ICANN72 | Virtual Annual General Meeting – GNSO - Registration Data Accuracy Scoping Team Meeting
Tuesday, October 26, 2021 – 12:30 to 14:00 PDT

CAITLIN TUBERGEN: Hello, and welcome to the GNSO Registration Data Accuracy Scoping Team Meeting. My name is Caitlin Tubergen, and I am the remote participation manager for this session. Please note that this session is being recorded and follows the ICANN Expected Standards of Behavior.

During this session, questions or comments submitted in chat will be read aloud if put in the proper format as noted in the chat. I will read questions or comments aloud during the time set by the chair of this session. If you would like to ask your question or make your comment verbally, please raise your hand. When called upon, kindly unmute your microphone and take the floor. Please state your name for the record and speak clearly at a reasonable pace. Also, please remember to mute your microphone when you are finished speaking.

With that, I will hand over the floor to our chair, Michael Palage. Thank you.

MICHAEL PALAGE: Thank you, Caitlin. Next slide, please. Good morning, good afternoon, good evening. Today is sort of a hybrid meeting. This is going to be a working session for this working group, but it is open to the public. And at the end of this session, we will provide for an allotted Q&A period of time if there's time allotted.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

So with that, instead of diving right into our substantive work, I feel that it is important to perhaps give a little bit of a high-level overview of what this working group is about and what we are seeking to achieve.

The primary focus of this working group is to scope the concept of accuracy. So it is very important and was acknowledged by all participants early on that we are not seeking to define accuracy. We are not going to propose consensus definitions of accuracy. What we are undertaking is a factual analysis of how accuracy has been defined historically and some of the other data points within the ICANN contractual as well as compliance framework.

And from there, the objective of this group is to undertake research, prepare questions, and then present that to the GNSO Council to decide if there is merit in moving forward with a consensus policy. So that is something that is very important and I think needs to be stressed at the outset.

With regard to the concept of accuracy, this is a concept that has existed for a very long period of time. As part of our background work, we actually found the first reference to the term "accuracy" in the original 1999 Registrar Accreditation Agreement. Now we're not going to be looking at those older agreements. We're going to obviously be focusing on the 2013. But we think it is important to understand that this concept of accuracy is not just a snapshot in time but a very living, breathing concept that has evolved over the course of the last 23 years within ICANN.

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Aside from the Registrar Accreditation Agreement, one of the other important documents that will be looking at is the WHOIS Accuracy Program Specification which is part of the RRA itself. And this provides some operational guidance on validation and operational syntax which we will be getting into and which was actually part of SSAC SAC document 058.

Finally, one of the other things that has been very important to a number of the participants in this working group is the impact of GDPR. Obviously, when GDPR went into full effect, a lot of the current WHOIS data was no longer available and there was a corresponding drop in complaints filed with ICANN. One of the things that this group is going to be looking at: was that drop attributed to people no longer having access to that data or was that drop attributed to people actually providing more accurate data knowing that it is now being protected? These are some of the questions and facts that we are looking for.

And the final point with regard to accuracy which has been very important to many of the [participates] in this group has been the impact on the Accuracy Reporting System. Accuracy Reporting System. While ICANN has noted in the preliminary documents prepared to this group that compliance has been minimally impacted by GDPR from their perspective, ICANN Org has acknowledged that they have had to suspend the existing Accuracy Reporting System. This was a system where ICANN was basically undertaking two surveys a year to verify the underlying accuracy of the WHOIS data. As a result of the GDPR, this project has been suspended.

For those people that are new, these are some of the four core or principal documents that we as a group will be spending a lot of time on. But there are a lot of other documents. If I could go to the next slide.

What I'm now going to do is turn this over to Marika to let her give a little more background on the history and some of the documents. Marika, you have the floor.

MARIKA KONINGS: Thank you, Michael. Hi, everyone. This is Marika Konings. I'm one of the members of the Policy Team that is supporting this effort. As Michael noted, there is a long history to the topic of accuracy, dating back to the first agreements that ICANN had with its contracted parties. I'm looking at the more recent history for why this topic is back on the agenda and currently being considered.

It was an issue that came up in the context of the conversations that were held on the Temporary Specification for gTLD Registration Data where, in the Phase 1 Final Report, it was noted that the topic of accuracy as related to GDPR compliance is expected to be considered further, as well as the WHOIS Accuracy Reporting System.

As Michael already noted in the previous slide, there were some changes as a result of GDPR that had affected especially how WHOIS accuracy reporting was being done and undertaken.

The issue came up again as well in the Phase 2 conversations, but I think it quickly became clear that the scope of the conversations extended

beyond what the Phase 2 Working Group was expected to look at. So the Council determined at that point that it would be helpful to take that issue out of that conversation and instead set up a Scoping Team to really understand what is the issue that is present, as that would help determine what would be the best way for addressing the issue as a second step.

So some work was undertaken at the Council level to provide instructions to the Scoping Team to really make clear to everyone participating in this effort what, from a Council's perspective, the expectations are. As noted, this group is really about scoping the issue. It's not about finding solutions are recommending solutions. That is potentially for a subsequent work that would follow the work off of the Scoping Team.

So to help inform the Council's thinking about this topic, it first asks the ICANN Org to develop a briefing paper in which it was asked to provide an overview of what the existing accuracy requirements are, how enforcement is currently taking place, and more importantly also asking for further information on how GDPR has impacted both enforcement by ICANN Compliance of existing requirements but also the impact on the Accuracy Reporting System for which reporting had been halted.

So that report was delivered to GNSO Council in February. It provides a detailed overview of existing requirements and basically noted that there is a limited impact of GDPR on existing requirements, while also noting that potentially, as a result of less information being publicly

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available, there are also less complaints that are being filed. And as such, they also suggested that a study to measure accuracy levels of registration data might be beneficial to understand what the current state of affairs is.

So that information also helped inform that the Council's work on the instructions for the Scoping Team which were adopted in July 2021, which then followed the formation of this group and the first meeting of the Scoping Team which was held on the 5th of October. So as Michael noted, this work has recently started so we're still really very much focused on looking at the instructions that the Council provided and developing a work plan to support those assignments.

And having a brief look at the assignments that the Council provided. And I think Michael already touched upon this. This is really a data gathering/information gathering exercise. So the group is, first of all, really expected to look at what does enforcement and reporting currently look like. How does ICANN Compliance enforce the existing requirements? How do they monitor, measure, enforce? And what information has been shared in relation to that?

Secondly, also very important, how is measurement of accuracy being done? As noted, this was done before through the Accuracy Reporting System, but that has been halted for a variety of reasons. So the group is expected to look at what ways are there to undertake such measurements. Is it through restarting the ARS program, by revamping it or addressing the issues that are preventing it from running at the moment? Or are there other ways in which accuracy levels can or

should be measured? Because, of course, in order to be able to confirm or identify that there's an issue, data is needed to be able to assess that.

So once, basically, assignments 1 and 2 are completed, the idea is that the group can then move into assignment 3 which is looking at the effectiveness. So basically looking at the accuracy levels that are measured under 2 to assess are contractual data accuracy obligations effective at ensuring that Registered Name Holders provide accurate and reliable contact information as required under the RAA.

Based on that analysis and then also taking into account the costs and benefits of potential changes, an assessment is expected to take place on whether any changes are to be recommended to improve accuracy levels. And if the group finds that, indeed, that would be beneficial, it is also expected to recommend to the Council how and by whom these changes would need to be developed. Because I said before, this group is not about you recommending changes to existing requirements. It's about scoping the issue and determining what would then be the best path to address any issues that it may find.

So to give an example, if the group would find that the current requirements are not sufficient to ensure and the accuracy of contact information and changes are necessary to those requirements, a policy development process would be necessary to make changes to those. So again, it would then go to the Council and the Council would then make a determination based on the recommendations of this group how to proceed; whether that would be to initiate a PDP or other potential

paths that the group might recommend that would need to be considered.

I think with that, that's basically the intro, so I think I'm handing it back to you, Michael.

MICHAEL PALAGE: Thank you. Is it possible if we can go to the Wiki page? I do want to show everyone that we have not … I've been looking at the attendance. We haven't seen a mass exodus, so hopefully people are still interested in the work we're doing.

So what we have done is that we have established a Wiki. And once that shows up on the screen … There we go.

So the Wiki which I believe has been made available actually in the notes on the ICANN72 website. On the Wiki, we have compiled a list of all of the information, the background documents. So all of the different assignments and all the background documents that we as a group are referring and referencing are available on the Wiki.

One of the other things that we have done as well is that we have provided an e-mail address for anyone interested to submit comments. We have tried to make this group as open and transparent as possible. So even though you may not be a member, you may not even belong to a particular stakeholder group within the existing ICANN structure. If you are an Internet user that has interest in this topic, you have the ability through the Wiki to actually submit comments.

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So this, again, is part of what we're doing to maximize that initial outreach and engagement. And there we go. So this is something new that the group has done. This, I believe, has only been done once before, I believe, in connection with the SSAD ODP. So again, we're looking to maximize participation here.

One of the other things that we will be doing that we think will be beneficial to the group in the Wiki is that we have created a Google Drive. So what happens is, as we gather different factual data points, we will be working with our ICANN Org colleagues to upload them in this repository.

So one of the measurements that I have joked with is, if we do our job right as a scoping committee, there will be no need for ICANN, when they do an ODP, to start asking additional questions. If we if we do our job right, we will have looked at most of those background documents and will help facilitate speedy implementation of any future policy recommendations, should Council go in that direction.

So with that, if we can go back to the slide deck. Thank you, Marika, for showing that. And I would encourage everyone to go to the Wiki site. That, again, will be probably your single most authoritative resource for all of the work that this group will be doing.

So now we need to begin to move into one of the operational aspects. So this is the group's fourth meeting. The first one was just an introduction. The last two have been a review of the four assignment

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documents that Marika had previously referenced. Our task today, from an operational standpoint, is to begin to work on the work plan.

And this is one of the requirements that we as a working group need to prepare and submit to Council. We need to submit this to Council because this is the metrics that we will be held accountable to on delivering the output of this work group. And it's very important for Council to have this as part of their oversight role in the policy development process.

So because of the incredibly complex nature of this subject matter with a substantial amount of documents spanning many years, one of the things that our ICANN Org colleagues have done is prepare a draft mind map. And if we could go to that real quick. And Marika, perhaps, can you zoom in as we start from left to right, as we—

MARIKA KONINGS: Yeah, I will switch to the actual mind map so then, indeed, it's easier to follow along. So continue, and I'll switch in the same time.

MICHAEL PALAGE: Thank you. So the purpose of this mind map is really to help drive our discussions. As Marika has stated and as the Council in the original instructions guided us, they wanted us to focus on assignments 1 and 2 before proceeding to assignments 3 and 4. So what you will see in the mind map is that we have tried to drive our decision-making process in that flow.

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So one of the first things that we have done, that we have started with, is that we have asked for a proposed definition based upon what currently appears in the ICANN contracts. The Registrar Stakeholder Group has put forth an operational definition, and this is what we began to discuss last week. And perhaps this would be a good time for someone from the Registrars—Sarah, Roger, or Volker—to begin to explain what your definition is.

Marika, do we have their definition that the Registrars have proposed? Can we make that available?

MARIKA KONINGS: Yeah. It's here at the top. This is the language that was submitted by the Registrar Team.

MICHAEL PALAGE: Thank you very much. Did not notice that. Thank you.

So what happens is, you see the text that has been proposed by the Registrars. Sarah, Volker, or Roger, would you like to explain that or would you like us to begin discussing it? I know Steve and others had some discussions. How would you like to proceed?

VOLKER GREIMANN: Well, maybe just as a brief summary. We took the definitions of accuracy that is currently included in the RAA which regulates the accuracy of the registration data that we have provided our registrants

and we basically came down on figuring that there were two different kinds of accuracy described as requirements in the RAA.

One of which is the syntactical accuracy. Registrars basically check that the syntax of the registration data is correct, that every e-mail address looks to be formatted correctly, that ever phone number has the correct format, that every address detail that is provided by the registrant is the correct format for the country that it is being provided for.

And the other one would be the operational accuracy where we basically check whether either the e-mail address or the phone number actually work and is responded to by the registrant of the domain name.

These are the two that we have in the RAA when it comes to obligations of the registrars to verify accuracy, and that's what we found were the most obvious versions that we could use. Thank you.

MICHAEL PALAGE: Okay. And my ICANN staff colleagues are reminding me that I've begun to jump into the weeds and perhaps need to step back. Although Marika, would you like to outline how you would like us to drive for purposes of getting something producible Berry and GNSO Council?

MARIKA KONINGS: Yeah. Thanks very much, Michael. We would like to take a little step back because, as you all know, the first objective or first assignment for this group is to develop a work plan. We, of course, already had some

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conversations going through the background briefings and ensuring that there's mutual understanding on what those assignments entail and what the expected deliverables are for this group.

But we haven't really had an in-depth conversation around what needs to happen to be able to deliver on those assignments—what needs to be considered, what questions need to be asked, which conversations need to be held, and how much time do we expect that to take, which is information that we need in order to build the work plan.

So what we tried to do with this mind map is, at a kind of high-level capture, what we've already discussed to date and, I think, some of the observations the group has made on what needs to happen; but use today to try and kind of drill down into what does that mean, what does that look like, and what amount of effort do we think it will take.

So for example, on the first one—you're absolutely right—the definition is one of the areas that the group has identified as needing consideration by the group. The assignment even calls specifically out that in the group at least should settle on a working definition so that when the group talks about accuracy, everyone is referring to the same thing.

And of course that can mean that you have a definition that describes the current state, but you may also have a definition that maybe describes a potential future state. Again, it's really up to the group to discuss how to best define the terminology to make sure that you're having a conversation at the same level.

So the specific question that we ask here underneath that box that you see on the screen here is, is a further work needed on the working definition. As you noted, the Registrar Team has already put forward a definition that Volker just introduced. I think we would like to get a sense here from the team, is further work needed here? Are there definitions that the group thinks need to be considered? Are there questions about the Registrar's definition concerns?

Once we have clarity on, indeed further discussion might be needed, can we then make an assessment on how much time we think that will take? Is that a low effort? We're more or less comfortable with what has been put on the table, but we may need to make some little tweaks or have some clarifying questions.

Or is there an expectation that there is actually opposition to this definition and we should have a lengthy conversation because more work is needed before the group can settle on what it's working definition will be for that work?

Then moving down the line, we're taking a similar approach. That's part of assignment 1.

We also already discussed that further information is needed on how enforcement has been impacted by GDPR. Information has already been provided by ICANN Org through the briefing document. There's a compliance report and a blog post that also provide further information. But team members have already identified that it might be

beneficial to have a follow-up conversation with ICANN Org and they are in the process of identifying follow-up questions.

Again the same question is, here, how long do we think that conversation will take? Is anything more needed? With one conversation with Org and one set of a follow-up questions, is that the effort it will take to complete this item or are other things needed here?

Similarly, the measurement of accuracy. How has it been impacted? There's also a link to the ICANN briefing and the compliance report, but is there other research or information needed? And again, asking the same question.

I won't go through the whole document because the hope is that we can maybe pause on each of these bubbles, basically, and have a conversation with the group; not yet diving necessarily into the substance, but really trying to understand and define what level of effort is needed to be able to complete that assignment and how much time does the group or how much effort does the group think that takes.

Linked to that, what we put in here, is that expected duration/difficulty low, medium, or high? Low, we anticipate that within a 3–5-week time frame is something that the group can mark as completed. Something that is a medium effort, it may take 5-7 weeks. High, 7-10 weeks.

But of course, it also depends on—we've had conversations about that as well—is the group willing to spend more time on this than one hour a week? We're currently meeting 90 minutes, but some have already noted that they would like to go back to 60 minutes because, of course,

it looks different if you spend 3-5 hours on something. That would be 3-5 weeks if you do a one hour a week versus the double of that if you increase your intensity of work.

So again, I think that is the conversation we would like to have because we need some further input from the group and some further insight into how you think this work needs to be developed over the next couple of weeks and months for us to be able to prepare a more detailed work plan.

So I think I'll pause there.

MICHAEL PALAGE: Thanks, Marika. So perhaps, as I also step back on this first issue of definitions … There's been a lot of discussion in the chat which I would say mirrors the discussions that we've had in our previous calls as well as some of the exchanges that have occurred on the e-mail list.

I believe, for this first issue regarding the definition, I would likely assign it a low task. I think this is something that we should be able to achieve in 3-5 weeks. While there are some potential points of ambiguity or points of clarification that we have discussed already, as far as what appears in the document regarding the text I think that is something that we should, as a group, be able to reach consensus on sooner as opposed to later. That is not saying …

Let me be very clear. I'm not saying that the definition that has been proposed is the one that we're going to finalize. We will save those

discussions for another day, but I do think there are some potential refinements to the definition that the Registrar Stakeholder Group has put forward.

So I guess what I would like to do now is really open up the floor here to see if there are any members that believe we will need more than 3-5 weeks for purposes of assignment 1 and coming up with a definition.

Lori, you have the floor.

LORI SCHULMAN: Hi. I think there's some confusion. I'm looking in the chat and I have some confusion myself because in our prep materials, there were definitions of accuracy. Two parts of that definition are included in what the Registrars propose. And I think it would be agreeable to this group that those two prongs are there and should be recognized.

But there was a third prong. I apologize that I don't remember the technical term, but the third prong, to my recollection, was to actually validate not just decide. I mean not just check on whether an address actually works, but make sure that the person that's submitting that address is the person that is submitting the address.

And that's the piece of accuracy I don't see in this definition. I did see in the homework. And I'm a little perplexed because if we're cutting a prong out, then aren't we, in effect, changing the definition?

MICHAEL PALAGE:	Okay. Roger, you have the floor.

ROGER CARNEY:	Thanks, Michael. As I mentioned last week, this isn't a proposed definition by the Registrars. This is just the working definition that is used today. We're not proposing anything here. This is just what we're held to today. Lori mentions other things and I think that's the purpose of this group, is to bring up other topics that people want to talk about. We're not proposing a definition. This is our working definition, as I mentioned last week. Just to make that clear. Thanks.

MICHAEL PALAGE:	All right. Sarah, you have the floor next.

SARA WYLD:	Thank you, hi. I just wanted to respond to Lori's question about validation. I think what Lori said was making sure that the person who submitted the info is actually the person at that address. That is not part of our requirements. We must verify that the e-mail address or phone number is working, so we send an e-mail and we receive an affirmative response. Or we send a text message or make a phone call and receive a response.
	What we've got here is [inaudible] accurate. That's our requirement, but that is not … We don't check IDs. We don't check that the person is who they say they are. Thank you.

MICHAEL PALAGE: Okay. So what I would like to try to do … And again, I would like to make most efficient use of this time not by trying to resolve the definition of accuracy. And I apologize for starting us down that path today. I would like to stay at a higher level and try to get through the mind map.

I believe the points that Lori are articulating is something—how would I say this—looking at this, one of the things that caught my attention in this definition was that it only talks about Registered Name Holder. I know there were some other voluntary fields that are still allowed to be collected under the EPDP Phase 1.

So I think these are some of, perhaps, the things that we would like to try to drill down on in a definition. I, again, don't want to have that definitional discussion today. But is there anyone believing that we cannot have that done within a 3–5-week period?

So again, we're not accepting the Registrar definition. That is a definition that they have synthesize based upon their reading of the contract. Obviously, there are some people that may have a slight difference of opinion. We can articulate that. Do we think we can articulate those differences within a 3-5-week period of time for purposes of assignment 1? Okay.

Alan.

ALAN GREENBERG: Thank you very much. Really it's not a question of can we articulate the differences. It's can we come to closure on what definition we're going to be using going forward because simply putting the differences on the table and then trying to move forward I don't think is going to be a useful way of actually making progress. So whether we can come to agreement and resolve any differences we have is the real question.

And I don't have a good enough crystal ball to do that. I'd like to think we could do that in a few weeks, but I don't have the mechanism to actually predict that.

MICHAEL PALAGE: Manchu, you're in the queue.

MANJU CHEN: Thank you. So I'm just wondering, because we're saying 3-5 weeks, but like what Berry just said in chat, the week should be thought of through the number of hours. So have we decided how many hours by one hour or one hour and a half for each plenary? So I think that's how we should proceed to think of 3-5 weeks because, like Marika said, it's going to be different of how many weeks if we decide on hours. Thanks.

MICHAEL PALAGE: Thank you. Roger, you're next in the queue.

ROGER CARNEY: Thanks, Michael. I just wanted to add some clarity again that we presented this working definition last week and we got agreement from everyone that spoke, anyway, that this is the current working definition. And I didn't hear anybody say that this wasn't the current working definition.

And I think what we're talking about here is what changes to the current working definition do people want. And I think that's what you're trying to get to, Michael. Can we describe those things that people want to add to the current working definition over the next X number of weeks—I think you said five, Michael.

I think we can enumerate those things, but to Alan's point, I can't imagine us, within the next five weeks, enumerating the things people want to add to it and agreeing that those things should be added in five weeks. Thanks.

MICHAEL PALAGE: Volker.

VOLKER GREIMANN: Yes, thank you. I mean, ultimately, we have to start somewhere. And this working definition as the basis that arises from our contracts is the best starting point that we, in our opinion, have.

If we as a group or as a community want to expand or narrow down the definition of accuracy, I think that's perfectly fine. I think we just need to be sure that once this work starts going, everybody knows what we

are saying when we are using the word accuracy because otherwise everybody uses that same word to mean something different. And we'll have endless debates that will just go around in circles because if we use the wrong definitions for the most basic term of our work, then we've already lost. Thank you.

MICHAEL PALAGE: Okay. So Manchu, with your comment about are we talking about weeks or hours. My proposal here would be that there was an original desire to keep this to one-hour meetings per week. That was the stated intention. So I would like to look at that as a week equaling an hour. If we find that, as a group, we are slowing down and we are not meeting our deliverables to what has been presented to the Council, then we can either look at having two one-hour meetings a week like previous groups—one 90-minute session. So I would really like to stay focused on the weeks as opposed to the hours, which could fluctuate.

So I guess the way I would rephrase this to the group is that we are now the month … Is there anyone in this group right now that does not believe we would be able to have a rough consensus on agreed-upon definition of consensus by the beginning of December?

Berry, you are the ultimate taskmaster that has the most experience. Please weigh in.

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BERRY COBB:	Thank you, Michael. Berry Cobb for the record—your wet blanket project manager for this. So, to put some context of what I put into the chat, and I know that I'm going to sound repetitive from other efforts. When we look at past PDPs or working groups that have carried over for the course of several years, each one of those efforts fell into the trap of thinking about the amount of effort and workload ahead of them based only by calendar and by dates. So it's very easy for us to fall into a trap, "Oh, we should be done with this by September of next year." That's basically 11 months away. But when we really boil it down to one meeting per week at one hour, that is just shy of 48 total hours of plenary call time to deliberate the issues and, as Alan rightly noted, to make sure that we get to some levels of agreement about the outcome or output that is required across each of these assignments. So let's even pretend that it's 12 months or one year. That's 52 hours. And then we need to ask ourselves …
	And again, this doesn't include outside of plenary call time—the homework required to read, the assignments to prepare or conclude on action items, or for you to meet amongst your respective teams to prepare your positions for a plenary call. And that's easily 3-10 hours a week for each member depending on how much your group needs to coordinate to consider your position.
	So the question here, and why we're going through this process, is to reasonably try to define some sort of target end date by which we think that we can adequately deliberate each of the issues, come to some sort of conclusion or outcome, and deliver per the Council's instructions.

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If we're not careful, or really, the question back to the group is, when you're considering each of these blocks and you're considering the level of duration and difficulty and you start to assign high levels—easily 7-10 hours per week for each one of these bubbles, we can easily extend this out into two years before we deliver a final output to deliver to the Council.

And so the question for the group is, do you want to spend two years on this topic or are there other mechanisms by which we can advance that forward so that it's 18 months or 12 months? So that's what you need to keep in mind. And again, I caution not to fall into a calendar constraint-based line of thought, but to think through the assignment here as to how many actual hours or how much effort you think it would take to do this.

And the last thing I'll say here is, if you really think about 52 hours of call time within a given year, assuming that it's going to be just 60 minutes, that's about one and a third business weeks of solid time. So imagine us in a room together eight hours a day for 40 hours for week one and about 50 hours for Monday and Tuesday of the following week to accomplish all of this work. And when you think of it in that context, it's not a lot of time at all.

So I just wanted to put some emphasis here about why we're trying to better understand the work ahead of this and how complex or how far apart positions may be on certain aspects of these assignments. Thank you.

MICHAEL PALAGE: Thank you, Berry, for the glass-half-empty approach. It's always good to look at that. Again, I am going to try to be optimistic in how we can drive, unlike other working groups that actually need to propose consensus policies. I am hopeful that we should not be as contentious just agreeing on facts and documents—their existence or non-existence. So, I will do that.

Mindful of what you have said, what I am thinking right now—my current best thinking—would be that it would probably be best for us to make a proposal to Council regarding tasks 1 and 2. Right? Because if we can sit there and come up with what we think can be achievable from a time frame on 1 and 2, if we are able to meet that, then we will have a better idea for calculating 3 and 4 which have a much larger degree of unknown variables.

So instead of throwing something on a dartboard, even providing a lot of leeway to the Council, my proposal to the group would be that the report to Council focuses on what our deliverables are going to be for tasks 1 and 2. We execute on them. And if we execute on them within the timelines that we can agree upon here today or in our next meeting, we would then be in a better position to provide guidance on assignments 3 and 4.

Volker, you have the floor.

VOLKER GREIMANN: Sorry, old hand.

MICHAEL PALAGE: Okay. Marika, can you scroll down a little just to get medium? Thank you. So my proposal, as someone who has diligently tried to read through every one of these documents—and it has been a substantial undertaking—as well as some of the dialogue I have had with our ICANN Org colleagues which has been incredibly valuable, as a straw man person, I would like to say that we would like to assign a low 3-5 weeks for purposes of assignment 1 and medium 5-7 for purposes of assignment #2.

And looking at that from … I'm going to apologize in advance, Berry, for looking at a calendar. But if we look at those as weeks or hours, I think we should be able to achieve a rough consensus on definition. It should not be that contentious of an issue. The contracts are the contracts. If there are points that need clarity, I think we can document them. So I think we could get that done in a low 3-5 weeks, hopefully by the beginning of December.

And then using the medium of 5-7 weeks, we would target something I would say in late, let's just say, late January/beginning of February for purposes of reaching closure or at least, yes, closure on assignments 1 and 2.

That is what I am seeing. Is there anyone that disagrees with that? And if not, please, I would love to hear your input or thoughts.

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Berry.

BERRY COBB: So just to put a little color on that, the end of January is precisely three months away or three months ahead of us. That may mean that some of the work of both assignment 1 and assignment 2 be done in parallel. It's not being precise, but it is a possibility.

MICHAEL PALAGE: I would concur. And I believe, based upon my reading of the assignments as well as some of the discussions that we have already had within the group, I wouldn't see them potentially going in parallel as well.

Marika.

MARIKA KONINGS: Yeah. Just to note as well, just indeed because the boxes here, of course, present it sequentially and that doesn't necessarily mean that the work needs to happen that way. And there definitely will be overlap in the conversations.

But I think it would be helpful to get some more input on, apart from the duration, what people think is needed to have that conversation. Because, presumably, if there's either information that needs to be provided, maybe input from external parties, how to approach these tasks. Because I think that also helps us to kind of prepare for that work.

We already know for one that the group would like to have an engagement with ICANN Org. But as we said, before doing that the group will need to identify what specific questions it has to facilitate that conversation.

So again, having ideas and suggestions on how the group thinks these different tasks or assignments can be achieved will help, as well, more inform the assessment of how much effort will it take.

And as said, for example on the definitions, you're looking at some of the comments in the chat. It seems, indeed, on the one hand there is a definition which I think is what the Registrar Team has proposed as how accuracy is currently defined and interpreted under their existing requirements. But indeed it's clear that some groups would like to see an aspirational or a different kind of definition.

And I think, at least from my understanding, the assignment is to kind of fill that gap between the current definition, [inaudible] definition, by assessing why is another definition necessary. What data do you have to demonstrate that the current definition is not sufficient?

And what data can the group gather and how can it be gathered to be able to then come to a point, based on the information that the group has compiled, to say, "Yes, we've been able to assess that we do want to get to aspirational definition A based on the data that we've gathered, because we've assessed that there is an issue or not. The current definition doesn't fulfill sufficiently the requirements or what we believe accuracy should be. So GNSO Council, these are our findings.

We need to get to definition A. And to do that, X, Y, and Z needs to happen. So now you take a decision on how that work takes forward."

So maybe that is a way of thinking about it because, again, between that, this is the current definition. And here's an aspirational definition that we need to fill that gap of identifying what is the issue that you're trying to solve by changing that definition, and what data needs to be gathered to prove indeed that gap exists and needs to be addressed.

I'll stop there.

MICHAEL PALAGE: Stephanie, you have the floor.

STEPHANIE PERRIN: Thanks very much, Mike. I do apologize for being late. And I do also apologize if you've already covered this, but I find the timetable is aggressive. And particularly so because there does seem to be a lack of detailed thinking about the policy implications of previous accuracy programs in the light of GDPR.

As Sarah has said, the data is as accurate as required by the individuals who have a right to see it. The whole notion that we need an entire accuracy program to verify data for the benefit of third parties who are not part of the ICANN data controllership ecosystem strikes me as something that we will have to discuss. And it's probably going to be another slow grind on that.

But the policy issues need to be unpacked before we go speeding ahead to come up with verification. That's just my thoughts on the matter. Thank you.

As, I believe it was—it might have been Beth or Reg—commented recently, the accuracy under GDPR relates to the need for that data. The quality assessment of data has to be done from a controller and registrant's perspective, not third parties. Thank you.

MICHAEL PALAGE: Beth, I thought I saw your hand up previously. Did I miss it or did you take it down? Did we lose Beth? Okay.

So getting back to our mind map of responsibilities here, I agree that what I have proposed is perhaps ambitious. I think I would rather, unless there are any objection … I've heard some concerns, but I haven't heard any objections to the proposed low assignment for assignment 1 and the medium assignment for assignment 2.

With that unless, again, there are no objections, I say we use that as our baseline. Berry do you believe that Council would have any problem with us just giving this initial assessment on assignment 1 or 2, or do you think Council would be looking for placeholders for 3 and 4 as well?

BERRY COBB: For all of it, 3 and 4. We need to try to give them a reasonably set target date by which they can expect the full final report per the instruction. And as the group moves along and as a last resort option, there is of

course the Project Change Request. If it's determined that under assignment 3 there's something that we didn't uncover that is necessary, there is a procedure to request more time. A rationale needs to be provided for it, so on and so forth.

But at the end of the day, we need to try to put together an end deliverable date when the Council can understand that this effort will be completed because this is just one of several moving parts of other work going on within the GNSO. And that helps the Council plan down the road about what comes up next in the pipeline which is already a pipeline over capacity.

MICHAEL PALAGE: So if we can scroll the mind map down to assignment 3 and 4. So for the benefit of those that are listening for the first time to this, one of the things that has been anticipated as part of the work of this group is a potential survey or framing of a survey to help provide some insight on the accuracy of the data.

Alan, you have your hand up. Sorry.

ALAN GREENBERG: I had my hand up in relation to your original questions of do we believe that these times are acceptable. And I think there's a question that has to be answered and made really clear. What are the impacts of us guessing wrong right now? If we use the EPDP on RDDS as an example, in all three phases when we guessed wrong we simply dropped things.

And it just didn't get done. It happened in Phase 1. It happened in Phase 2. And it happened in Phase 2A.

And yes, there is a procedure for extending. But end result in all three cases was that we dropped things. Things that were in our charter just didn't get done. Period. And if that's the implication here, I think we need to say that right up front. There is a procedure for extending time and asking for more time, but it wasn't necessarily used or it wasn't granted.

So I think we need to understand the implications of the decisions you're asking us to make. Thank you.

MICHAEL PALAGE: So, all I can do as a chair is promise that I will not let … As I stated at the beginning, us dropping things or not getting the information to the Council is only going to lead to further problems down the road. So I would rather set an objective timeline for Phase 1 and 2. If, in fact, I am wrong and we are unable as a group to meet those deadlines, I have no problem going back to Council and asking for more time.

Berry, you have the floor.

BERRY COBB: Thank you, Michael. Just to try to help answer Alan's question. Phases 1 and 2 of EPDP were completely different than this one, in my opinion, because certainly in Phase 1 we were under a forced time constraint. And so you're absolutely right. There were some aspects that had to get

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carried over because of that calendar-constrained approach to delivering an output. Phase 2 was slightly different, but at the same time the Council recognized—as well as the community recognized—that there was urgency about coming up with a solution based on the impacts of the Temporary Specification, which I know you're fully aware of.

And I want to make clear the relief valve for a layman's term to the PCR is kind of a last resort measure, but our task here is to define a reasonable and obtainable target date by which to deliberate these issues. And as I noted, and as Michael has hinted at, parts of assignments 3 and 4, maybe we have known unknowns.

Again, as I tried to make clear my original intervention, there's this concept of under promise and over deliver. Does the group want to under promise being committed to this for two years and trying to deliver this and in 18 months? That's what's before you. But I believe we need to provide rationale why a plan would be suggested for two years for a Scoping Team.

Do we want to over promise and under deliver? Well, that doesn't look good because then that immediately forces us to go through the Project Change Request. And we may get to a point where we've over promised and under delivered four or five times like prior working groups which led to PDP 3.0.

So it's a balancing process of understanding what actual work needs to be done to satisfy the assignments and then trying to ascribe some

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reasonable—and I'm not a big fan of the term "reasonable"—but a reasonable duration by which we think that we can get it done and coming up with that committed time frame and then trying to do everything in our power to deliver to that time frame.

And that's why we do have mechanisms to report status and health of the project as we move along. So if we do get drastically off track, we can signal to the Council that we are. We have a relief mechanism of a PCR so that if there's appropriate rationale for granting more time, then likely the Council will give it. But if we commit to a time frame of 13 months and by the 11th month we say we're going to need an additional year, then that's for the Council to really decide whether or not additional resources should be committed to the issue.

And I think the last thing I want to say here is that there are some in the community that believe this an urgent issue. And if so, then we need to put together a plan that responds to that urgency. Thank you.

MICHAEL PALAGE: So I'm mindful of time and I do want to open up to the Q&A. AI would like to bring clarity on this. So what I may say may be a little unpopular, but I'm going to say it anyway. If we as a group, a scoping group, cannot get our job done in a year, if we need more than a year to figure out what questions we need to ask to put forward to the GNSO Council to decide whether they want to make a consensus policy, that to me is not a good sign of the multistakeholder model working in an efficient way possible.

So as chair, what I am going to put the flag down in on the hill and ask everyone to rally behind and strive for is, we need to be done [with] our work this time, ICANN annual meeting 75 which would be September of next year. Some may say that's aggressive. Some say that can't be done. I'm going to set the bar high and I will ask everyone to move forward and get it done by then.

If in fact we fall short, I have no problem eating humble pie and saying that I miscalculated and will go back to the Council and ask for a deviation of time. But I really think as a group, we need to have this done and wrapped up by next year, September 2022 at the next ICANN annual meeting.

With that, I think as we look at assignments 3 and 4, one of the things that I think is important to note here, as a Scoping Team, we are not required nor are we expected to have a public comment period. So that actually will save us perhaps four to six weeks of actual work time. We just need to get our work product to the Council.

Is there anyone who would strenuously object to my proposal to have our work done by September of 2022 at next year's annual ICANN meeting? There we go.

So Berry, if I could, given the allotment, I believe it was 3-5 and 5-7, for assignment 1 and 2 that were looking to run in parallel, that would have taken us to, I believe, the end of January. Not saying that you would agree with it, but if you had to reverse engineer, given your expertise and your experience, working back from September, how would you

propose potential deliverables and timelines for assignments 3 and 4, whether they'd be worked in parallel or in sequence? What would you propose, given a September 2022 deliverable?

BERRY COBB:
It's easy for me to propose. That immediately identifies this as a calendar-constrained project plan, so I work backwards from the motion and documents deadline of September 11th, I believe, or something along those lines, and allocate roughly medium or high durations for each one of the assignments and see where that brings us back to where we're at today, including the work that we've already done with the definition.

So I'll update the draft project plan and we'll send it to you for review. And then it can be sent out for the group and we can consider it by next week and move on from there.

MICHAEL PALAGE:
Thank you. I appreciate that. So we have 20 minutes left. So one of the things that I think would be very helpful to perhaps use as part of the Q&A is the issue of assignment 3 which is the potential use of a survey. And I would like to kind of tee this up to create an exchange with some of the observers as well as some of the participants.

Sarah, I think you have articulated that instead of the traditional ARS survey, there may be an alternate means for conducting a survey to see whether the accuracy is in fact where it needs to be. You were looking

at other alternative surveys as opposed to the traditional one. Did I characterize that properly? I don't want to miss-characterize your previous statement.

SARAH WYLD:

Thanks, Michael. Honestly, I do not remember what I had said. I remember that we had this conversation and I had made some suggestions. I don't remember exactly what those suggestions were.

But if we're looking at doing a survey, I think we need to consider a couple of things. So what is the objective of the survey? What are we trying to accomplish with it and whether we're looking to understand? And then we have to craft the questions that we're asking and the audience for the survey to make it effective so that we will get the information that we're looking for. Right?

And part of what I was suggesting is that there are organizations with expertise in market research. I think that had been something that we had looked at, maybe in the context of this Scoping Team already. But we should consider if we can use that expertise so that we can be effective in the information that we are trying to gather.

So do we want to understand the current levels of accuracy? I think that would be useful. My understanding is that we do not have a problem with accuracy. Or if we do, it is not well documented. So that is probably a really good starting place.

Another place we could consider is talking to law enforcement to find out directly from them if there is a problem with the accuracy of the data that they are receiving. I've seen a bunch of that mentioned in the comments about the need for law enforcement to get accurate data. Of course they need accurate data. I don't have experience that they're not getting that. Right?

So I know in the registrar that I'm employed by, we regularly provide registration data. Actually, almost 90% of our requests come from commercial lawyers. But for law enforcement, they get the data. We do not get responses from them saying that it's inaccurate. So we might want to ask them if there is a problem.

Those are some thoughts that I hope are helpful. Thank you.

MICHAEL PALAGE: Marika, you have your hand up.

MARIKA KONINGS: Yeah. Some of the comments that Sarah made brought me back to … Some of you may recall the WHOIS studies. And as you may recall, there was some effort were indeed there were also certain assumptions made and people said, "We need this study." But I think there was also a realization that we need to first kind of identify what are we trying to find.

So they actually went through the effort of identifying a hypothesis. And based on that, they kind of said, "Okay, so based on this hypothesis,

what do we need to study?" And I think Sarah is saying or suggesting the same thing. Maybe we first need to identify what is it that people think is the problem, and then we are able to say, okay, if we indeed thing that the problem is people that request information get incorrect data, well then, indeed, the audience we need to talk to is people that received that data. And they can kind of confirm to us whether or not that is the case.

If there are other aspects, there may be another ways of obtaining that information. So maybe that is an approach to consider for moving towards assignment number 3. Have groups identify what they think the issue is and then kind of work backwards. How can demonstrate whether or not that issue is really there?

MICHAEL PALAGE: So I'm going to put Lori in the queue. And are there any observers that have questions? I believe you were putting some questions in the queue earlier, from some people. I want to make sure we get to observers.

Lori, you have the floor. You're on mute, Lori.

LORI SCHULMAN: Thank you, Mike. I just wanted to take a caution about surveys. I do think it's important to be data driven, but given the time frame and the urgency of the scoping, I would actually caution against a survey. Having been on other working that conducted surveys—particularly the

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RPM Working Group—it delayed us by months. Actually, I would argue I think over a year.

Now our surveys wouldn't have to be as complicated. The RPM surveys were multiple surveys which looked at different constituencies. But I think we can fall into a data trap here, and I don't want to see us doing that; particularly, too, if we have information sources and it's just a question of identifying and gathering studies that have already been done and exist through third parties. I think if we could acknowledge that some third parties' reports are going to have more relevant data than others, but accept what people contribute and filter that way.

Yes, Ashley, facts are relevant. But we can get sunk in facts and still not reach conclusions, and that's what I want to avoid in this working group. Thank you.

MICHAEL PALAGE: Okay. Marika, do we have any questions yet from observers?

SARAH WYLD: I'm so sorry. May I please respond to what Lori said?

MICHAEL PALAGE: Yes you can, Sarah.

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SARAH WYLD:	Thank you very much, Michael. I appreciate that. Lori, I do definitely agree that we need to have the right balance and we need to make sure that we're not getting bogged down in looking at unnecessary information that doesn't help us towards our goal. But you had mentioned that there is a great urgency to this Scoping Team, and I'm a little unsure where that's coming from. Right? There's urgency to what? Why? Why is there urgency? And if there is urgency, there should be some kind of data indicating that we have a problem. Right? So I do think that we should have facts to base our work on. Thank you.
LORI SCHULMAN:	Can I respond?
MICHAEL PALAGE:	Yes, you can.
LORI SCHULMAN:	So the urgency is that we've been [acting] supposed expedited policy process for three years. We're simply talking about scoping. We're not even at the discussion level on solutions. So if we agree to do a survey and we do comprehensive surveys and we are delayed and this group goes beyond one year—possibly to two years—we're now looking at five years from the implementation of GDPR and not having even done the EPDP work on this particular issue. So I would argue that there's urgency across the board.

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MICHAEL PALAGE: Okay. And if I can, I believe one of the observers has their hand up. Is that correct, Marika or Terri? I believe Brian King … I don't know how we go about allowing Brian to speak. Is that possible?

BRIAN KING: Hey, Michael. Can you hear me?

MICHAEL PALAGE: Yes. I can hear you, Brian. Thank you.

BRIAN KING: Sure. Thank you. If I could respond to Sarah. And thank you for the opportunity. I think one reason this is urgent is that ICANN hasn't been doing the ARS work for, I don't know, a couple of years now. And we don't know how bad the problem is getting because the folks who need this data often can't get it. So the accuracy of this data today could be completely garbage and we just don't know.

So we've got to get this fixed. We've got to get some visibility into the accuracy of the data and we've got to get ICANN back to work on the ARS project. So that's one reason why it's urgent. Thanks.

MICHAEL PALAGE: So if I can follow up there, Brian. And part of what I have heard in some of my dialogue with the Registrar Stakeholder Group is, do you know of a potential alternate way of verifying accuracy other than the traditional means that were previously done with the ARS program?

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BRIAN KING: Thanks, Michael. I think the SSAD could help ICANN to determine accuracy. And ICANN can do its ARS work easily. It can easily do it. They could just have contracted parties—registrars—whitelist ICANN's IP address and have ICANN resume Port 43 WHOIS queries or RDAP and just get the data that they need. So it's totally easy that ICANN can do it. I'm embarrassed for them that they stopped, but they could totally do it tomorrow. Thanks.

MICHAEL PALAGE: Okay. Are there any other questions? I see none. Marika, shall we give … Do you have any final words or would you like to perhaps discuss any next steps, Berry, before we wrap up here?

MARIKA KONINGS: Yeah. Maybe I can switch us back to the agenda. I just wanted to note, because I think we had a very helpful conversation now around what we expect the level of difficulty to be for the different phases. And of course, when we get to those, we'll need to also better understanding how the group would like to approach it. I think we've heard some ideas and some suggestions on how that can be done.

But for example, we do already have one item that we've identified where the group wants to have an engagement with ICANN Org, but we need input on the questions that need to be asked. I don't think we have received any questions so far.

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So again, also factoring into timing, if we want to set up that conversation we need to have a better idea what the group would like to discuss, what the specific questions are. Because it also helps us identify who you should be talking to from the ICANN Org side. And again, scheduling that also takes time on people's calendars.

So again, just to encourage everyone to really do the homework because that helps us plan and move this work forward, and hopefully helps us to get done within the year's time frame that we've just established.

MICHAEL PALAGE: Optimistically established. And as I said, I will do everything I can to help drive the group to meeting that deadline. I do think we need to get it done by next year and the annual meeting.

Berry, do you have any final comments or thoughts on what you have heard and what you've discussed?

BERRY COBB: No, I'm good. Thank you.

MICHAEL PALAGE: Unless there are any other comments, questions, or concerns, I look forward to meeting everyone next week.

Again, for those observers that attended this meeting, all of our meetings are available to observers to listen in, and then the recordings

are made available. And I would again encourage everyone to go to the Wiki page. There is an e-mail. If we could go back one slide for that, I believe. There it is.

We do have a mechanism by which any member of the community has the ability to submit their thoughts or comments. Again, part of the reason we have done this is because we will most likely not have a traditional comment period since this is just a scoping group. We want to make available for any member of the community to outreach and engage with the working group members during the duration of our work.

Marika, you have your hand up.

MARIKA KONINGS: Yeah. Thanks, Michael. I just wanted to flag at the next meeting is scheduled for Thursday the 4th of November at 13:00 UTC. For those that are located in Europe, it does mean that the call will move one hour, as the clocks in Europe already changed this weekend. I think the U.S. is only changing the week after. So probably then we need to see if we adjust the UTC time so that, for most people, it remains at the same original time. Although we do recognize for those that do not switch for daylight savings, it may mean that the call time is different. So I just wanted to make sure people are aware of that.

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MICHAEL PALAGE: Indeed. With that, again, I want to thank all of the volunteers for the work they've done. And I also want to extend a really great thank you to ICANN Org. We would not be able to be where we're at without a lot of the hard work and preparation that they've done. And I look forward to everyone's continued contributions over the next 11 months. Thank you very much. You can end the recording.

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