the last time around in which the scoping team got stalled, for lack of a better word. The GNSO solicited input from the various communities on their views on accuracy. And what the small team is trying to do is focus on where there is potential overlap, right? So we don't spin our wheels. So one example that's being discussed is on the idea of contactability. So when the registrar submitted their views on accuracy, we said that we view what accuracy means under the RRA. And from our perspective. Is contactability. Can we contact the registrant, right? And so there's other groups that have a more expansive definition, but I think everyone agrees that contactability is an element of accuracy.

So the goal, from my perspective, is to focus, bring this more narrow, focus on things where there is overlap, as opposed to repeating the last scoping team, which got mired in maybe too many difficult questions so that is the direction there and counselors will be providing updates back to the group on where that group is going and where there might be consensus to work on an issue.

There's also a pending recommendation from a WHOIS review from a long time ago that recommended, and this recommendation, I

think was adopted, that domain status codes be used to differentiate when a domain is suspended for inaccurate data versus other reasons, such as abuse. So just one other thing that this team's considering. So I'll go to questions. Roger?

ROGER CARNEY

Thanks, Greg. Yeah, and I think that I'm glad that contactability is staying there since we all been pushing that for years. The one thing, and I think maybe this will lead right into Sarah, But I think one of the things I was surprised on working on this small team, not this small team, but the scoping team, was the other stakeholder groups seem to not have a clue at what contracted parties are supposed to do for accuracy. And I think Sarah, I think the communications team put together a page that describes this process. And I think that's something we have to keep educating people on. I don't know why people like to come argue when they don't look at what the contracts actually say. But that was something that I found surprising during that scoping team. So thanks.

GREG DIBIASE

Thanks, Roger. And so that's a great point that's actually not on here. That's one of the things that we put in our response, that education materials could help bridge the gap in understanding. And so that's also something on the table, right? Like looking at an idea of contactability where there's consensus as an issue, and then also looking at things like education, which isn't necessarily

policy, but can help bridge this gap where I don't think there's a clear understanding at all of what we do currently. Sarah?

SARAH WYLD

Thank you. This is Sarah. So, two thoughts. Yes, The registrar's communications and outreach team has put together a document a while ago about our approach to registration data accuracy. We have recently been speaking about updating or providing a new, smaller, nicer, easier version of this with less information, because I think it's still just too big and people don't read it. So maybe something we could do would be to work with ICANN's communications team to provide a one-pager of what registrars already are required to do. They have a really good graphic design team that is better than what I can do in PowerPoint, so that could be really useful.

I have a question for the group just on the topic of updating a status code. So it's publicly visible when a domain has been suspended for inaccurate data. It has been expressed to me that this is a security concern. But I don't know why. I did not understand why would that be a security problem? So if anybody has that opinion or knows what the answer is there, I would like to hear it. Thank you.

GREG DIBIASE

I would also like to know that. Michele and then Volker.

MICHELE NEYLON: Yeah, thanks. I mean, putting something into the or RDRS, or whatever the hell, RDAP or whatever it's called these days, I don't have an issue with that, but I think it's something that we'd need some standardization around. Like, we don't want a situation where every registry has their own particular way of handling it, or something like that. It needs some level of standardization. The security thing doesn't make any sense to me. I don't know what that's about. I don't know why anybody has an issue with that. Nominet has how many? 12 million domains? And they've been publishing something to do with the WHOIS accuracy in theirs for Donkey's years, and I haven't heard any issues.

GREG DIBIASE: Thanks, Michele. Volker?

VOLKER GREIMANN: Yes. Actually, don't dislike this idea because there is precedent for something like that, which is the suspension page that we're already putting up when a domain name verification fails. If we merge that, have the process that we use for the verification failure for the disablement because of incorrect WHOIS, i.e. not maybe have something in the registration data or in the output, but rather put up a website that says, look, this has been suspended for either (a) failure to verify, (b) incorrect data, (c) whatever you have. I don't

think we need a new process. I just need to think that we can open up the process that we already have.

GREG DIBIASE

Thanks, Volker. Okay, moving on. The last potential PDP is on the UDRP review. So ICANN policies are supposed to be periodically reviewed. The UDRP review has been, I guess, overdue, for lack of a better term, for a while now. And I think the general consensus is it's working well, so it's been delayed. But at a certain point under the ICANN policy development process, we should take another look at this.

I'd also know if you guys have seen the WIPO data report on topic and potential issues related to the UDRP makes for some interesting reading on potential work that could be done here. But just flagging that as another thing that will come up for discussion, I think, towards the end of the year, September, November timeframe, we'll be thinking about whether that warrants a PDP.

And so I think the broader question is usually the GNSO is doing two or three max PDPs at the same time. Right now, we have the specific Latin script diacritics going on. That one's pretty narrow. But I think all three PDPs, DNS Abuse and accuracy and UDRP would be a lot. So we also should be thinking about how we would want to prioritize that work. Roger.

ROGER CARNEY Thanks, Greg. What was the last council? Didn't they do a vote on UDRP? Was it just to delay it?

GREG DIBIASE It was just to defer considering it, given the other priority.

ROGER CARNEY So you're just passing this on to the next chair?

GREG DIBIASE Yes.

ROGER CARNEY Okay. Just wanted to make sure. Now, the other question I had was on the current status report of the expired domains and deletion domains. I assume that's on council's schedule as well.

GREG DIBIASE Yeah, so that's similar to the UDRP. That's another thing that's been deferred. Really, there's been no group that has wanted to look at that. Another one that seems like it's working well. But that's a good note that if that's another potential thing that could take priority if people wanted to review that policy again.

So we touched on urgent requests already, and that SubPro issues like Latin script or diacritics are proceeding. The last note I'd have is that a report on the RDRS is going to come back to Council. And this is kind of a strange one in that it's not policy. SSAD

recommendations are still technically before the Board. And so this RDRS report that that group is working on will provide what their view of how the RDRS has been working and how the Board should consider that when they're looking at the SSAD recommendations. So since that report isn't back to Council yet, I don't have a bigger update on that. But I know there's a number of us that are working on that team. And you can find them and get updates from them. I think that's all for GNSO.

OWEN SMIGELSKI

Okay, everyone. Hi. I'm Owen Smigielski, chair of the Registrar's Stakeholder Group. Apologies for being late when I was picking my badge this morning. I helpfully went to the needs assistance line as opposed to the badge pickup line. And you can't pick up your badge at the needs assistance line, which is right next to the other ones, and they don't make it clear. So apologies for being late. So I will do a quick presentation on the RRA NAS2 Template Update. Next slide.

So as some here know, the Registrar Stakeholder Group had previously been involved with recent review of some templates or a template that was being drafted to in an attempt to get ahead of and accommodate the changes that NAS2 would require for registries there. And there had been some back and forth and some discussions. We had a meeting, I think it was December or January, with Thomas Rickert, who had been working on this. We thought it was premature to start actually moving forward and finalizing up a

template because there had just been very few transpositions into national law for the NAS2.

There's still a lot more outstanding. And it wasn't clear what would happen with the rest. Denmark did something fun, too, which could certainly throw a little wrench into everything there. So we did not go ahead with that until it was about, I guess, a month and a half ago. It was actually after the ICANN meeting in Seattle. We started to receive a couple of GeoTLD that started to incorporate NAS2 wording in there, including some things, elements that were coming from the template that Thomas had been working on. I think one example is .cologne. I don't recall off the top of my head. I think there were four or five of them that came through.

So at that point, we realized that the issue was now ripe and that we should actually take a review and look at this. However, on the RRA review team, there was no European data protection specialist attorneys in the team. Certainly, there was enough who could give feedback. But the team did not feel that they could give feedback on behalf of all registrars, because as part of this process, the Registrar Stakeholder Group gets to approve the RRA amendments for all registrars. And while there were registrars there who could give opinions on their own behalf, we didn't feel comfortable doing that on behalf of all registrars.

So the RRA team decided to engage outside counsel, one who specializes in European data protection law, just to make sure that anything that we did with these changes to the RRAs, as well as the

template, would be representative or represent the interests of registrars as well as protect the registrants. And so we did engage an attorney that has taken a little bit longer, obviously, to find one. And then also lawyers always take a little bit longer than anticipated. So this process is still ongoing. When we had originally put this on the agenda, it was hoped that we could have feedback already for the for the membership here. But because the consultation is still ongoing, this is privileged and confidential. So we can't really talk about that and give any type of progress update now, because we would obviously break that privilege.

But it is ongoing. And we did get another. We had one extension from ICANN, which I think was till June 6th. We got that extended to July 18th to allow us to continue these consultations. And then it's anticipated hopefully in the next several weeks that we'll be able to share, the RAA team will be able to share with the stakeholder group the recommendations and that because we did get a lengthy opinion with some suggested changes that we're now going back and forth with and discussing. So there will be more to come.

I'm happy to pause and take any questions. Okay, seeing none, we can move on to the next slide, which I think is also me. Everybody's favorite topic, Registrar Fees. So let me just put a little flag here. Please don't shoot the messenger. I'm just the one who's presenting here. So next slide.

So as everybody knows, each year we have a vote where the registrars get to decide whether to approve or disprove ICANN fees. And every year we vote because it's the same thing. No changes, except this year there is going to be a change. So the vote is happening earlier than it normally does because ICANN's fiscal year starts July 1st. I think the vote usually happens later in the year after this time because it doesn't there's really not much of a change or anything. So there will be changes to the fees and the vote opens actually today. Happy start of ICANN meeting slash registrar voting on fees.

And there will be some increases here. The 18 set ICANN fee per domain will go up to 20 cents. And then the per registrar variable fee will go up as well too. Put the numbers on the slide. This is from the email that ICANN sent out back in October. And so you can see the overall total per registrar variable fee goes up. Previously it had been 3.42 million. It will be 3.8 million. Doing some quick math. And again, this is not representative of all registrars because it's based upon size, etc. But there are 3,019 accredited registrars. So it works out to about $125 per registrar for that variable fee.

Again, it may be higher or lower based upon the number of domains under management. But that's not a $10,000 increase per registrar or something along those lines. So that's what the fees look out to. If you have any more questions on that, I do recommend reaching out to your engagement managers at ICANN. Next slide.

So we can vote yes, no, or abstain. And just to stress, similar to how we were doing with the voting for RDAP and DNS abuse amendments, an abstention counts as a no vote. So please vote one way or the other, unless, of course, you want to abstain. But just do realize that abstaining equals a no vote. If the vote fails, ICANN will still charge the registrars that money. It's not really clear how that process would happen. It's not fully defined. But it can be done via the registries. There's a pass-through or something like that where they can invoice that.

So from some discussions I've had with ICANN, this could lead to a bit of disruption and some chaos. And also, I think our registry friends would be very unhappy with the registrars that they have to go through this process and bill us more and maybe bill us for billing us for that. So I obviously can't recommend how people vote. That's not my role. But please do vote and just realize that what could happen down the road, there's really not too much we can do in terms of having to pay this money additionally. Volker, you have your hand up?

VOLKER GREIMANN

Yes, just to comment here. Originally, this was announced back in October, but very conditional. If the vote passes, then this will happen. Now we have less than 30 days with the vote starting now. This is not much time to inform our customers that we can tell them, look, our prices are going to increase by those $0.02 because the ICANN fee is increasing. If the vote that we are doing currently

passes, if it fails, we don't know when this will actually be effective. This is no way to conduct a business to our customers. This is no way to announce prices to our customers. ICANN should postpone the start date of this at least by three months and then give us time to announce this properly to our customers. This is no way to conduct a business and this is no way for an accreditation entity to treat its accredited partners. Thank you.

OWEN SMIGELSKI Thanks, Volker. Michele?

MICHELE NEYLON Michele, for the record. My learned friend from Germany has articulated it beautifully. It's death by a thousand cuts. I mean, the thing is, well, first off, this entire process is bizarre. I mean, it's like, vote for it and if you don't vote for it, it's going to happen anyway. So what's the point in having a vote? I mean, that to me makes absolutely no sense.

In terms of notification periods and everything else and the clarity of those notifications, I'd have to concur with Volker. I mean, the entire way this has been handled and notified has been pretty awful. And what I find incredibly frustrating about a lot of this is, ICANN is not a little startup with three staff operating out of somebody's bedroom. The reason that these fees are going up is because ICANN's staff headcount and its other costs keep going up. And we're the ones who have to pay for a lot of this. So I just think

some of this could be handled a lot better. I mean, ultimately, we end up having to pay regardless. And as we're pushing it over to the registries, they're just going to use it as yet another excuse to up the fees that they keep upping randomly just because they can. It's very frustrating.

OWEN SMIGELSKI

Thanks, Michele. And yes, I agree with you and Volker. It is silly to have this performative vote that doesn't really matter, but it does matter. So yeah, again, I'm not speaking on behalf of ICANN. We can vent our frustrations elsewhere. Catherine.

CATHERINE PALETTA

Thanks. This is Catherine Paletta for Name.com. I wanted to come up here and say, I think we should be very clear. What we're really voting on is whether we pay the fees to ICANN or whether we pay the fees to the registries. At one point, this vote may have meant something about the amount of our fees, but it doesn't mean that anymore. It just means to whom you pay the fees. So I don't know why you'd want to now pay them to a registry that, as Owen said, that sounds administratively like a nightmare. But I think we should be very clear that really you're voting on who you're going to pay.

I think we should take this moment to think about how we engage with the ICANN budget process, because that was the time to fight about this. And we should continue this fight against making sure

that fee increases are warranted, that the amount of the fee increase makes sense. I understand where they got this $0.20 number. There was apparently a decrease in fees way back in the day. And they're saying, we're not really increasing your fees. We're just getting rid of a previous discount, which doesn't taste very good. And so I think we as registrars, I'll put on my little tiny registry policy hat, we as registries as well, the contracted parties should take this as a lesson of how to better engage on the budget process and how to become more effective with that process, because that's the place where these discussions really happen.

And so happy, I think we should, I don't know what that looks like. But as a reminder, those go out for public comment. Help Sarah. It's a lot of work to do those. Aren't you the policy? Yeah, that's right. Help Sarah with that public comment. Thanks.

OWEN SMIGELSKI

Thanks, Catherine. And also, thanks for reminding Sarah of the work she does. Generally, when it comes to the budget stuff, that goes to the finance team first. So it's a little bit more heavy lifting. Michele?

MICHELE NEYLON

Michele again, just to help Catherine out. The $0. 18 reduction was the carat we were offered to sign onto a newer version of the RAA about 10 or plus years ago. So the carat we were given is now being taken away and being used to cuddle us to death.

OWEN SMIGELSKI All right. Thank you, Michele. Do we have anyone else on this topic? Okay. Seeing none, we can move on to the next slide. And I think, Marika, are you ready?

MARIKA KONINGS I am. Hi, everyone. So my name is Marika Konings. I'm the lead for the New gTLD program, standing actually in for my colleagues, Lars and Elisa, who are much more knowledgeable on the applicant guidebook than I am. But they're tied up with the IRT that's happening at the same time. If we go to the next slide.

So as you may have seen, the complete applicant guidebook went out for public comment on the 30th of May. It's an important milestone in our path to getting to the opening of the application window in April of next year. This means that all the different pieces of the AGB have now been put together in one document. All the separate pieces have already gone out, but this is the first time that people can review the complete version.

As it would take too much time to go through all the aspects of the applicant guidebook, what I'll do here today is take you through the applicant journey. We thought that might be the most helpful way in giving you a high-level overview of what is in the applicant guidebook. Basically, it's the steps an application will go through on their journey to delegation. Hopefully, that will help you then as well review what input you may want to provide on the applicant

guidebook. Noting I said, all the pieces have already gone out, and hopefully everyone has had a chance to look at those. But obviously, there may still be things that we didn't notice before, and especially, of course, from a consistency perspective as well. We're hoping that community members can look at this. And then we'll give you a quick overview of the timeline as well as what's further happening here at ICANN83.

If we go to the next slide and the next one. This is just some general information on what applicants should know before they start the application process. Only legal entities are able to apply for a new gTLD. As mentioned, we expect the application window to open in April of next year, and that will then run for a 12 to 15-week period. This is dictated by policy recommendations.

The gTLD evaluation fee is set at US$227,000 per application. There are some exceptions to this, specifically for Qualified Applicant Support Program applicants as well as those that apply for variants. But for the details on that, I would recommend you review the applicant guidebook. And there will be a dedicated system through which applicants can submit their applications as well as through which we will manage communications with applicants. Let's go to the next slide.

So now getting to the journey. I know this looks very small on the slide. I'll actually go through each of the big stages in the next couple of slides. But at a very high level, this shows the whole journey from submission to delegation. Important to remember

that not all of these steps are mandatory. It really depends on the type of application someone submits. Are you a community, a brand, a geo name, or just a general application? Whether an applicant ends up in contention as well as what type of input may be received from the public or ICANN community. But again, in general, this is the journey someone will go through.

We go to the next slide, which basically covers the left half that you saw there. And it's really focused on the path from application submission up until the prioritization draw. So once the application submission windows opens, applicants can begin providing their organization application data in the system as well as the replacement string. It's a new feature we have in this round where applicants have an ability to submit a replacement string. If they end up in direct contention, meaning someone else applied for the exact same string, they have an ability to switch to that replacement string to avoid that contention from happening.

So after the submission window closes and applicant has submitted their application and payment, we of course will confirm that payment has been received. We'll carry out a number of administrative checks and then perform as well a preliminary contention set review, which again is based on identical strings only. So we'll just look at the list of applied for names and mark those that are identical.

So after we've done that, the public portion of submitted applications and the preliminary contention sets are published on

what we're referring to as reveal day. And reveal day is also the moment that opens a window for applicants to decide whether or not they want to switch to their replacement string. So again, all the information will be publicly available to again give applicants the information on whether or not they want to make that change.

There are a number of other events that then happen. So once we complete the replacement string window and we know kind of the final strings that applicants have chosen to proceed with, we'll have string confirmation day. And then we'll update that information publicly with each application's confirmed string. And the preliminary contention sets are then updated accordingly, because as I said, if someone has opted for the replacement string, they may have been able to get out of the original contention set they were in.

This is also the trigger for a number of events that when done start happening, including the prioritization draw, community inputs, which is that pink box that you see there, objections and a string evaluation then commences as well. So the prioritization draw, I think those of you that were around in 2012 may be familiar with that. That's basically a draw that we conduct. No, don't name that word. This is a let's go in a hat and someone draws those out.

Again, it's an option for applicants to participate in that. They don't need to. There's a nominal fee that goes with that. It's something we're required to do. And basically, the number you get determines the order for when you actually get two applicant and

application evaluations. It also has an impact on temporary delegation and contention resolutions, which are also activities that happen later, but it's not for the first activities that we focus on, which is the string evaluation, which is done for all applicants in that window.

And the application comments period. And again, that's the pink box underneath. The public is able to provide public and as well as confidential comments on applications. GAC members at that point may also issue early warnings, which allows applicants an avenue to address the specific GAC members concern. I guess it's an individual submission. Objections may also be filed by those who have standing. If they believe an applicant shouldn't be able to operate a TLD for a given string.

And then lastly, singular and plural notifications may also be submitted through the new gTLD website. Again, this is also different from the 2012 round. Shall I just finish my sentence? Where again, singular plurals are not prohibited, but if someone files a singular plural notification and it's determined that indeed a dictionary confirms that is a singular or plural from either an existing application or another one that's applied for, they're placed in a contention set or if it's with an already existing one, they're not able to proceed, if my recollection is well. I think you had a question on that.

OWEN SMIGELSKI Yeah, thanks, Marika. We wanted to bring this up before we move past this. So when they have the replacement string that they can do, is it ABC and then ABCS, or is it ABC and then XYZ? So it can be something completely different?

MARIKA KONINGS Yes, correct. There's no restriction on what the replacement string is, but of course we want to encourage applicants to think well about, if they've of course submitted a plan that's specifically tied to that string, they will also need to think about what that plan is if that string is a completely different string.

OWEN SMIGELSKI Okay, and so then when you have the reveal day and then say 20 applicants apply for the same string, then some of them go to the backup strings, etc. Is there then a thing to check with the contention for the backup strings if they select those, if there's going to be conflicts between those? So is that in theory, because everybody wants .crypto and then everybody wants .wallet or something afterwards. I'm just thinking.

MARIKA KONINGS Yeah, you're not able to have a string that creates a new contention set, but obviously you can only see that in the direct contention. We cannot predict that for what objections may be raised or the singular plural notifications. That's also why we're publishing all that information publicly. So applicants can hopefully make an

informed decision and indeed make some assumptions about whether their replacement string will likely end up in a similar situation or potentially, or whether based on what they've seen, they may have a good shot of not ending in contention.

OWEN SMIGELSKI All right, thanks, Marika.

ANDREW MERRIAM On that same topic, will replacement strings also be published on reveal day?

MARIKA KONINGS Look in the audience if one of my colleagues knows the affirmative answer on that. I think my recollection is yes, but I would like to double check on that. Volker.

VOLKER GREIMANN Yes, thank you, Marika. Also a follow-up question here for better understanding. I mean, there are applicants that only have one application and there are applicants that have dozens. If I, or anyone applies for say 10 TLDs, does each TLD have its associated replacement string or can I have a list of 10 replacement strings for my 10 applications?

MARIKA KONINGS My understanding is that each application will be able to pick one replacement string, not a list of replacement string I may want to pick from.

VOLKER GREIMANN So just for clarity, if one of my applications has a contention set and the replacement also has a contention set, I'm out of luck, even though my second application may not be in contention and the replacement string is also not in contention.

MARIKA KONINGS Yes, my understanding that is indeed the case.

ROGER CARNEY Volker, you're not out of luck. You can go down contention path.

MARIKA KONINGS And I just got a confirmation. Indeed, replacement strings are published on reveal day as well. So applicants will have that full set of information available.

All right. I think we can move to the next slide, which basically gets us to string evaluation and contention resolution. As I said, you may end up in contention, but there's still a path to resolve contention, obviously, as well. So string evaluation starts after string confirmation day and will evaluate all the applied for strings against the evaluations areas that are listed here on the left of the

slide. As I said, before anyone can move out of this phase, all the strings will need to have been evaluated because we need to determine whether there are further contention sets that come out as a result of that.

We publish, of course, those results and that will determine whether applicants are eligible to proceed in the program with their applied for strings. Official contention sets are also published and at the end of that, alongside the string evaluation results and they're used for the contention resolution procedures and the publication and also triggers an additional string confusion objection window.

Going back here to the green string evaluation box, a temporary delegation of applied for strings determines if there are any high risk for name collision and obviously, if there are any of those that are flagged as such, they will move into a separate track to potentially resolve that through submission of a mitigation plan.

At the same time, string evaluation challenges may also be filed against a number of string evaluation results and string contention. This is a divergence point between applications in contention and applications not in contention and that's, I think, they're in the middle of that box where you see in contention, yes or no. So applications that are not in contention and have passed all their evaluations, they then go on to the application and applicant evaluations which is going to be on the next slide in further detail. But those that are in contention will proceed to contention

resolution, which basically determines who may proceed to application and applicant evaluations.

Slight difference here as well, the contention Resolution 2012 was done at the end of the process. Now we're doing it to a certain degree, halfway through. To avoid that, we go through everything and have to evaluate all the applicants against the applicant and application evaluations. Well, they may not come out as a winner or may not prevail because there are multiple applicants for the same string. So that's kind of the enhancement that has been made here.

So, those applications that are in a contention set may undergo a community priority evaluation, a CPE or a brand string change to determine a prevailing application. So, again, the brand string change would allow a brand. To get out of a contention set, they have the ability to change their string. There are some limitations there. It's not the same as the replacement string that they can just change it to anything. But they have an ability to modify their string to get out of contention. And indeed, community priority evaluation, similar to in the 2012 round, if an applicant prevails or multiple applicants prevail in that evaluation, they come out as the prevailing applicant. Obviously, if there are multiple, that would prevail in the same contention set on CPE, those applicants would still move on to auction to determine the outcome.

I said, any of those that do not prevail through those mechanisms, and there's no winner through CPE, they will all go to a contention.

It will be run in the same way as in 2012. Maybe also an important reminder for this round, there's a prohibition on private resolution. So all contention sets that, either come out through a CPE, or brand string change and not resolved in that way will go through an ICANN managed auction. So once they've resolved contention, so the winner that comes out of either auction or a CPE will then also move on to the application and applicant evaluations, which is on the next slide.

So basically, the last part before getting to a delegation. So, this really evaluates the applicant's eligibility to operate a TLD and whether the applicant's stated intention for TLD operations are compliant with ICANN's rules, procedures, and bylaws. So, after applicant and application evaluation results are published, an application may then still be eligible for extended evaluation or a challenge if they did not pass some of the evaluations. But the applications that receive an overall passing result or succeed in their extended evaluation or their challenge, they are then invited to execute a registry agreement with ICANN for their applied for string, which we're referring to as contracting.

And after they've executed the registry agreement, the applicant becomes a new registry operator and must then complete a number of onboarding activities to ensure that they are compliant with contractual obligations and operational responsibilities. And then, after they've completed that, the TLD is allowed to delegate

into the root zone. And has completed, from our perspective, the process for the new gTLD program.

I know that's really a lot of information to digest, But if you would like to learn more, obviously reading the AGB is a good starting point, But I know that's a pretty lengthy document. And we did run a number of webinars last week to go through at a high level a number of the key topics that I touched upon here. So that might give you some good insights. We're also running some other sessions, and I think we have a slide on that giving you an overview where we do similar overviews that we've done here.

But I think in in particular, the GAC capacity session, which I think is right. After this meeting here, we're going to do a little bit more of a deep dive on each of the steps here and what goes into that. So again, either if you're able to attend that or listen to the recording, if you're interested in having a bit more of a deep dive into these topics, that may be a good one.

I think I still have another slide with the timeline. Yeah, one more. So, as I said, the document is currently out for public comment. This will be open until 23rd of July. That's a hard deadline, no extensions. I think we've been very clear to the community about that, because otherwise this will impact the rest of the timeline. This means that Org gets to work on potential updates and review of public comment during the August timeframe. We'll then obviously be working as well with the IRT to review input and determine what--

In parallel, we'll start already briefing the caucus and the Board as well on what is in the AGB to also help their preparation for consideration for adoption. And then our goal is to have the AGB adopted and published no later than December of 2025. Because, again, that's a hard deadline. We have to be able to open the window in April. Because there's a four-month window by which the AGB needs to be published for the community to review before applications are taken in. But as I said, we're hoping that we can do it before the December timeframe, but that's our basically latest deadline.

So I think that's all I have here. Oh, no, I think there's one more slide with the sessions. Yeah. So again, there are quite a few sessions we're running. It's similar as, again, we extended the invite, I think, to all the groups if they wanted to have a kind of a high-level overview of what is in the AGB. And specifically focus on helping you prepare for any comments you may want to submit. We're doing a bit of a roadshow here. I said there are also some other kind of discussions with the GAC. It's more deep dive. There's also a plenary that's focusing on some very specific topics.

But obviously, if you have any further comments or questions, we're around. I think, you know most of us. So, please reach out. We also have a booth, which I think is on this floor, where there's also, I think staff most of the time. So again, feel free to come and chat with us if you have any questions or input you would like to provide. So I think that's all I had. I think that's right on time.

OWEN SMIGELSKI Thanks, Marika. And then also Andy put in the chat the recordings about the AGB. So there's a link in the Zoom for anybody who would like that further as well. I think I have to wrap it up now because we're at time. So thank you, everyone, and we'll see you around. Thanks.

[END OF TRANSCRIPTION]