
ICANN75 | AGM – GNSO Registration Data Accuracy Scoping Team
Saturday, September 17, 2022 – 09:00 to 10:00 KUL

JULIE BISLAND: Once again, welcome, everyone. We've got about two minutes before scheduled start time.

UNIDENTIFIED FEMALE: Once again, welcome, everyone. Reminder, everyone must log into Zoom. We'll be using raised hands in order to manage the queue. When logging into Zoom, for all of ICANN75, please remember to use your first and last name. Thanks all.

JULIE BISLAND: All right. Well, hello, everyone. Welcome. This is Julie from staff. We will go ahead and kick this off. The session will now begin. Please start the recording.

All right. Hello, and welcome, everyone. Welcome to the Registration Data Accuracy Scoping Team session. Please note this session is being recorded and is governed by the ICANN Expected Standards of Behavior.

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OLGA CAVALLI:

Good morning. Thank you very much. Good morning from Kuala Lumpur, Malaysia. Good afternoon, good evening, wherever you are. I hope that my English is still working after 36 hours of flying and 12 hours of jetlag, and I hope it really works. So I hope that you have patience with me.

My name is Olga Cavalli. I am the GNSO Council member appointed by NomCom. In this meeting, I will replace the role of the chair, Michael Palage, who is not here with us in the meeting. I was the Council liaison to the Registration Data Accuracy Scoping Team, and I will show you some slides. I hope that we have some time to exchange ideas and dialogue about this, the work of this Scoping Team. I will lower down my mask a little bit. I am vaccinated and I hope I don't make any trouble. But my glasses are steamed up and I can't read anything.

First, I would like to welcome our audience here in the room. I know that we have NextGen members and other members of the GNSO community and also our audience online. Thank you for being with us this early morning here in Kuala Lumpur. I would like to especially thank our chair, Michael, who has done a great job—I tried to help him as much as I could through all this process—and special, special thanks to our dear friends from GNSO support from ICANN Org, especially Marika and all the

ladies that are fantastic. Without them, this work would have not been possible.

So, let me go through the agenda. We have an agenda in the screen. After the welcome that I have already done, we will give you a high level overview and expected next steps about the write-up for Assignment #1, enforcement and reporting in #2, measurement of accuracy. I will show you in a minute all the tasks that our Scoping Team had to do. Then we will talk about the future registrar survey then we will be doing, an introduction review of support staff and team document, and then the input from the Scoping Team. Then we have some time for questions and answers. We will talk about next steps. And that will be all for this hour.

I think that the idea, if the time of questions and answer, you can raise your hand, that will be possible and you can take the floor. Or you may write in the chat, right? That's okay? Okay. Thank you very much. Okay. Any comments or additions or changes to the suggested agenda? Let me check the chat. I don't see any. So let's move to the next slide, please. Thank you so much.

So we will go now—the write-up for Assignment #1 and #2. A high level overview, as I said, if you want, we can send you or you can review the documents that we have already been preparing in the Scoping Team. So what is the Registration Data

Accuracy Scoping Team at a glance? We held our first meeting on 5th of October 2021, almost one year ago. The Scoping Team has four assignments. We will review two of them now: enforcement and reporting, accuracy measurements’ effectiveness and impact and improvement.

The Scoping Team’s work has been greatly facilitated, as I say, by contribution from ICANN Org, fantastic help, including Compliance. Scoping Team recently delivered its write-up for Assignment 1, enforcement and reporting, as I said, and number two, measurement, to the GNSO Council. So this is what we will present in this meeting today. Next slide, please. Thank you.

So what is Assignment #1 and #2? Number one is enforcement and reporting. We have used documents of accuracy requirements. It explains current enforcement by ICANN Org. It includes ICANN Org’s responses to the Scoping Team, clarifying questions, like for example, enforcement, and no definition but description on how current accuracy requirements are understood and enforced. This is Assignment #1, enforcement and reporting.

Assignment #2, measurement of accuracy. It explains accuracy reporting system and current pause due to unavailability of public registration data. It explains ICANN Board request to ICANN Org to consult to EDPB on whether ICANN Org has a

legitimate purpose to request access to individual record as well as bulk access to review accuracy of registration data. The Scoping Team gap analysis is also included and there are measurements of whether current goals are met which are proposed as not requiring access to registration data and proposals requiring access.

Any comments in the chat that I should check? No. Any comments from staff, Marika, that you would like to add something? No? Thank you so much. So let's go to the next slide.

Okay. We will do an overview of recommendation for Council consideration. So, proposals not requiring access to registration data. The Scoping Team recommends—these are overview of the recommendations. If you are interested in detail, you should go to the documents, but this is just an overview to review with you in this meeting. We don't have that much time.

Proposals not requiring access to registration data. Number one, Scoping Team recommends that GNSO Council request ICANN Org to carry out a registrar survey that will go into details in a moment. Number two, the Scoping Team recommends that further work is undertaken by the Scoping Team in collaboration with ICANN Org to explore the option of conducting a registrar audit. The proposals regarding access to registration data, the Scoping Team recommends that the GNSO Council pause the

work of the Scoping Team in relation to proposals that require access to registration data until such time when it is sufficiently clear whether proposals that require access to registration data are available, path to assess the current state of accuracy. Council to request ICANN Org to proceed with their outreach to EDPB as a matter of urgency, as well as DPRA in connection with the scenarios. Also call out importance of finalizing the DPA between ICANN Org and contracted parties. So no hands, no comments in the chat. Let's go to the next slide.

So, next steps are GNSO Council to consider write-up and recommendations to determine next steps. For that, you have to go in detail to the documents that I have just mentioned. First discussion plan during GNSO Council meeting on Wednesday, 21 September, this week, this Wednesday. GNSO Council to identify process for finding new chair as well as appointing a new GNSO Council liaison. My role as GNSO Council member will end up in this meeting. And about the chair, the group should identify a new chair. So have that in mind because the group will need that guidance. Next slide.

This is the survey that I told you about a moment ago, registrar survey informal discussion. Let me show you some details about this future survey. So the background for this is through a survey distributed among ICANN accredited registrars. Registrars would be requested to report on the result of the status of accuracy of

their domains under management. It would not involve registration data but instead focus on how registrars are currently implementing accuracy requirements, as well as the rates of validated and verified versus unvalidated, unverified domain names. It would ask registrars to share whether they apply validation/verification processes that go beyond the minimum that is currently required under the RAA. Based on the questions identified by the Scoping Team in Annex D, staff support team has developed a first draft that you should go and read it in detail for Scoping Team review. Then next steps dependent on the GNSO Council consideration of the recommendations that we already have mentioned to you. Any comments, any hands up? No comments in the chat. Next slide, please.

Let's have a discussion about the review of Staff Support Team document. Are we showing the document, Marika, or not?

MARIKA KONINGS: Yes, we can.

OLGA CAVALLI: Okay. We can show the document and Scoping Team input.

MARIKA KONINGS: Do you want me to talk to this?

OLGA CAVALLI: Yeah, if you can. I would appreciate that. So we'll give the floor to Marika to explain in detail the document. Thank you, Marika.

MARIKA KONINGS: Thanks, Olga. This is Marika. As Olga just outlined, the intent here is to have an informal conversation about the registrar survey and what that could look like in practice based on the work that the Scoping Team already did, which is also outlined in Annex D of the write-up. Of course, the Council will first need to consider the recommendation of moving forward with the registrar survey. But we thought it would be a good opportunity here taking advantage of a face-to-face opportunity to already share some ideas and thoughts on what that could look like and some of the questions that the group may need to think about, assuming that the Council would give green light to this.

We circulated in advance of the meeting a Google Doc, which you see on the screen. The first phase is the agenda. But if you scroll further down, you actually see the document itself, basically outlining as well that this is our first attempt at bringing together what is currently in Annex D which was a collection of questions, some that the Scoping Team itself already worked on through a small team of volunteers. There were also some questions that were submitted by one member

of the group that we all in the end put in the Annex is kind of a reference and a starting point to look at this further. Of course, once the group has kind of narrowed down the questions it wants to ask or some operational questions that will need to be addressed such as the distribution, response times, potential translation, things like that, but it's probably not best use of time to focus on that at this moment.

One of the things we didn't want to mention, of course, there's also the other recommendation in relation to the audit. So depending on where that goes and what would potentially be asked through an audit, the group may also need to think about, is there duplication if you would do a registrar survey as well as an audit? Are you asking basically for the same information from the same parties? So is there a value or benefit doing one over the other? Or is there certain information you could only get through survey versus certain information you can only get through a registrar audit?

What we've based ourselves on at the moment is really focused on the questions that were already in the Annex. There may be additional questions that the group thinks need to be asked. Again, in addition to looking at the questions on itself, it's probably very important for the Scoping Team to also think about what do you think the information will tell you, and how will that help your work, move forward in Phases 3 and 4 of the

work? So that may be something as well that the group may want to start thinking through asking certain questions. For example, what is the percentage of domain names under management that are validated? What will a number of 80% tell you what will that mean? So that again, you kind of have an idea of how important something is or not, because, as we've discussed before as well, it's important to think about this is a voluntary survey. So in order to get people to participate, the group can make it too complicated or too difficult. So it's really important to focus on what are the questions that are going to give you the most information to help inform your deliberations.

So if we scroll down a bit, so what we've done then, as said, we've tried to organize the survey into a number of sections. We've provided a short introduction on what this is about. And as said, that's probably something more information can be provided and I think we will probably really look here as well at the registrar, team colleagues, to see what will be helpful for registrars to know or what would encourage them to participate so that we can tailor the message accordingly.

Then we basically go into identification questions. As said, I think this mainly comes from what the group already worked on and identified that would need to be provided. What you see highlighted in yellow is basically some questions that staff has identified where we would probably like some feedback or some

guidance from the group on either how to approach it or maybe different ways in doing it or, for example, in this first one here as well, the kind of requirements on do we want to ask people to provide their e-mail address so that they can be contacted if there are follow-up questions, or should that be optional?

We go in kind of the substance of the matter. So the next section is focused on data on number of registrations validated and verified. One question we have here is would it be helpful or necessary to spell out what validation and verification means? If so, what would be best to point to? Are there accepted definitions of these two terms? Or would it be worth including relevant RAA provisions? I don't know if it's helpful if I just run through everything here and then we kind of go through the highlighted questions, or if people want to pause at any point. Just looking around. I see Steve Crocker has his hand up. So I'll pause here.

OLGA CAVALLI: Steve, your hand is up.

STEVE CROCKER: Can you hear me?

OLGA CAVALLI: Now yes, because you were muted. Welcome.

STEVE CROCKER: Yes, I apologize. I'm in a car with an iPhone. What is the status with respect to reporting validation for registrations that are shielded by privacy or proxy services? So there's different ways to think about this. Are they simply not included in the count? Or are they in there if there's no information about the accuracy of that information? Or are they treated in some different way with respect to measuring the accuracy of the data that sits behind the privacy or privacy shield? Does that make sense?

OLGA CAVALLI: Yeah. Thank you very much, Steve. I see Sarah. Her hand is up. Sarah, the floor is yours. Welcome.

SARAH WYLD: Thank you. Hi, this is Sarah. I hope you can hear me okay. Just to answer what I think Steve was getting at as to whether domains with WHOIS privacy or WHOIS proxy service would be included here, the underlying data is still validated and verified. So I guess I had assumed that they would be included. Thank you.

OLGA CAVALLI: Thank you very much, Sarah. Steve, this is an old hand or a new hand? Maybe you want to react to Sarah's comment?

STEVE CROCKER: No, I'm just having trouble here. The hand is old. Take it down if you can.

OLGA CAVALLI: No problem. Thank you for that. I see Owen's hand. I think he's around here with us. Owen, the floor is yours.

OWEN SMIGELSKI: Hi. Thanks, Olga. Yes, I'm here in the room. This is Owen Smigelski for the record. We're in a rare occasion here where I'm actually going to disagree with Sarah. She did mention that the underlying data is validated, verified. That's, in my understanding, not a requirement in the RAA. So that would not have to be something necessarily that all registrars or privacy/proxy providers would be doing. However, it does make sense that you would do that. So I'm not sure to the scope or extent that that is there. Quite often, I know e-mail addresses will be accurate because a lot of privacy/proxy services do an e-mail forwarding service so registrars would need to be able to contact that. But as it's not a contract or obligation, I don't know how many registrars may actually be doing that. It's possible they could be as part of legacy systems or whatever. But I just wanted to flag that. Thanks.

OLGA CAVALLI: Thank you very much, Owen. Any other reactions from registrars or hands up? I'm losing my connection in my computer. I don't know what happened. So I cannot see if there are hands up. No hands up? Okay. Do you have a follow-up?

MARIKA KONINGS: Thanks, Olga. I think this is really helpful input because I think this is something that we need to capture or at least make clear when responses are provided or maybe confirm with who provides the responses, whether or not that also includes underlying data that is from privacy/proxy kinds or not, or clarify that that's not what we're asking about. I think at least from our side we have made a note of that and then to further see how that needs to be spelled out in the survey questions.

OLGA CAVALLI: We have a hand up from Roger. I think there is a comment from Sarah in the chat. She says, "I guess we'll need to review and return to that." Thank you, Sarah, for your comment. Roger, the floor is yours. Welcome.

ROGER CARNEY: Thanks, Olga. Just to add on to what Owen was saying, registrars may not even know if that's privacy or proxy

information. They may not have the underlying data. So I don't think we need to ask for that. I don't think we can ask for that because it may be proxied by somebody else, not necessarily the registrars underlying business. So I don't think there's access to that data. Thank you.

OLGA CAVALLI:

Thank you, Roger. Again, I cannot see if there are hands up. Can someone help me with that? I lose connection all the time. So, Marika, any more comments about the document? Yes, please continue if there are no more questions. Oh, sorry. I cannot see the hands. Apologies for that. Alan, the floor is yours. Welcome.

ALAN GREENBERG:

I'm working on a Zoom connection. Just to point out in other policies, we have specified where the privacy/proxy service is owned and operated by the registrar, it can be treated differently. So we could specify need for including those that are within the captive policy/proxy server, and not necessarily those that are distinct from it. So there's a history of that and there's no reason not to do that.

OLGA CAVALLI:

Thank you very much, Alan, for your comment. Now I can see the screen. Let me check if there more hands up or comments in the

chat. No more comments in the chat. Marika, we can continue.
Thank you.

MARIKA KONINGS:

Thanks. So then kind of going into the questions and some of them are kind of asking the same question, but from the perspective of validation or verification, it was asking about providing percentages of domain name registrations on the management for which validation of registration data has been completed, and then we would have kind of multiple choice questions.

One question here was because I think the question was kind of do we want to provide here are a range of options to choose from, or are people expected to provide an exact number? I'm guessing this is partly related to the question of whether this is data that's easily accessible, and registrars will be easily able to kind of point to a number or whether it would be more an estimate that they would likely make. Of course, other options are as well I do not track this data but would be able to gather this if the Scoping Team would request me to do so, which then would allow the Scoping Team to potentially go back and say, "Hey, we would like you to make this extra effort, if possible, to provide it with that data." Or the response could also be, "I do not track this data and will not be able to gather this data." So

again, I think a question here is, and probably again specifically looking at registrars, what would be here the most helpful response, just a free field in which someone can fill in the percentage, or is ranges more helpful here as a kind of indication of where it sits more or less? Because I think as we've stated as well, this is, of course, not a static field either because validation/verification happens on a continuous basis. So having ranges may give a more appropriate estimation of what the numbers are. If anyone has any views on that.

OLGA CAVALLI: Thank you, Marika. We have hand up from Steve. Steve, can you hear us?

STEVE CROCKER: I can. I hope you can hear me.

OLGA CAVALLI: Yes, we can hear you.

STEVE CROCKER: Good. I want to just continue a little bit with the comments that Roger and Owen have made in that some of the privacy or proxy services are operated by the registrar. And in those cases, presumably, under suitable conditions, the registrar could find

out what the data is and what the processes are. Other privacy or proxy services are independent. But it's known that the registration is by a privacy or proxy service. There's yet another case where a registration may be done by a different party and there's no visibility as to whether or not that is or is not the actual registrant. So for example, a registrar might ask an attorney to do the registration under the attorney's name.

I found it helpful, I don't know if everybody else well, to think of this as having sort of four different states. Nothing hidden. So the registrant is registering by himself. The next one is there's protection by privacy or proxy service that is operated by the registrar. The next is an independent privacy or proxy service. And the fourth is an independent person. The last, this independent person is indistinguishable in every sense from the registrant because they wind up with legal responsibility. One possibility for this discussion and for sampling is to ask registrars if they can identify which of these cases applies to each registration and then give you the counts and the substantive information about validation for each of those column three categories because you can't distinguish the fourth one from the first category. Thank you.

OLGA CAVALLI: Thank you very much, Steve. I see Alan. Your hand is up. No? That's an old hand. Marc, your hand this up. Are you around with us or remotely? I cannot see. Oh, Marc. Welcome. Sorry. The floor is yours.

MARC ANDERSON: Sorry. It's actually an old hand.

OLGA CAVALLI: I have another hand from Roger. It's an old hand or new hand, Roger?

ROGER CARNEY: Thanks, Olga. It's new.

OLGA CAVALLI: Okay. Thank you.

ROGER CARNEY: Just trying to follow along with the privacy/proxy. Recognize that in a proxy scenario, the registration data is the registration data. The underlying data does not matter because they're not the registrant. The proxy service is the registrant, so that's the only data that would have to be verified.

Marika’s question here on number five, if you read number five and it says completion of verification, we may need to be a little more precise in that saying that that’s a positive outcome or negative outcome because completion of verification can lead to either one, right? So I think we need to be clear on if we’re looking for a positive outcome on verification or a negative outcome, or we don’t care and we’re just wanting to know 100% or 90% of them were attempted to be verified either positive or negative. Thanks.

OLGA CAVALLI: Thank you very much, Roger. We’re taking notes about that, right? Okay. We may continue.

MARIKA KONINGS: Again, I think a reminder for everyone. We’ve been asked to state our names when speaking. Owen is here as well.

OLGA CAVALLI: Okay. I have Owen and Thomas. Owen, the floor is yours.

OWEN SMIGELSKI: Thanks. I just like to quickly just respond briefly to what Steve was proposing. Just make sure that whatever we are doing with the survey stays within our scope. Some of the suggestions seem

to exceed that. If we want registrar participation on a voluntary basis, we need to make sure that we stay within that. Because if we exceed that, then it's quite possible we might not get as much or any registrar participation. Thanks.

OLGA CAVALLI: Thank you, Owen. I have Thomas next. Thomas, welcome.

THOMAS RICKERT: Thanks very much, Olga. I think Steve makes a good point in creating these four different buckets. But I think that the only bucket that's relevant to this work is where the privacy service is actually run by the registrar. Because that's the only scenario in which the registrar has underlying registration data. I think that's even escrowed, if I'm not mistaken. So that's something that could be looked at. But for proxy service, as Roger rightly pointed out, the registered name holder has the proxy service. And if that data is accurate, I think everything's fulfilled in terms of ICANN requirements, and where the privacy service is run by third party, that's OPAC to the registrars so they wouldn't even know.

OLGA CAVALLI: Thank you, Thomas. More hands up. I see none. Comments in the chat, let me check. Comment from Stephanie: "From the

perspective of the eventual users of the proposed SSAD system, however, the interest is in the beneficial user of the domain, not the RNH.” Alan, new hand?

ALAN GREENBERG: Yes. I’m not sure if what Thomas said is correct. My understanding is even if it’s a captive privacy/proxy server, since the privacy/proxy PDP has never been implemented then the only information, as Owen said, is the name of the privacy/proxy service. That’s the only information that’s required to be verified. As Sarah said, maybe the registrar might verify the source information also and do whatever it wants with it. But that’s not policy. Until the privacy/proxy service PDP is implemented, we’re still working under the old rules where it’s the name of the privacy service, which you might recognize or might be a captive one that’s there. The rest of it is completely voluntary, sadly.

OLGA CAVALLI: I see Owen and Thomas’s hands up. Owen, the floor is yours.

OWEN SMIGELSKI: Thanks, Olga. Alan, just to clarify, that was the obligation under the 2009 RAA. One of the changes of the 2013 RAA under the privacy/proxy specification that’s still enforced is that a registrar

shall include customer contact information in the data escrow in there. So that is being escrowed. It's mandatory. It's not an option like it was under the 2009 RAA. Thanks.

OLGA CAVALLI: Thank you, Owen. Thomas, the floor is yours.

THOMAS RICKERT: Thanks, Olga. I think in our discussion, we always need to be precise and whether we're talking privacy or proxy because those are two distinct services with legal implications. For proxy, the registered name holder has the proxy service and is fully responsible for what's happening with the domain name. That's not true for privacy services. The reason why I've mentioned the third party privacy service as being irrelevant for this work is that it's not discernible for the registrar, whether a privacy registration is in place or not, because they just see the data coming in as any other registration data. So that's not relevant to the privacy/proxy discussion that we're having here. But certainly that would just be treated as any other domain name registration where the data would need to be verified, validated, whatever we're discussing here, as if an independent Internet user was registering the name.

OLGA CAVALLI: Thank you, Thomas. I see, Steve, your hand is up.

STEVE CROCKER: Again, taking Volker’s point and others, is it visible to the registrar at least and perhaps to anybody who looks up whether there is a privacy service, whether there is a proxy service or not. And for the purposes of doing a survey, can we ask the registrars to identify or to bucket the responses according to which of these categories are involved, that is to identify the accuracy information with respect to proxy registrations, with respect to privacy protected registrations, with respect to unprotected registrations and so forth? Otherwise, we may get a jumble that we can’t understand what they mean. Now, it could be that the answer is yes, we could divide these up. But the only thing we’re going to tell you about proxied is that its proxy and we can’t tell you anything about the information underneath that. That would still be more helpful than not being able to distinguish responses related to proxy registrations or privacy registrations versus unprotected registrations.

OLGA CAVALLI: Thank you, Steve. I see Owen’s hand up again. Owen, the floor is yours.

OWEN SMIGELSKI:

Thanks, Olga. Steve, this is something that I had considered a long time ago back when I was in Compliance. We're trying to find examples to show to the team about what was an example in WHOIS of a privacy versus a proxy service. Our review showed that almost none of the providers were actually doing privacy services, the vast majority were proxy. Even if they were listing their name as privacy, it was always a proxy service because that means it is the registrant in the full WHOIS output shows the proxy provider's name. If it was a privacy service prior to the GDPR and Temp Spec, you would actually have to list the registrant's name in the WHOIS output. So you would see Owen Smigelski as the registrant and then the privacy service information. So that's the one way to distinguish that.

Post GDPR and Temps Spec, you will still see the full proxy service in the WHOIS output because that's what that specifies in the Temp Spec. For a privacy service, what you'll see is the privacy service's information in there. And then for the customer name or the registrant name, that will be redacted for privacy now is what you would see and that's the way you can tell it. There's no tick box or something like that. The only way you could do that would be to ask—oh my goodness, I think my Zoom just quit. That would have to be something done on that kind of basis. So it could be a little more complicated to do to determine. But I know that's what we did. We have a

Namecheap. We actually have a privacy service now as opposed to a proxy service. Thanks.

OLGA CAVALLI: Thank you, Owen.

STEVE CROCKER: Thank you. In that case, if I might, what you've described, Owen, is a very clean way for the registrar to know which buckets these fall into. So from a survey point of view, we could ask that the registrars provide information divided up into those buckets so that we get much cleaner data. For example, if it's a proxy, the registrar doesn't know anything except the name of the proxy service. And from that point of view, that's 100% accurate usually or at least very high accuracy. But the name of the proxy service doesn't tell you anything about the underlying information. But you'll get a very high accuracy score for those that come from proxy. That doesn't help very much in terms of our understanding of how accurate the data is.

Just to take a simple numerical example, let's suppose that 50% of the registrations are open and 50% are by proxy, you're going to get 100% accuracy on the proxy half and you're going to get whatever percentage you get on the other half. But if it's reported all in one bundle, then the accuracy is going to get reported as well above 50% instead of whatever the accuracy is

for the unprotected ones, which is the only useful information that could come out of this.

OLGA CAVALLI: Thank you, Steve. Any other hands up, reactions, comments?
Thank you. Okay. Let's continue, Marika.

MARIKA KONINGS: Thanks, Olga. All very good input. I think that the group may need to do a bit of more digging or better understanding of what is possible. And again, think about what is most helpful to learn about, how will that inform the conversations? Because it's a lot of effort to provide some of the data and in return it doesn't really make a huge difference in what's considered and the group may need to think about, "Is it worth it?" and vice versa, if there is something that would really help the group in its deliberations, even though it may require some further effort, if it can explain as well to those filling out the survey why it's so important to know that specific information, that may also help encourage someone to provide that.

Question 5 is basically similar. I think I still haven't heard anyone speak about ranges or percentages, but I think it's something that you're going to think about whether that makes sense.

Question 6, basically, then asks about percentage of domain names on the management that were created prior to validation and verification requirements coming into effect. I think one question here. We may need to add a specific year by when that happened as that may facilitate the search and which have not been updated in a way to triggers a validation or verification over a requirement. The question is also is this likely to be an estimation or would this be a relatively static number? Dependent on that response, we would either include a range response or allow for a text box that people can fill out providing the exact number.

Next question asks about the percentage of domain name registrations on the management that currently in the process of validation. One comment we had here, what would this response basically tell the group? I think it goes a bit to the point that Roger make before as well, are you looking here for validation that has failed or that has been successful? Either failed verification and validation or new registrations undergoing verification. Maybe it's worth breaking this further down to really ask specifically about how many have failed after either transfers versus new registration or updates or simply that after—because it's obviously less likely to fail. If it's a registered name holder, that basically makes an update. Again, it's drilling down in some of the specifics, getting the group more

or better information or is that not helpful here? Also, I think from the question perspective, is it sufficiently clear what's being asked. Again, we're really looking at the registrar colleagues to help with that. If someone's reading this question, are they clear on what is being asked or do we need to be more specific on what the group is looking for?

OLGA CAVALLI:

We have hand up from Roger. Roger, the floor is yours.

ROGER CARNEY:

Thanks, Olga. I think this question is kind of tough. When you read it, it's a fairly simple thing and it's going to be a very tiny, small number, and it's going to change every time you look at it. I don't know the value and maybe whoever requested this can provide what the value is. Theoretically, every registrar is doing 100% verification on these. And when you look at the number going through verification at the time—again, you're looking at a handful of domains going through verification is when you have millions under management. I mean, that percentage is going to be so small. What does it provide? That, I guess, is the value. Thanks.

OLGA CAVALLI: Thank you, Roger. Any other hands up? Comments? Not in the chat. Just for you to know, the slide materials for the session are available in the GNSO Agenda wiki page, which is copy-pasted in the chat of the Zoom Room. Marika?

MARIKA KONINGS: Thanks, Olga. This is Marika. One potential suggestion I would have here going forward, again, assuming that the Council agrees with this approach would be maybe to put all the questions in a table and have the group basically state what they would expect to learn from the response and how that then would help inform the deliberations for Assignments 3 and 4. That may, I think, then again help the group think through as well what is it that you're really looking for and what is the key information versus the nice to know. Then also already preparing the ground for what it may tell you and what you want to look at once you have data to review.

Question 8 focuses on the percentage of domain name registrations on the management that are currently in the process of verification. The same question here on whether that's a range or an exact number.

Question 9 focuses on please indicate the percentage of domain name registrations on the management that are suspended due to incomplete verification. Here, one question we had, "Should

this also include deletion? Because our understanding is that some registrars may delete instead of suspend.” Again, it’s about being the question is as complete as possible or whether there’s even value in splitting out in two options asking about suspensions and deletions. Again, I think it’s also then for the group to ask is it about knowing the total number, is there value in knowing what the differences between suspension or deletion, or is it that the domain names in that situation are only suspended or only deleted? Again, by being as specific as we can in the wording to make sure that the question is clear and the responses captured the information that is being sought.

Then Question 10 focuses on the rate of e-mail bounces for WHOIS data reminder policy notices sent out over a set period of time. The question we have here is “Should we define that period? Is this an estimation over a year, for example?” Because, again, otherwise, some may fill this out over a 10-year timeframe while others maybe do this over a month. Again, we need to make sure that we have something that can be compared. Again, the same question here as well about whether this is a range question or whether this is an exact number that we’re looking for.

Then the next section would focus on steps taken by registrars in relation to e-mail format. Then there’s a similar section that asks almost the same questions on phone format. The first question

talks about which methods do you use to ensure that e-mail addresses are in the correct format or should be accepted? Or should be accepted—what does this exactly mean? Could this be confusing? Again, I think we may need to check back with those that drafted those original questions. They may be able to provide some further insight into that.

Question 12 then asks about, “Do you keep records of the domain names under management which have contact e-mail addresses in the incorrect format?” It’ll be kind of yes. Historical numbers, yes. Rolling basis only, no. For some of these, we may also want to provide the other option. Maybe there are variations of the responses or something specific a registrar may want to provide further insight.

Question 13 asked about, “If you responded no to the previous question, please state your reasons for why these records are not kept.” A number of options are provided. Of course, not required under the Registration Accreditation Agreement, we do not have the resources to do so. All e-mails are reviewed for the format. Prior to being saved, it’s not possible to save it in incorrect format. Basically, when someone is forced to basically provide a valid format or there may be as well again other responses.

Then there's a question about "Which methods do you use to ensure the e-mail addresses are operable? Please select all that apply." You check the name after the add exists, review name. You review the domain name after add against known disposable address domains. You send test e-mails to address not requiring action or recipient, or you send a test e-mail to address requiring affirmative response from the recipient or "Other, please specify." Again, I think here, multiple options might be possible.

Here we also have a question about the reference to e-mail addresses because it basically has a, "Should this have a None or Not Applicable option?" E-mail verification can be only for the registered name holder and account holder if different and does not cover other contacts. So ensuring operability is not a requirement for each e-mail provided by the registrant and is actually not required for those contacts if the RAA implemented telephone verification per Section 1F, for instance. Again, I think it's a question here, could this potentially be confusing? And do we need to be more specific about what is being asked?

OLGA CAVALLI:

We have hand up from Roger. And we have two questions in the Question and Answer chat. Roger, the floor is yours.

ROGER CARNEY: Thanks, Olga. Back to 14, sending a test e-mail. I think maybe that wording can be updated to be a little clearer. Sending a test e-mail to require an affirmative response doesn't seem like a test e-mail. That seems like you're actually doing something with it. I guess the meaning of test, there's an interesting thing that we probably should clarify. Thanks.

OLGA CAVALLI: Thanks to you, Roger. We have two questions. We'll read them and maybe some of you can help me answer them. I wonder if the idea—it is a question from—sorry, this is confusing for me. Let me check the name. I have a question from Gabriel, "Asking this to help myself and possibly others to learn to use the right words for the right way. Given the variety of roles entities that might appear in the registrant field of RDDS data, is there a commonly understood term useful to refer to the person entity who initiates the domain used to refer to the person/entity who initiates a domain registration process for a given domain? For example, not the [inaudible], not the reseller, not the commercial service, but the person who made the decision to start the purchase of the domain prior to other person/entities who will presumably benefit from the domain registration." This is one question.

The other one is from Alban Kwan: “I wonder if the idea that the privacy provider is the registrant, meaning that they bear the legal liability if the domain is used for phishing, etc. If yes, how do we ever ensure data accuracy meaningfully?” Maybe someone can help me answering those questions.

Another question from Amanda Rose: “RAA Section 1.1, account holder means the person or entity that is paying for the registered name or otherwise controls the management of the registered name when that person or entity is not the registered name holder?” Thank you very much, Amanda.

Any other hand up? Questions? Any reactions or answers to the questions raised in the Question and Answer box? Steve, your hand is up. The floor is yours.

STEVE CROCKER:

Thank you. With respect to the details of who’s responsible and who’s paying, there are two distinct roles. One is the account holder who has the account with the registrar. That’s the person that initiates the registration. As part of that process, the account holder designates who the registrant or, equivalently, registered name holder is another term for the same person is going to be. My understanding is that when that happens, the legal responsibility for the domain transfers from the account holder to the registrant or, equivalently, registered name holder,

ideally, the registered name holder knows that they've been designated to have that responsibility. So there's a little issue there. But the details that I understood from the way the question was asked is that there's a separate role for the account holder that has an actual physical account with the registrar has the password to the account and is the one that initiates the registration process. Then separately, when the registrant is named, then that registrant has the continuing responsibility and authority.

Sometimes, there is a tussle between the account holder and the registrant. The account holder has the electronic capability to make changes in seconds, presumably. But the registrant has the legal authority to say that they're not happy with whatever changes those are. And that often takes days or weeks to resolve. But ultimately, if the registrant can show that they are, in fact, the registrant, then they will prevail. I hope that helps in untangling that very fine point. Thank you.

OLGA CAVALLI:

Thank you, Steve. There's also a comment in the chat from Amanda, "There are also verification and validation requirements relating to the AH." Marika, maybe we can wrap up the document because we're running out of time.

MARIKA KONINGS:

Yes. Thank you, Olga. We're running out of time. I would really like to encourage everyone to have a look at this document and provide your input just to flag it at a very high level. I said there's a similar section that talks about steps taken by registrars in relation to phone numbers. There's another section that covers willfully inaccurate or unreliable information. Then there's another section that asks about additional measures that registrars may take beyond what is required in the RAA as well as reporting.

As said before, this is really based on the work the group already did and the input that was provided. Of course, it doesn't mean that this is the final set of questions yet. If there are other questions or if there's a way as well of combining some of these—some of that, we already did because there was some duplication in questions. We did try to avoid overlap and make it as well a bit of a logical sequencing. But of course, if you have any suggestions, especially feedback on some of the questions we've identified and, as said, if Council gives a green light for this, we'll continue working on this. As indicated, a potential next step could be as well to create a table format in which for each of the questions, we'll ask for the group's input on what is the response expected to tell the group and how will that help as that may also help them identify what are the key questions that

you want to put forward and that you're hoping to get responses to. That's all I have.

OLGA CAVALLI:

Thank you very much, Marika. Chantelle has kindly copy-pasted the link to the document that we have just been reviewed at a glance. Please take a detailed look at it. Next steps—I'm leaving the group so maybe you can explain about that.

MARIKA KONINGS:

Thanks, Olga. As we mentioned previously, the Council received the write-up for Assignments 1 and 2 just prior to this meeting. They will have a first exchange of views during Wednesday's meeting. The instructions to the Scoping Team do foresee that the Council approves or supports the recommendations before work continues. That's something the Council will need to consider. They will also need to consider at the same time looking for a new chair, as well as a liaison as Olga's, unfortunately, leaving us for the ccNSO. Those are all considerations that the Council will need to factor in in relation to how work continues.

As said, from the staff side, we've already started putting some thinking into the registrar survey as that was obviously something where the group already put in quite some work as well. From our side, I think we stand ready and available to

continue that conversation as soon as Council gives a thumbs up, but obviously, not solely in our hands. For those interested, I would encourage you to come to Wednesday’s Council meeting. Also speak to your Council members so that they’re also aware of your views on this and the work the group has done on this so the Council can make a determination on how best to move forward on these different paths.

OLGA CAVALLI:

Thank you, Marika. I see no more hands up or comments in the chat. This is my last meeting in the Scoping Team. It has been very interesting for me. As usual, a very interesting learning experience always in the GNSO for me.

I want to thank all of you for your patience with me, for allowing me to participate in this group. I want to especially thank Michael for his guidance in the group. Thank you for that. Thanks to all of you for your participation. Special, special thanks to Marika, all the GNSO staff who are fantastic.

Okay. This was all for this morning. You have work to do. I’ll see you around in the nice ICANN Community meetings. Thank you all of you for being with us this morning in Kuala Lumpur. Thank you.

JULIE BISLAND: Thank you, Olga. This meeting has concluded. You can end the recording please.

[END OF TRANSCRIPTION]