

**ICANN Transcription
Data & Metrics for Policy Making Working Group
Tuesday 29 September 2015 at 2100 UTC**

Note: The following is the output of transcribing from an audio recording of Data & Metrics for Policy Making Working Group call on the Tuesday 21 September 2015 at 21:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

The audio is also available at:

<http://audio.icann.org/gnso/gnso-dmpm-29sep15-en.mp3>
On page: <http://gnso.icann.org/en/group-activities/calendar#sep>

Attendees:

Pam Little - RySG
Sara Bockey - RrSG
Graeme Bunton – RrSG
Marinel Rosca – Individual
Gabriel Vergara – NCUC

Apologies:

Cheryl Langdon-Orr - At-Large
Jonathan Zuck – IPC
Tony Onorato - Individual

ICANN staff:

Berry Cobb
Steve Chan
Terri Agnew

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Data and Metrics for Policy Making Working Group call on the 29th of September, 2015.

On the call today we have Marinel Rosca, Graeme Bunton, Gabriel Zagara, Sara Bockey, and Pam Little. Hoping to join us a little later into the call will be Tony Onorato.

We have apologies from Cheryl Langdon-Orr and Jonathan Zuck. From staff we have Berry Cobb and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking for transcription purposes.

Thank you very much and back over to you, Berry.

Berry Cobb: Thank you, Terri. Welcome, everyone. This is Berry Cobb for the record. As you'll have probably noticed that our two chairs, or chair and vice chair, are - sent their apologies today. They were unable to make the call mostly due to CCWG and our chair, Jonathan, is flying right now.

So this call will be a little bit short today but if no one objects I will go ahead and step in to act as acting chair basically kind of fourth man on the bench to provide us through the rest of this call. What we'll do is just kind of quickly run through the latest public comment review tool. I'm going to show you - or reshow you kind of the interlinkage that we've tried to create between the PCRT and that of the final report. And after we walk through that then we'll just talk about next steps.

So any objections to me leading the call today? Hearing and seeing none. So I don't - I doubt that from last week we've had any changes to Statement of Interests so we'll just go ahead and jump right into the agenda.

So I sent out a little bit late yesterday the completed report of public comments. And essentially just like the prior version, I went through the transcript, extracted any of the contributions from the working group members to define a generalized working group response.

And where was noted in the transcript that if there was a particular action that would take place based on that contribution that highlighted it as an action required and then of course trying to maintain that continuity into the final report.

So for the purposes of today's call I don't plan to go through those in detail especially since I understand - because I sent it so late I'm sure no one had a chance to review through the draft responses that we've put together.

From last week's call, we had stopped on the Registrar's comments. And I'd just like to take just a few minutes to kind of describe what was done. If you'll remember - I believe it was the call before last when we had - we were just about to conclude the call we had reviewed through the comments from the Registrars.

Graeme had volunteered to kind of take an action to make sure or provide any updates to the latest draft of the final report specifically around some of the principles that we had identified on how data should be considered as it relates to contracted parties.

But from our last call I had put together kind of a draft working group response listed that the action was taken and in the Adobe Connect room, which this wasn't included in last night's version, since this morning Graeme has taken the action to take a look at the final report and he made a couple of small suggestions of two bullets to add to that particular section.

And so what I'm wanting to demonstrate here to you is this continuity concept that I mentioned. So within the PCRT here, like I've demonstrated here, there's a call out comment to the right just as a quick flag that there's action required for us to take.

And then Graeme had submitted his two suggestions or two bullets and I'll just show those two you in just a minute. I've added those into the next

version of the report and highlighted that edit. And then of course then I'm going to complete the inventory basically by denoting that it was completed and what action was actually taken to close out this particular action.

So I hope that that's more or less transparent as to how we're connecting the comments as it pertains to the updates to the report. And so what I want to show you is the particular section, maybe a little bit small for you to see. I think that's a little bit better.

So within Section 5.3.4.1 which began was just within the observation section of the working group deliberations and you'll recall that we discussed a set of principles that would, again, outline about how data and metrics would be potentially used or key principles when identifying any requests for data and metrics from contracted parties.

So I included two highlight or comment highlights over to the right, this second one being the direct connection back to the Registrar's statement. And then as you move down onto the following page, which is Page 21, these two comments highlighted in the Track Changes are what Graeme had submitted to the list. And I folded those into this version of the report as well as, again, creating another comment call-out to reflect that connection back to the PCRT.

So in general that's kind of the - in general that's kind of the process by which the group will review through the comments and then make updates to the final report. So with that, before I move on, just - Pam is typing here. So long as required. I believe from what I'm gathering in the chat, for the record, Pam Little is - thinks she's detected a typo - a potential typo in the bullet and I'll make sure to capture that and apply that update into the final report unless Pam, you'd like to have a little bit of dialogue about that right now since we're here.

Pam Little: Hey, Berry, can you hear me?

Berry Cobb: Yes, just fine. Thank you, Pam, go ahead.

Pam Little: Sorry about the typo. I think the new two bullets added, the first new bullet should read - there's a typo, right, so long as required. Sorry, my typing was awful. And the second bullet I was just not sure about whether that actually will make sense if a party that is requested to provide the data, whether it's contracted party or any third party, as we said, instead of principle it should apply to anybody who is requested of providing data. So I guess we probably wouldn't just single out contracted parties, it's any party who is requested to provide the data. If they deem the data sensitive or whatever - not appropriate then they should have the right to opt out or not to provide the data.

I'm not just - just not clear exactly what Graeme is driving with the last bullet.
Thanks.

Berry Cobb: All right, thank you, Pam. Graeme, I know that you jumped - you had a little bit...

((Crosstalk))

Berry Cobb: Oh, go for it.

Graeme Bunton: Sorry, I've lost connectivity there for a moment. Can you hear me?

Berry Cobb: Yes, loud and clear. Go ahead please.

Graeme Bunton: Oh great. So I think that's what I'm saying, if it's sensitive then contracted parties can unilaterally opt to reject the request. That's all. Just stating that what I was hoping to be very upfront and clearly.

Pam Little: So, Berry, can I jump in again?

Berry Cobb: Yeah, please go ahead.

Pam Little: So I saw there was a comment inserted at the beginning of this - before this bullet. We're trying to make this set of principles prior to any party that is requested to provide data. So I'm just not sure whether we should single out contract parties have the right to opt out or whoever anybody. Does that make sense?

Graeme Bunton: My understanding was these bullets were kind of towards contracted parties but I've got no problem with generalizing it.

Berry Cobb: So this is Berry. Graeme, you were breaking up just a little bit but I think I understand where you were coming from. And so, Pam, yeah, this particular section of the working group deliberations was specifically about contracted parties and how the request of data - if you'll look to the primary bullet here contracted parties were mentioned a couple of times. And then more specifically I think what Graeme had submitted is just kind of restating that in that last bullet.

Pam Little: Sure, Berry. But do you recall one of the comments we received through the public comment period was the set of principles should apply to all parties that are requested to provide data, look at your comment BC 3 where it says add statement to contract parties principles that it would be applicable to any data collection process.

Berry Cobb: Okay. Thank you, Pam, for highlighting that. So I guess I should have mentioned that this was the only change that I had to this version of the final report. And we haven't gone back in and made any other edits, it was mostly for illustration purposes. So - but Pam, you are correct that based on, I believe it was a comment from Google likely if I recall correctly, that was stating that this should be applicable in all cases of data collection and not just necessarily contracted parties.

I think where we may need to delve a little bit deeper into this is that, you know, thinking about it in practical terms if a working group or request by an SG and C to acquire data and metrics was put forward if the source of that data was free and publicly available there wouldn't be a universal kind of opt out perspective.

In the case of where there may be resources required to collect that particular data, you know, I can pretty much only envision that being a paid engagement. I guess they could refuse not to accept the business. But then the third case, which is much of what the group has deliberated about is what does it mean for contracted parties.

So it seems to me at least in regards to what Graeme has suggested here in terms of the last bullet is mostly applicable to contracted parties. And perhaps what we should do when we go to make edits per the previous - the BC 5 comment is that we put it into brackets or bendy brackets, I can't believe I can't remember the name, that should state, you know, that I guess the rewording of the last bullet that Graeme had suggested is that in certain cases an opt out option should it be determined that data is sensitive is available and then in brackets we could probably place most applicable to contracted parties so that in kind of general terms it could apply to a larger degree than just being specified to contracted parties.

Any responses to that? Pam, do you think that that's a reasonable way forward in terms of how we deal with kind of changing some of the language for this section? All right, according to the chat there was agreement there.

So I guess I do kind of apologize that that was a little I guess confusing. I was mostly trying to demonstrate, again, the continuity and I should have pointed out earlier that there wasn't really any other changes made to the final report based on the public comments that we received.

Graeme, I see that you're now on the line. Did you want to say anything in response to just the previous discussions before we move on?

Graeme Bunton: No, I think we've captured that. Thank you.

Berry Cobb: All right, cool. Great. Thank you, sir. All right, so just real quick I'm going to revert back to the public comment review tool. And so just to close out this particular action here, like I said, as we make changes to the final report staff will make sure that we come back and properly document within the working group response and action taken what specifically - I guess kind of the first paragraph is a general action and then below that I'd like to kind of inventory exactly what was done and where just so that continuity remains.

So I'm just briefly going to - like I said, we completed all the way down through the public comment review tool. Again, the working group responses that I have applied here were more or less pulled from the transcript and distilled into kind of a summary response based on those deliberations. And again highlighted the actions taken.

So for the most part I don't really want to spend anymore time of the group's time here reviewing through these in detail. At the end of the call I'll send out this slightly revised version for the group to take a closer look at the working group responses. I will have Track Changes turned on. And so if you think staff has mischaracterized any of the general working group response based on that particular comment please make those changes into the document or you can send it into the list just through the email noting what comment number and an opposition or changes that you think need to occur to that working group response.

And once we have completed that part of the exercise staff will be able to package this up and then post it out to the public comment forum for the report on public comments. And as you'll note as I kind of slowly roll through

there were a couple of other action required flags identified as to going through the remainder of these comments.

All right any questions in that regard? Okay, now moving on to the next agenda item which is just a quick review of the draft final report. A lot of the thunder was just taken or we've already heard a lot of the thunder in terms of what we just talked about.

So what I'm going to propose is now that we have completed this overall review, we've got the suggested actions flagged, if it's okay with the group I was going from the staff perspective, take a first stab at - or a first attempt at making changes to the final report based on those comments and actions that were agreed upon by the group.

As noted before, Track Changes will be enabled so you'll be able to see what changes were made or suggested by staff as it relates back to the public comment review tool. And secondarily I think only one comment may have some slight language adjustments to any of the recommendations but at least from my perspective I don't see any of the concept or the notion of that recommendation changing at all other than just to make it a hint more clear as to what the recommendation actually is.

But what I was going to suggest to the group is that staff will take a first attempt at making the appropriate or edits. We'll send that out to the list by close of business tomorrow or around 2359 UTC. That will give the group almost just shy of a week to review through and suggest any changes as well.

Likewise with the public comment review tool, the track changes will be enabled. If group members have any other suggestions or edits based on this next version again please make those into the document and we'll be able to fold those in - or import any of those changes into the master copy so that we have highlights as to who suggested what changes.

And then finally, I'll make sure that all this is encapsulated in the email, but we'd like to have any suggestions submitted back to the list by 2359 next Monday which I believe is the 5th of October, then we'll compile the final report and then next Tuesday the 6th there will be another meeting invite that is sent out which will also be for an hour and a half. And this will allow the group to do one final review through all of the changes, make sure that there is general agreement on all of those changes leading us up to - which is the deadline to submit motions and documents for the 11th of October.

One additional thing that I'll note about next week's meeting is that we will have a draft copy of the proposed motion so that the group can take a look at that as well as we'll have a first draft in preparation for Dublin. If you don't already know, but typically on the Saturday and Sunday sessions of the GNSO there are quick 10-15 minute updates to the Council or really to the broader GNSO about the main working groups that are going on.

So Jonathan will be providing a quick update to the Council on Saturday. There won't be - fortunately there won't be any dedicated meeting to this particular group but then of course the motion for the recommendations of the group will be deliberated and hopefully passed by the Council at its Wednesday session there in Dublin. Thus why we have our 11 October deadline.

All right any questions or comments about what we're doing and how we're doing it, when we're going to get it done leading up to Dublin or any concerns or complaints before I think we can probably draw the call to a close early like I had mentioned. All right, hearing and seeing none I thank everyone for your time. Again, you'll see the PCRT here in an hour or two for you to start review. And then by tomorrow we'll see the next version of the report and we can take that on - offline and until we meet again next Tuesday at the same time, 2100 UTC. Thank you, everyone. Take care.

Terri Agnew: Once again, the meeting has been adjourned.

END