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ICANN75 | AGM – GNSO: RrSG Membership Meeting (1 of 2)  
Tuesday, September 20, 2022 – 13:15 to 14:30 KUL

ZOE BONYTHON:

Hello, and welcome to the RrSG membership meeting, session one. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. During this session, questions or comments submitted in chat will be read aloud if put in the proper form as noted in the chat. This session includes automated real time transcription. Please note this transcript is not official or authoritative. To view the real time transcription, click on the closed caption button in the Zoom toolbar. To ensure transparency of participation in ICANN's multistakeholder model, we ask that you sign into Zoom sessions using your full name. For example, a first name and last name or surname. You may be removed from the session if you do not sign in using your full name.

With that, I will hand over the floor to Ashley Heineman.

ASHLEY HEINEMAN:

Hello everyone and thank you for joining us today for our Registrar Stakeholder Group membership meeting. This is the first of two that we're going to have. They're pretty much back-to-back, so we're just going to have a break in between, but we do have two separate agendas. We can go ahead and get started. I'm

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a little bit concerned that we don't have a whole lot of people in here, as we have actually some very important things on the agenda, one in particular, so I might just stall a little bit as we wait for more people to come. Can we go to the next slide, please, Zoe? Thank you.

Yes, right on there. You'll see here before you our agenda for this first part of the meeting. What we're going to do, first things first, I'm going to introduce a proposal on DNS abuse and then after that we're going to have the GNSO Council update and we're going to spend a bit of time on the WHOIS Disclosure System, or the SSAD Light, which hopefully you all have seen or participated in the session where this was described by ICANN staff. Then we're going to have an update on the Contracted Parties Summit, which I am being told is going to be referred to as the Summit from now on. That will make things a little bit easier because it's been a bit of a mouthful. The Summit. Then we're going to do something, hopefully fun. We're going to test you on how well you know the Registrar Stakeholder group, so prepare yourselves.

With that, unless Zoe has any expectation that we're going to have a floodgate opened and people coming in here, I can go ahead and get started. Next slide, please.

As promised, I have a proposal to make to you all that I have been a discussion with the ExCom, with the Chairs of the DNS Abuse

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Subgroup, as well as a number of you here in the room and remotely, just in terms of making sure it was going to be a sound proposal and something that was going to be workable and doable. I think just to set the stage, tee things up a bit, and none of this will be a surprise, DNS abuse has been quite a focal point of conversation in ICANN for some time, and we as RrSG, but also the contracted party house collectively, we have considered. We have taken action on a number of DNS abuse related areas voluntarily, trying to do what we can do and share with the community on how to mitigate DNS abuse or provide additional information to make it so we can do what we need to do to mitigate abuse more effectively, such as letting it be very clearly known what information we need to act upon DNS abuse.

I think in part because of that, and as shown in ICANN reporting and documentation, as well as through what's happening at the DNS abuse institute, we are seeing a trending down of DNS abuse, which is great, but it's also very clear to all of us that DNS abuse is a constant. It continues to receive a level of scrutiny inside and outside of the ICANN community, so it's not like this is an issue that's miraculously going to go away one day, and the pressure will be relieved.

What we've also seen is ICANN Compliance has repeatedly indicated that they are prevented from taking any enforcement action, pointing to Section 3.18 of our Registrar Accreditation

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Agreement as not being very clear in terms of requiring us to take action. You can call that their interpretation or an ambiguity. It's been referred to as a number of different things, but if you look at 3.18 it asks us to take action against reports of abuse. What has been articulated to us is that oftentimes what happens is a response is given to a report of abuse, and not necessarily action taken. Compliance feels that they don't really have a hook to enforce compliance, not compliance, but to enforce any action to be taken on DNS abuse.

As described yesterday by Greg, he gave us a great update on the efforts of the Council DNS abuse small group. They have been looking at this issue for some time with respect to whether their need to be additional policy considerations, and the result of that group, if I don't butcher it, is essentially recommendations that the contracted parties consider making some amendments to their contracts to deal more clearly with DNS abuse, to be followed, if necessary, by targeted PDPs on the subject.

What this all is leading me to is a proposal that we get out in front of this now. Looking at Section 3.18 of our contracts, I think you could easily say that there is some room in there to very clearly, very narrowly add some language that would require us to take action on DNS abuse. What I am proposing is only Section 3.18 and very few words, give ICANN Compliance something that would require us to take action on DNS abuse. What I am not

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proposing, I am not proposing the opening and review of our entire contract. I am not proposing that this is an opportunity for Compliance, ICANN, or anyone else to dictate how we take action. This is not intended to be an opportunity to tackle all abuse on the internet. Rather, it is intended to offer a baseline requirement that registrars are expected to take action, framed in language that works for us. It's intended to offer ICANN Compliance the ability to enforce our contracts against registrars who repeatedly and/or willingly refuse to disrupt or mitigate abuse activity on their registered domain names.

It is my opinion that this targeted, scalpel-like approach to amending our contract language is the one way to effectively and efficiently move the needle on DNS abuse, at least with respect to ICANN and our contracts. I propose that we move forward in triggering such a negotiation with ICANN, with the intent to complete a negotiation in a six-to-12-month window, 12 months at the furthest end of the spectrum. I think it should be much sooner than that. I do not expect us to all reach a decision in this room right now. In fact, I'd like to propose that we have a standalone session relatively soon after ICANN75, where we can actually give you some time first to think about what I've proposed and come together again, ask questions, raise any potential concerns, and hopefully reach agreement on this path forward in a relatively short timeframe.

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With that I will stop, and I will open up the floor to any questions. I'm sure there are questions. I'm happy to provide some additional information and clarity as to what I'm proposing here. I will stop and see if there are any questions. Sorry, I wasn't looking at my Zoom. There are hands raised, so I will first turn to the first hand I see, which is Catherine Merdinger. Please, go ahead.

CATHERINE MERDINGER: I think this is a great idea. I think it'd be really helpful to have that put to the list in writing, perhaps, to help us all marinate on it a little bit more, especially as we prepare for that session. That was my only suggestion, except I think this is a great idea. Hopefully 12 months is going to be the very outside of it and we can get it done sooner. Thanks.

ASHLEY HEINEMAN: Thank you, Catherine, particularly for that recommendation. That's very good. I think at a minimum, yes, I will put something in writing so people, particularly those who aren't in the room or are not able to participate today can have something to look at and react to. That's a very good suggestion. Thanks. Owen?

OWEN SMIGELSKI: Thanks, Ashley. Is that me?

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ASHLEY HEINEMAN: Is your audio on?

OWEN SMIGELSKI: I guess I was. Thank you for double muting me. I just want to follow up on this. I don't think that necessarily this is a proposal to address concerns as registrars that are in this room or in the stakeholder group. We are very proactive. We're the ones that are mitigating abuse, taking action on that. I think this is intended more for the registrars that Compliance can't really do anything about. I know from when I was working there, there were certain registrars I won't name, but you'd get a complaint and they would say, "Yes, we forwarded it to our registrant," and that's all that they would do for the abuse complaint. Online pharmacy, or selling whatever, there was just nothing that ICANN could do. Then, coming back to something which I know is near and fond to James Bladel's heart is when the 2013 RAA came in, that the negotiators added the registrant's benefits and responsibilities. I think that's the section there. In there it said that a registrar had to be honest when communicating with its registrants. Based upon that, ICANN Compliance was able to take action against Brandon Gray with the fake renewal notices. For those of you who haven't been here for a while, this sucked up a lot of air and oxygen, effort, and cycles within ICANN to deal with. The registrar,

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through resellers, was sending out renewal notices that were duping people to transfer their domain names to a new registrar. They thought it was a legitimate invoice and it was something like \$50 or \$85 a year to transfer and renew a domain name. With that change to the contract, we were able to get something in there.

I think this could be something where if we give Compliance the tools to be able to take that action, we can do a lot to help mitigate some of the abuse that's going on on the internet. I think this is a good thing. I support it. Thank you.

ASHLEY HEINEMAN: Thank you Owen. Greg, please.

GREG DIBIASE: I touched upon this when I gave the update on the small team, but just want to go back and repeat Compliance's position here, because in my mind there doesn't seem to be a gap here. What Compliance is saying is, let's say a registrar gets an abuse report. They respond to it by something as simple as, "We received your abuse report," and they recognize there's abuse. Compliance is saying that they can't tell the registrar to mitigate that even if both parties agree there's abuse. When people are referring to a gap in the contract, I think that's what the concern is. I think an amendment would be a good way to address that. There are



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potentially other ways as well, but I just wanted to add that possible clarification or additional context.

ASHLEY HEINEMAN: Thank you very much Greg. James, please.

JAMES BLADEL: I'm cautiously supportive of this path forward. I think it's important that we put some safeguards around the process to ensure that we don't lose control of any negotiations, or the subject of any negotiations. Of course, agreeing to enter into negotiations doesn't mean you're agreeing on an outcome of those negotiations. I think it's safer to say now that yes, we probably should open those talks, and then of course the results of which would have to be subject to an approval process according to our charter.

I just wanted to note that I had some concerns previously about making sure that this is, I think you mentioned them in your introductory remarks, that this is extremely narrowly focused on specific provisions and does not result in a lot of new language, a new addendum, a new specification, or something like that. It's simply making some edits to provisions that already exist in the contracts, and that we also have a very narrowly scoped definition of what types of abuse we are targeting by these changes, and not trying to take on all the other types of content

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related or commercial type things that already have existing processes.

This is probably the first time I've ever going to say this, but one of the wins of the 2013 process is that we designated a negotiation team that worked very hard on behalf of all registrars. It was a very diverse team in terms of business models, sizes, geographies, and everything. We should maybe look and see if that model is suitable again. Otherwise, it's possible that this could be either really burdensome for one person or spiral out of the control if the whole RrSG is holding the pen. Just putting that forward as a proposed alternative.

Otherwise, assuming that we can put some controls in place around the process, I think it's a good path forward.

ASHLEY HEINEMAN: Thank you James. Volker?

VOLKER GREIMANN: Thank you. A couple of points as another veteran of the 2013 RAA negotiations. We need to be clear about one thing, that no matter how narrowly scoped we want to do this, ICANN has its own interests and ICANN always sees itself as the steward of the community, inputting the community interests. One thing that we heard repeatedly, again and again, was that, "The community

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wants this, so we'd better put this in the contract, and you'd better agree to that. Otherwise, you can't sell new gTLDs," which was basically their stick and carrot at the same time. We need to be very careful in how we phrase this and how we go about this in limiting the scope of this. Otherwise, people will try to influence ICANN to shoehorn their pet projects and pet interests into that. That's one point.

The other point is, the "respond appropriately", that was by design that we did not give ICANN the opportunity to enforce our mitigation of DNS abuse, because we simply did not want to give reporters a second bite of the apple, basically, a revision channel that they could go to if they didn't like our response. That's what's going to happen if we give ICANN that power. Everyone who doesn't like the response that we give them will go to ICANN and tell them, "Look, they didn't mitigate the response," and we'll have to deal with every single ticket twice. I'm not sure if you have the resources to do that. We don't. Therefore, we also need to be very clear about what tools we give ICANN to enforce this. I do not want a ticket-by-ticket analysis for ICANN Compliance, that they can just have a single reporter come to them and we have to go through every ticket. It should be after a certain pattern has been established, then ICANN Compliance can look at certain practices of a registrar in general, maybe even using a single ticket as an example, but not a revision process, a second bite of the apple for

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every report. That's something we absolutely do not want. Thank you.

ASHLEY HEINEMAN: Thank you very much, Volker. Should we agree with this path forward, I think these are all very good considerations that we need to take into account before, during any negotiation with ICANN. Understood.

Next up we have Keiron Tobin. Keiron.

KEIRON TOBIN: Hello, thank you. Yes, I am in favor of this. I'm just cautious with timing, especially as we go into a phase where we're at the Summit for example, where were starting to look at AGP. I don't want anything in regard to that to reflect to this. I think there may be groups out there who think that they can leverage with us and stuff like that, so I think before the Summit, which is in November, we definitely need to have a clear path as to where the RrSG, where we want to go with this, or at least have an outline basis just to make sure that we all understand exactly what we want from this. Thank you.

ASHLEY HEINEMAN: Absolutely, Keiron. Thank you. That is my intention, and my hope that will be absolutely achievable, because again, I think any kind

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of contractual change could be achieved in just a few words. In fact, I would encourage us to keep it very specific, keep it absolutely limited to 3.18.

I have Zoe, please.

ZOE BONYTHON: It's Zoe speaking, but it's to read aloud a question in chat which Michele put in, which is, "Do we trust ICANN Org?"

VOLKER GREIMANN: Not this far.

ASHELY HEINEMAN: This is my interpretation, I can't speak for everyone, but as part of this process before making the proposal we did have some very informal conversations with ICANN senior leadership to get some assurances from them that this was going to be possible in the sense of very narrowly tailored, and this is not an opportunity to dictate what kinds of actions we take. We were assured that was possible. I think we have no other choice than to trust ICANN, but we also have the opportunity to be strong in what we want, and if there's something happening that we don't like or agree with, we walk away. That's possible in a negotiation. Remind yourselves of that. Just because we enter into a negotiation does not mean we

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have to accept something that we don't agree with. Next up it's Michele. I guess he has another question. Please, go ahead.

MICHELE NEYLON: Thanks. Can you hear me okay?

ASHLEY HEINEMAN: Yes, we do.

MICHELE NEYLON: Perfect, sorry. I haven't done this so far. Just following up on my question, I suppose from my side the concern I would have is that there are a lot of groups within the broader internet community but without ICANN that have all sorts of pet asks. My concern is that while ICANN might say to us right now, "Yes, no problem, narrowly focused, yadda yadda, that's fine," That they will feel an obligation to expand the remit and the scope of any negotiations. We have a terrible track record of not saying no, of not saying, "No, we will not do this." We have an awful habit of trying to be seen to be good guys and that we play nice with others, and that we "believe in the MSM", which more often than not means that we are letting ourselves be run over by the broader community. I suppose that's what my concern is, that we won't walk away, that we will sit there and take extra obligations that we're not asking for.

ASHLEY HEINEMAN:

Thank you Michele. I agree with you to a certain extent on much of what you said, but the way I see it, and I'm not afraid to stand firm on this, is that we are proactively potentially agreeing to proceed in adding some additional language to our contracts to assist ICANN in enforcing us as registrars to take action on DNS abuse. I think that is a lot, and we are doing this on our own accord, recognizing that this is something that the community wants. If the community comes back and tries to make this more, and things that go beyond that, I see that as, I don't want to say bad faith, but I see it as an indicator that perhaps they don't really want to see things get better, as they've been saying, on compliance, on enforcement and taking action on DNS abuse.

That being said, at least I personally will have no regrets in walking away from a negotiation that changes and becomes something that we did not agree to, and that's well within our right. I appreciate the concern, we just have to remind ourselves that we do not have to do things that we don't agree with and that we're trying to do the right thing here and we're prepared to do the right thing, should we agree to do that.

James, and then after Catherine we're going to close the queue so we can move on to other agenda items.

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JAMES BLADEL:

Thanks, Ashley, just responding to Michele, one of the fellow veterans or PTSD victims from the 2013 round. It sounds like you're volunteering to be on a small team if we put one together, Michele, so thanks, but kidding aside, we do a lot of things, or I hear us discuss a lot of things, proposals to take action or not take action based on how it will make us look in the community. I've been doing this now for 15 years and I have yet to receive a gold star or a pat on the head from anyone in the community for being a registrar for anything that we've done or not done. When it comes to our contracts, no, I have absolutely no qualms whatsoever about walking away from any kind of an adverse outcome of any negotiations, or if the negotiations are just spiraling out of control.

We have an agreement now that we can live with. ICANN and some other parts maybe don't like it very much, but we can live with it. This is our fallback. Anything above and beyond this would be a bonus. I think that this group, this community, if we go forward here, we're going to have to agree on and socialize our red lines and things that would essentially end the negotiations. To your point, Michele, and just more context setting for folks from what happened last time, we need to give ICANN one and only one opportunity to consult with the community on their asks and that's it. One of the patterns that we experienced in 2013 is that we would put forward proposals or proposed language



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changes, and then ICANN would go off and meet with, it wasn't clear who they were meeting with, and then come back with red lines. Then we would red line their red lines, and then they would do it and so forth. The goalpost just kept moving on us and we were never able to pin them down. It violates that principle of negotiations. Make sure that the person on the other side of the table is actually making the decisions. In that case they were not. They kept going back and consulting with other stakeholders.

We would have to pin them down early, at the outset, and say essentially that we're not going to proceed until we're very clear that the counterparties to those negotiations are authorized to making a binding decision for their other stakeholders. I think all of those things have to be on the table and fleshed out for everyone, including myself, to be comfortable going forward this process.

I just go back to Ashley's original point, which is opening talks do not mean that we are pre-agreeing to any kind of outcome. We're just agreeing to talk.

ASHLEY HEINEMAN: Thank you James. Catherine.

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CATHERINE MERDINGER: I was going to say other stuff, and now I am thinking of responding to that. I feel like we are in a position of real power here. When we were negotiating these RDAP amendments we heard this morning in our meeting with the Board, we had to wait nine months for ICANN to come back to us with red lines and whatnot. I don't see us being in a similar position here. I think we can go to ICANN and say, "This is what we're going to go. You can take it, you can leave it," a little bit. There's negotiation to be done, but I think we have a lot of power and I think we should use that to be the good guys and do what is reasonable and what's the right thing to do in this situation. I also think ICANN needs to be onboard with this. You need to take a win when we give you one. I think what it sounds like is that they're ready to do that, but I think we could maybe get some assurances in writing or something like that, that they're prepared for that. I think this could be a really good win for us. We're at the table, we're doing the right thing, and a win for ICANN because this isn't going to take three years like these RDAP amendments. We can hopefully get in and out and hand the community a win.

ASHELY HEINEMAN: Perfect, and to this agenda item. I agree, and as I noted in our session with the Board earlier today, we need some good vibes in ICANN, and I think this is a good opportunity, if we can make this work. We've recognized the concerns from the community, we

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recognize that there are potential improvements to make to our contracts and we are willing to find some resolution here. I think this will go a long way if we can pull it off and people are onboard and are sincere to what they've been asking for. That's a proposal. Again, I will follow up in writing with respect to what has been said, what I said earlier. Moving forward, assuming that we get a letter from Council we'll need to determine how we want to respond to that, so that's also on our agenda, but I'm hoping that we'll find ourselves in a position to support what's coming out of the small group. I hope to do this very quickly, so stay tuned. It's not to move quickly because I just want to move quickly, I just think that it's in all of our interests to move forward expeditiously. That's it. Thank you everyone.

Volker, you have another question, but the queue is closed. Is it super important?

**VOLKER GREIMANN:** Yes, just one comment. Goodwill is nice and good and all that, but it won't butter our parsnips. Goodwill is a very fleeting thing that will evaporate sometimes within second after it has been generated. The mere fact of generating goodwill should not be what motivates us on this. We should be motivated by something that is more tangible and lasting than goodwill that will just evaporate. Ultimately anything that we will do will never be

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enough, and once we give them a finger, they will want to have the arm or the rest of the body for good keeping as well. Let's make this something that is worth our while, not something that is ultimately peeing into the ocean.

ASHELY HEINEMAN:

I refuse to let this end on a bad note, so I will take what you said in a positive angle that I did here and there, but there's nothing wrong with having goodwill on top. I don't think anything in what I said could be misconstrued as we're doing this just because everybody wants us to. That's part of it, but I think we have an opportunity to be responsible actors in this space by recognizing that not everybody in this community is acting as they should and there should be some accountability put on that. I will end it there. Thank you all very much, and I will be in touch. Can we go to the next slide, Zoe?

Now I get to stop talking for a few minutes. Thank you all for bearing with me and my fast talking. I'm going to turn it now to Greg, who's going to give us an update on the GNSO Council.

GREG DIBIASE:

Thanks Ashley. In this list there's a longer thing to talk about, which is the SSAD Light or the various new names that have come up with it pretty much daily. I'm going to save that for last and

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then quickly go through these other updates to save time to discuss.

The first thing, we've talked about it before, this letter from the DNS abuse small team is going out to Council. It has several recommendations for the Council to continue to encourage the work done outside of Council, to take a look at the current contractual language, as Ashley referred to, and then after those initiatives have been completed, consider whether a tightly scoped PDP might be appropriate, but that would come at a later date, after these other initiatives regarding abuse have been addressed.

I'll move on to just some really quick things. There's a small GNSO team that's going to have a discussion with GAC regarding closed generics. This is an item that wasn't defined, there wasn't a clear outcome in the original SubPro PDP, so there's further work to discuss where all the parties are going to land on this issue. There's also a decision to be made on phase two RPMs, which discuss the UDRP and URS. There hasn't been a lot of appetite within Council to open up the UDRP. That's something I've heard from members in this stakeholder group, "If it's not broke, don't fix it," attitude I've heard from some, and that's an attitude that's reflected generally around Council. We'll come back to this when a decision is made, but I just wanted to flag that as potential work that's on the table that may be deferred in favor of other work.

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The Registration Data Accuracy Scoping Team also came back to Council with their preliminary report. Right now, a lot of their work is pushback based on ICANN still negotiating a data protection agreement with the registrars and seeking further guidance from European regulatory authorities. The outstanding recommendation is a registrar survey on data accuracy that the Council is going to consider whether to proceed with in the coming meetings. Again, that's not up for a vote in the next one, but I will certainly circle back and discuss preliminary talks with the team, and the policy team indicates that something we wouldn't be opposed to responding to a survey about how we handle data accuracy. We can revisit that when it's discussed at Council.

I guess I'll stop there before I jump into SSAD, because I'm going through these fast, and start with questions about these items and then move on to the SSAD discussion. Roger?

ROGER CARNEY:

Thank, Greg. Just on the registrar survey for the accuracy, I think it's good that Council will look at this, but I would caution that the survey is not ready. I think originally the registrars proposed eight or 10 questions and now there are 30-some questions, and if you read through them, you're going to get different responses from every registrar. I'm not sure the data coming out of them will be

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that useful. I think it'd be good to do, but it needs a lot of work before it can go out. Thanks.

GREG DIBIASE: Thank you, that's a helpful clarification. Catherine?

CATHERINE MERDINGER: Did we appoint someone for the closed generics thing? Thank you, whoever that was. Who was it?

GREG DIBIASE: Gandi volunteered. Yay, Gandi.

Let's dive into this SSAD drama. As you recall, there was an EDP phase two that worked on a system for data disclosure requests. The recommendations were approved by Council. Before it went to the Board it went through analysis by ICANN about how much this would cost and what it would take to build. ICANN came back with an obscenely expensive number. I don't have the number of millions off the top of my head, but it was a very high number and there were concerns that— Someone has it? Yes, \$100 million plus. There were concerns that we don't know, among other concerns, we don't know exactly what kind of volume the system would get. Does this really make sense? After some back and forth there were some proposals on Council. What if we had a simplified version of this that was basically a centralized place

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where data requesters could submit the request, and these would go out to the contracted parties? It wouldn't have the accreditation piece which the original recommendations had, which were a big part of the total cost, but it would have this centralization piece, which I think has two benefits. It provides data, how many requests are actually going out to contracted parties for redacted information, and it may simplify the process for requesters. They know where to go to do this.

ICANN took this idea and developed a proposal that was submitted or presented in a meeting this week, in which basically these requests would be submitted and then registrars would see them in the naming service portal. When they see the requests in the naming service portal, they would respond to it outside the portal through whatever their established registrar mechanism is and then respond, basically saying, "Yes, I replied," or, "No, because," state your legal reason. That is where it's at right now. That's obviously a very high-level summary. I don't know if Sarah is on the call, but Sarah Wilde is our volunteer monitoring this and helping put forth the registrar position.

If I could summarize the feedback in the community so far, this may make sense, but people are concerned that if registrars aren't required to use it, then there's not a compelling reason for ICANN to build this. That's the first open question. My personal immediate response to this would be, "I don't understand why



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registrars would have to go into the naming service portal. Why can't you just send it via email and the naming service portal, like compliance works today?" This is going to be discussed in the upcoming weeks, so I think I'd like the group's feedback, or I'm going to need the group's feedback on whether this idea in principle makes sense, and whether there is a way to encourage registrar participation in this initiative. I think I'll stop there, and we can start the discussion. Michele?

MICHELE NEYLON:

Good morning, Greg. I thought when you were describing the system that you were just giving a high-level overview and you had somehow forgotten to say the system will email you. If the system doesn't email us, then it's of absolutely zero use because it will not work for us. We won't participate, regardless. The volume of access requests we receive is miniscule, so there is no way that we are going to start logging in to a third-party system on a regular enough basis for it to be of any value to anybody. If ICANN are incapable of managing email, I'm sure there are plenty of providers who will be happy to take large chunks of their ridiculously oversized budget to teach them how to use email, but for God sake, email is basic. A helpdesk script could do this. There are open source tools out there that many company use that could do this using email functionally. If ICANN cannot manage that, I don't know what the hell they're playing at. Thanks.

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GREG DIBIASE: Crystal, your response?

CRYSTAL ONDO: Yes, I had the exact same response to the presentation as Michele, but I talked to staff afterwards and they said it'll be a lot like the compliance notices, which go through NSp, but also kick an email. I think that is not something we necessarily need to yell at them about.

GREG DIBIASE: Fake news. Sorry. Thanks, Crystal. Then I guess the question is, if those facts are changed, they'll send it, and then I think the pushback or reservation from the community will still be that they want some type of response from the registrar, whether they replied to this or not. In the naming service portal, there's a place where you say, "I replied," or not. If it's through email, they wouldn't necessarily know. My response to that would be if someone complains that a registrar didn't respond, Compliance could follow up and ask, "Why didn't you respond?" I'll restart the conversation with accurate information. Thanks, Crystal. Roger?

ROGER CARNEY: Thanks, Greg. Maybe just two things. If a registrar volunteers to participate or if it becomes mandatory, does that remove their

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responsibility to provide any other mechanism to accept complaints? You don't need to answer anything, but just something to think about and needs to be resolved.

My other point was probably the opposite of Michele. I'm more concerned that a centralized request system is going to generate a lot of requests and I don't think it's feasible for people to log into a system and manually copy information out of a system to put into their own system to work it, and then manually go back into a system to update it, "Yes, we did something," or not. I don't think it's very feasible not to have an API or something available. Again, I think a centralized request system is going to get used more than people are anticipating. Thanks.

GREG DIBIASE:

That's good feedback. There are still a lot of unknowns here. I'm not describing a proposal that's fully baked, so those are good inputs to bring back. Volker?

VOLKER GREIMANN:

Yes, also agreeing to the need to have the complaints and requests come to us instead of us having to go out and look for them. However, I'm not quite as confident in the capability of the naming services portal, simply because of the fact that roughly a third of our responses get lost. When we send an email back to the naming service portal, then we might go to second notice or

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third notice after all, simply because our response has not been tracked. That's always fun to explain to your CEO, why he got a call from ICANN. I would like to see a system that actually is capable of receiving responses and making sure that these are tracked.

GREG DIBIASE:

Michele?

MICHELE NEYLON:

First off, may I say that one should never miss an opportunity to beat up on ICANN, so please don't remove that from me. I'd be very sad. More seriously, I think Roger's points make perfect sense. Obviously, we're at two different ends of the spectrum. As a gigantic registrar they would have a large volume of requests. As a tiny registrar we work with a small volume of requests, but I think we both have the same problem. We want to make sure that we're getting the requests so we're able to handle them probably. The technical details of how this is handled need to be thrashed out. I also echo Volker's concerns around ICANN's inability to handle email correctly. A previous system they were using couldn't cope with, I think it was CCs or BCCs or something like that, and used to lose emails left, right and center. That's simply not good enough when our contracts are on the line if we fail to respond or fail to be seen to respond. Fortunately for me, I am the

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CEO, so I can only yell at myself, but it's still not good enough.  
Thanks.

GREG DIBIASE: Crystal.

CRYSTAL ONDO: I think what we've determined is that staff should probably have a meeting with interested registrars to talk about what this actually looks like, perhaps before the GNSO actually takes this to task. I think the concerns we have are all valid, and the fact that it was rolled out as, "Look, we've shown you some screenshots of what it will look like," but they hadn't actually talked to anyone who would be using it on our end is somewhat concerning. The question of is it kicking an email or not wasn't clear in their presentation at all. Things like that, I think, really matter and I'm sure lots of us, especially Michele, would be interested in joining a conversation with their IT department about how this will actually work.

GREG DIBIASE: That's a great point, Crystal. I guess in staff's defense, I would say they did describe this as, "Here's our preliminary mockup." They gave some caveats there, but I think that's a really good point, that for us to have a position we need to do a deep dive with staff

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and really understand the functionality. Yes, that makes sense. Maybe I'm going to hypothetical now, but assuming we could work with staff and the functionality could be figured out, is there anyone that has an objection to this idea from a broader policy perspective? Pam?

PAM LITTLE:

I don't know who is responsible to do a more in-depth briefing to the registrar community. I think Crystal, you were suggesting to maybe do a briefing to the interested registrars. I think this impacts all registrars. I think it is incumbent either on ICANN GDS or Council to actually go out to the registrar community and let everyone know exactly the system they are proposing and seek feedback more broadly, rather than those of us who are really actively participating in this forum. Thank you.

GREG DIBIASE:

That's a great point, Pam. Russ, yes?

RUSS WEINSTEIN:

I think we're happy to come talk to you guys and share more detail about what the system could be, what the vision is at this stage, and what feedback you guys have for us to make it more usable on your end. Please let me know what you guys want and I'll coordinate with the team that's working on that, with Alyssa,

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Yuko, and others, to make sure we can come have a session with you guys, whether you want that between now and the Summit, sometime this week, or at the Summit. Let's figure that out. I was just in touch with them and they're like, "We're ready to talk to the registrars. Happy to help."

GREG DIBIASE: Yes, we can figure out timing. The Summit might actually be good timing. Let's figure that. Ashley, do we have to close the queue? Anyone else? Do we have to close? All right, Catherine.

CATHERINE MERDINGER: One of the questions put to Council I believe was— I didn't fully understand maybe, but it was about the data collection for what kind of metrics they want to be having on usage, on responses, on that kind of stuff. I think what I have heard, and at least how I'm feeling, is that I'm totally fine if ICANN sets up an intake and I get an email and I respond to it via email. If I'm going to have to go into the NSp and report what I did, that's annoying. The NSp sucks. It's wonderful, but it sucks. I want to make sure we're thinking about that as well, because I can see where that data would be useful, but I can also see where it takes significant time for me to report back, go into a system that I'm not going to otherwise use. Maybe I'm also just saying other people, also think about that as you're thinking about how you would use the

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system or your thoughts and feelings, which you can bring to the Thoughts and Feelings Summit.

GREG DIBIASE: Crystal, really quick.

CRYSTAL ONDO: Sorry, Greg. You asked about other policy considerations that were concerning, and the thing that stuck with me listening to them present to the GNSO was the fact that they expected registrars to give the legal reasoning for why they refused to respond. I personally would not do that in the NSp. I really don't love a track record of my legal reasoning being in an ICANN portal. It might just be me, but I'm guessing it's not just me. High level policy concern, that is one of them.

GREG DIBIASE: I think that's something we can flesh out when we go through how this works, when the slide comes up that we're giving our legal reasons we can state our objections. Last is Michele.

MICHELE NEYLON: Yes, thanks. It's nice to hear that ICANN want to engage on this, but I think they're missing the point entirely. The registrars you want to engage with on this are not the registrars who are likely



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to turn up to any Summits. You have a network of account managers, apparently, who are being paid to account manage. They would be the obvious ports of call for this kind of change to processes and getting feedback and input. Why aren't you using them? That's what I find absolutely flabbergasting with any of these new initiatives, is that you're not using the account managers. You seem to think that everything should come from ICANN central and from something very much top down, and then you wonder why there's no engagement. The reason there's no engagement is because you're not talking to the right people and you're not using the people you have. You could reduce your budget and just get rid of all the account managers since you're not really using them, or you could actually use them effectively. Thanks.

UNIDENTIFIED MALE: Thanks for the feedback, Michele. Good input.

GREG DIBIASE: That concludes the GNSO Council update.

ASHLEY HEINEMAN: Does it? Did you have a couple more items under there? Did you not have more items under there? Sorry. Did you cover all those?

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GREG DIBIASE: Yes.

ASHLEY HEINEMAN: Sorry, my bad. Next slide. Next up is Owen, to give us an update on the Summit.

OWEN SMIGELSKI: Thank you, this is Owen Smigelski, or as I saw in a recent Zoom transcript of my name, I am Smuggles Migowski, so feel free to call me Smuggles if you want. I guess we're calling this now the Summit. Thank goodness for that because I too have been tripping over this all week. It is going to be November 1 through 4, in November, at the Sheraton Universal Hotel. That's in Los Angeles. For those of you familiar with the LA area, that's also next to Universal Studios, so a fun time. I imagine ICANN is going to be renting out the park for us or something like that. Kidding. Registration is now open, so please do register to that ICANN can get an idea of how many people are coming and if you need visas and whatnot, and stuff like that. The link is there if you need more information, or you want to register. I actually had a tough time finding it through Google, so do use that link there, because it may not appear quickly on ICANN's site because contracted parties and summit show up a few times.

Throughout the whole session there are going to be two tracks, one for general and another one for tech ops. We're in the process

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of finalizing the schedule. It's been ICANN along with some CPH volunteers. Actually, this is my first time planning one. I was surprised at how we'd have 15 to 20 people on the call from the contracted parties providing feedback. It was a pretty good, broad representation of things that registrars and registries wanted to do. I can't do this with a mask. Yes, some of the things that are in there already are a Registrar Stakeholder Group discussion with the registries regarding the RRA process. I know that was touched upon, I think yesterday, at the contracted parties meetings. There's a bunch of time dedicated for DNS abuse, multiple sessions covering things such as pain points that we have with abuse, the AGP limits proposal that the registrar abuse team has put together, as well some things for actioning abuse.

It's my understanding that some of these are closed sessions, as well, so that the general public can't come in and see them, so that we can have some open and frank discussions there.

There are going to be also some updates from ICANN regarding new proposals or things coming out, and then there'll be some topics, times for registrars to discuss contractual topics and things of your interest. The schedule is looking good, should be a good time. I do encourage you to sign up, and I will see you there. Thanks.

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ASHLEY HEINEMAN: Any questions or comments for Owen, or we'll just keep on trucking? Next slide, please. The fun stuff. How well do you know the Registrar Stakeholder Group? We have a number of questions for you all, and I believe they're going to be in the form of polling questions. Let me get it started. How many ICANN accredited registrars are there? Is there a poll? There we go. Don't you worry, it's coming. I know, I'm going to ask you to name them all after this. I'll give you a clue. This does not reflect the families, this is raw. How many registrars? Your time is up, let's see the answer. It's 2,556. That was tough because the numbers were close together.

VOLKER GREIMANN: Imagine how many fees we could collect if everybody paid up.

UNIDENTIFIED FEMALE: If everyone gave me \$20, I could get us Harry Potter World. That's what I'm saying.

ASHLEY HEINEMAN: Next question. How many registrars are members of the Registrar Stakeholder Group?

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UNIDENTIFIED FEMALE: Ashley, you mean registrar families, right?

ASHLEY HEINEMAN: These are in the terms of who pays fees. It doesn't really matter. How many companies pay us their dues? Yes, we ask them to pay their dues. Your time is up. Yes, all right guys, the answer is 86 unless somebody corrects me. Most of you are right. It shows that we have lots of improvement for recruiting for the Registrar Stakeholder Group.

Next question. How many years has the Registrar Stakeholder Group been in operation? All right, show us the answer. Most of you got it right, 23 years. This group is old.

UNIDENTIFIED MALE: Do I get a prize for getting everything wrong so for?

ASHLEY HEINEMAN: You're fired. How about that? Now, this is where it's going to get tricky because there's going to be a follow-up question that's not a poll. How many permanent subgroups, meaning of our groups, because there's some question over what we actually call these groups, but the ones that are more or less permanent, not the ad hoc ones, how many do we have in the Registrar Stakeholder Group? I'll give you a little bit of time to think it through. Do you need more time? Show us the answer please. You guys, the

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answer is seven. First person that can name all seven, put your hand up.

I'll start it off because I'm going to get it wrong, too. I always leave one out. I'll start with the one that I didn't realize until a couple days ago. Finance.

UNIDENTIFIED FEMALE: Compliance, Policy, RRA Amendment, Tech Ops. What else? Communication, Engagement.

ASHLEY HEINEMAN: Technically it's not, but we included it because it's important to tech ops. Communications and Outreach. What was the last one? DNS abuse.

UNIDENTIFIED FEMALE: Forgot about that one.

ASHLEY HEINEMAN: Congratulations to you all. I bet you all guessed. Next. Where are we? Who is not a co-chair of the Registrar Stakeholder Subgroup? Who is not a co-chair? Survey says? Zoe probably has no idea what reference that is. There we go. Man, you guys are good. That was such a trick question, we thought you guys wouldn't get.

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UNIDENTIFIED MALE: I'm impressed.

ASHLEY HEINEMAN: Yes, Eric is no longer. He was very recently, but no longer.

ERIC: But a teaser, I will be speaking later about compliance subgroups.  
Special guest star.

ASHLEY HEINEMAN: Yes, super tricky. Do we have a next set of questions? Which RrSG member is this a baby photo of? Show us the answer please. No choice to answer. Man, it's me.

UNIDENTIFIED MALE: I'm sorry, but your mom looks just like you.

ASHLEY HEINEMAN: Nothing against my mom, but I felt like my dad.

UNIDENTIFIED MALE: I recognized the smile from your daughter.

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ASHLEY HEINEMAN: Yes. Yes, it does, and the lack of hair when she was that age. I'm 10 in that picture. Just kidding. Which RrSG ExCom member is this a baby photo of? Answer please. Show me what people said, anyway. It's not the answer. I tell you the answer. It's Owen. You guys really are good at this. Do we have any more questions, or is that it? One more?

Yes, here we go. Which Registrar Stakeholder Group leadership person, ExCom or subgroup co-chair was in a top 40 band? I'm not sure I know what a top 40 band is, but who was in a band? There's a person in here that is one of our own. You don't have to say what the band is, obviously, but who in this picture is one of our own? Show us the answer please. Man, seriously, it's Jothan Frakes. Good job everybody.

JOTHAN FRAKES: The name of the band was Stevie B back in the '80s. You'd find it filed under circus pop somewhere on Spotify, I think, these days. Fun times.

ASHLEY HEINEMAN: We got some more good ones, but just trust me, that person in the picture is not one of us. Which Registrar Stakeholder Group leadership person, ExCom or subgroup co-chair was in a Batman film, specifically The Dark Knight Rises?



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OWEN SMIGELSKI: Just to clarify, specifically that scene, I think, over the left shoulder of the football player you can see, very far in the background, that person.

ASHLEY HEINEMAN: I'm guessing you know the answer, Owen.

OWEN SMIGELSKI: Maybe.

ASHLEY HEINEMAN: If you can pick the person out and circle it, I'll give you \$100. People said? Wrong, it is not Greg, but close. Second runner up is Sarah Wilde. That is a correct answer. Nobody thought it was me? What? I'm not good enough the movies? Next question, please.

ZOE BONYTHON: That's it, actually.

ASHLEY HEINEMAN: That's it? That was fun. I could do that all day.

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OWEN SMIGELSKI: Also, just so you know, Sarah was also there with her husband. You probably recognize him there as well, too.

ASHLEY HEINEMAN: Yes. If I remember correctly that's the end of this agenda for this portion of our meeting. I just want to thank you all for participating. We have a break for 15 minutes? Thirty?

ZOE BONYTHON: We have a 30-minute break, and although we're going to end this session and we're going to end the recording, not just yet, but when we do we are going to still leave the Zoom room open, so particularly for remote participants, you're not obliged to leave and rejoin, but you can if you want to.

ASHLEY HEINEMAN: Thank you everybody. We'll see you in 30 minutes plus four, 34 minutes.

ZOE BONYTHON: Okay, you can end the recording please. Thank you.

**[END OF TRANSCRIPTION]**