ICANN Transcription
GNSO Temp Spec gTLD RD EPDP – Phase 2
Thursday, 02 April 2020 at 14:00 UTC
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TERRI AGNEW: Good morning, good afternoon, and good evening and welcome to the GNSO EPDP Phase Two team call taking place on the second of April, 2020 at 14:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please identify yourselves now?

Hearing no one, we do have listed apologies from Janis Karklins and Matthew Crossman from the RySG as well as Becky Burr from ICANN Org Board Liason. Matt Serlin from the RrSG will be joining for the first hour, and Theo Geurts will taking over on behalf of RrSG for the for the second hour. Replacing Matthew today will be Beth Bacon for RySG. These folks will remain as alternates for this call and any remaining days of absence listed.

All members and alternates will be promoted to panelists for today's call. Members and alternates replacing members, when using chat, please select "All Panelists and Attendees." in order for everyone to see the chat. Attendees will not have chat access. You will only be able to view the chat access.

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Alternates not replacing a member are required to rename their line by three z's to the beginning of your name and at the end in parentheses your affiliation dash alternate, which means you are automatically pushed to the end of the queue. To rename on Zoom, hover over your name and click "Rename." Alternates are not allowed to engage in chat apart from private chat or use any other Zoom room functionality such as raising hands, agreeing, or disagreeing.

As a reminder, the alternate assignment form must be formalized by the way of the Google link. The link is available in all meeting invites toward the bottom.

Statements of interest must be kept up to date. If anyone has any update to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance updating your statements of interest, please e-mail the GNSO secretariat.

All documentation and information can be found on the EPDP Wiki space. Please remember to state your name before speaking. Recordings will be posted on the public Wiki space shortly after the end of the call. With this, I'll turn it over to our co-chair, Rafik Dammak. Please begin.

RAFIK DAMMAK: Thanks, Terri, and thanks everyone for attending today EPDP call. So, first, just asking if there is any SOI update. I don't think there is any. So, to confirm the agenda, you can see we will work today on the public comment review for two recommendation. And so, just confirm that we all are on the same page here.

MARC ANDERSON: Hi Rafik. Not really on topic, but I just wanted to share with everybody that yesterday Matt Crossman's wife gave birth to a beautiful and healthy daughter. And I thought I'd share that with everybody on [the list.] So, congratulations to Matt, and Beth Bacon will be filling in for Matt while he spends some time with his daughter.

RAFIK DAMMAK: Thanks, Marc. It's good to start with a positive note and good news in this time. Congratulations to Matt. Okay, that's good. And that set a positive tone for today.

Okay, so let's move on to the next agenda item and that's with regard to Recommendation #9, determining variable SLAs for response times for SSAD. And here I will ask Caitlin first to give us some briefing and how we will go through the discussion paper for the public comment review.

But, before that, I have here an intervention from Chris. Yes, Chris, please go ahead.

CHRIS LEWIS-EVANS: Just two questions really. One, on Tuesday's call Janis asked the three remaining groups that hadn't submitted comments to give us

a good start for an indication of when those inputs would be in. I just wonder if we have that and whether that could be shared with the group. So, obviously that will affect how we assess these recommendations.

And then the second question is [inaudible]. I think it wasn't really clear to me on Tuesday's meeting. Is this an initial reading of these recommendations? And if not, can you clarify how we're actually going to tackle the recommendations? Thank you very much.

RAFIK DAMMAK: Okay, thanks Chris for this [new question]. Let's go first with Marc, and then we can come back to your comment. Yes, Marc?

MARC ANDERSON: Thanks, Rafik. Just responding to Chris' ask. We did not give a specific date for registries, but our drafting team intends to finalize comments tomorrow and submit them to the full stakeholder group for approval and we'll get them submitted as soon as we get stakeholder group approval. So, we're hoping to have that done and dusted very soon, but we don't have an exact date. It just depends on when the stakeholder approval can occur.

RAFIK DAMMAK: Thanks Marc for giving this [inaudible] notice from the registries and just make a note that your audio is breaking up. I think with regard to [inaudible] the group … Okay. For the other group I think they can also share their notice. With regard to the other question,

I think for the briefing, Caitlin can explain about the discussion paper and how we will proceed. Caitlin?

CAITLIN TUBERGEN: Thank you, Rafik, and thank you, Chris, for the question. The idea for this particular recommendation is that today's meeting is going to be the first reading of the comments following which either volunteers or staff would take a stab at updating the recommendation based on the first reading of the comments. And then following the update of the recommendation, we would have groups flag the "cannot live with" updates and minor edits to the recommendation.

RAFIK DAMMAK: Okay. Thanks, Caitlin. I hope that answered your question, Chris. Okay, so let's start with Recommendation #9. So, Caitlin, I think you will give us the briefing and also let me explain the approach here. So, we tried to cover section by section and we'll allow some time for each section for each group to caucus and then we do together the review. So, this is in a way we allow you to be ready and we expect also you have one speaker by group, so just if you can coordinate together, in a way so we can make progress here. And those are really to highlight if there is anything, any new information, and what should result in a change to the recommendation. Okay, Caitlin, please go ahead.

CAITLIN TUBERGEN: Thank you, Rafik. As we went over on Tuesday, when we prepared the discussion tables, what we tried to do is take

portions of the recommendation and comments related to that portion and group them together. So, for example, on this discussion table we started with Priority One, Urgent Requests and the proposed SLA for that. And what you see underneath are all of the comments related to the Priority One, Urgent Requests and the proposed SLA. So, what we would propose to do with— I'm going to give just a quick, very high-level overview of the concerns and comments we received based on Priority One and then we'd like to give groups five minutes to read all of these comments and caucus about who will be the representative to speak on any of the concerns.

So, first, for Priority One, you'll note that the majority of the comments deal with the definition of "urgent" as well as the proposed SLA. Whether the timing is not sufficient for some groups or how it should be calculated is confusing for some groups.

Lastly, there's a comment on what requestors should be required to provide in reference to a Priority One request. Berry, if you can scroll down just a little bit.

So, we briefly touched on this table where groups were supposed to provide input, and I note that if you have. But in the highlighted blue cells, we provided an example of what we're looking for. So, for example, we flagged concerns C and H, and again this is just an example, and then we note that all other concerns have already been considered. And then the rightmost column we flagged concerns C and H and how those could be addressed through either updated language, deletion of language, or addition

of language. So, I hope that provides some assistance in what we're looking for in terms of the tables for next week.

But again, we'd like to give groups approximately five minutes to read through the summary comments and note which ones need further discussion. And in terms of the further discussion, we would kindly request that each group only nominate one person to speak on this particular topic. And as we also noted during Tuesday's call, the groups are expected to read through all of the comments on the public comment review tool. The discussion table is really just a tool to guide our discussions, to help group the comments together so that the groups can see all of the comments, for example, on Urgent Requests. But it is the EPDP team's responsibility to read through all of these comments.

And if you believe your comments are mischaracterized or are not included in the discussion table, please feel free to let staff know or flag it on the call. Again, it is humans making these tables, so there might be a mistake or there might be an inadvertent omission. Thank you, Rafik. I do notice there is a hand raised.

RAFIK DAMMAK: Okay. So, let's see if there is clarifying question about the process and then we'll start the review. Yes, Amr, please go ahead.

AMR ELSADR: Thanks, Rafik, and thanks for that, Caitlin. I was just wondering because during previous calls some folks—and I think we all agreed that for groups that haven't submitted their comments yet if they have something substantive to bring up which will likely be in

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their comment once submitted during the course of reviewing the comments we already have. I thought this should be brought up, so are we doing that as well today, or should these comments be withheld for now? Thank you.

CAITLIN TUBERGEN: Thanks, Amr. I can take that question. Of course, if a group has not been able to submit their comments but they do, for example, have a comment on Priority One, Urgent Requests that is not addressed in the other comments, we welcome them to bring it up during this discussion. And I also wanted to note that there are several, not in the Priority One requests, but you'll notice as we go down and discuss the mean response times and the compliance targets, there are a lot of clarification questions. So, I wanted to put our friends, Mark SV and Volker, on notice that you two are probably best positioned to address those clarifications. So, when we go through the silent reading time, if Volker and Mark SV could pay particular attention to those comments and see if they can be addressed on the call, that would be really helpful. Thank you.

RAFIK DAMMAK: Okay. Thanks, Caitlin. I hope that answered your question, Amr. Okay. So, I guess we can start. So, as we said, we have five minutes of silent reading and we expect every group to caucus. Yes, Terri, you can do the time check or counting. So, let's start.

TERRI AGNEW: One minute left. And Rafik, five minutes has now completed.

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RAFIK DAMMAK: Okay. Thanks, Terri. So, okay. Can resume the discussion. Okay, so we start with the first section and see the first comments. Okay. Okay, nobody in the queue. Okay, so I see Volker and Caitlin. Maybe we start with Caitlin first and then we go to Volker. Yes, Caitlin?

CAITLIN TUBERGEN: Thank you, Rafik. I just wanted to acknowledge and respond to James' question in the chat. So, when we referenced caucusing, what we meant in this particular instance is for the groups to use whatever communication tool that you normally use to organize who will be speaking on behalf of your group. Generally speaking, when we review the discussion tables in the future, that caucus thing should take place ahead of the call. However, because we note that this is an extremely short review period and turnaround time, we wanted to give some additional time for groups to read through the comments and organize amongst themselves who will speak to them. Thank you.

RAFIK DAMMAK: Okay. Thanks, Caitlin, for the explanation. So, we have Volker and then Brian. Volker?

VOLKER GREIMANN: Just a brief note for the first concern under A. I think we should say that this is noted, this has been debated at length already. It adds nothing new to the discussion, and therefore I think we

should just stick to the present recommendation and just say that we note the comment and have already discussed this. Thank you.

RAFIK DAMMAK: Okay. Thanks, Volker. Brian?

BRIAN KING: Thanks, Rafik. Caitlin partially answered my question, which was how we want to do this going forward, and we put our comments in the section below. So, do you want me to read those, or expand upon those concepts? I mean, we put our thoughts here already. Thanks.

RAFIK DAMMAK: Okay, thanks Brian. So, Caitlin, you want to respond to this?

CAITLIN TUBERGEN: Thank you, Rafik. Thank you, Brian, for the question. I think because this call, again, with the short turnaround time, it would be helpful for you to raise your comments and concerns on the call as I'm not sure that everyone had a chance to read through them in advance of the call.

RAFIK DAMMAK: Thanks, Caitlin. So, can we see if there is any other group want to speak on this? Yes, Laureen, and then we have Alan. Lauren please go ahead.

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LAUREEN KAPIN: Hi folks, I just want to make sure folks can hear me because I'm using a different technology. Can I be heard? Yes?

RAFIK DAMMAK: Yes, we can hear you.

LAUREEN KAPIN: Okay, good. Okay, first I guess I had a threshold question because I heard and understand Volker's comment which is that this has been debated before. I'm just wondering as a threshold matter, when we review these public comments, I anticipate indeed we will hear arguments we've heard before. In fact, some groups will be making the same arguments they made before if they disagree or have a concern. I mean, other groups will chime in as well.

But my question is, isn't the purpose of going over these public comments to see if there is—I'll phrase it as—a critical mass of concerns, i.e. many groups, are sharing a concern that is different from the policy recommendation and advocating for a change? So, I think I'm going to disagree with the gist of Volker's comments, which is just because we've debated it doesn't mean that the public comment process cannot influence us to make a different decision.

So, I wanted to start off with that. And in terms of GAC input, we had specifically expressed this concern about making sure that there is sufficient time. There is an expedited time to respond to

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these urgent requests which we anticipate should be responded to as quickly as possible. And also we recognize that many of the registrars do not only meet but beat our preferred goal of 24 hours, so we definitely acknowledge that. I don't know if in context here we are responding to other concerns that were raised here, if it's necessary to respond to them, but a couple did catch my eye.

But I think I'm going to wait for an answer to that question before I go ahead. Because if this conversation is intended to address other concerns that were raised that, in fact, we have a response or reply to, then I would go ahead and speak. But if it's not, then I'll save us all some time. So, maybe I can just get an answer to that.

RAFIK DAMMAK: Okay, so, thanks Laureen. I mean, the purpose here is we need to focus on any new information that would change the group's view. So, that's why we are doing [fair] review of the comment to see if there is anything that can let us changing what we put for comment. And so, I think that's what we are trying to achieve today. But, let's hear from others and then, if we can, we need to maybe come back to this.

LAUREEN KAPIN: Okay, well if that's the case, Rafik, then I do have additional statements. That's why I asked you to answer the question.

RAFIK DAMMAK: Okay.

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LAUREEN KAPIN: So, then I'll continue with a couple of just key items. There was a comment about the type of evidence, this is in B, evidence that should be required to warrant a Priority One or Two designation. And I'll just observe that if we decide to go down this path—and I'm not advocating that we do, but the whole idea of how much you need to show in order to qualify as an urgent request, I think we should be very mindful that law enforcement is typically acting under an expedited scenario here. And if we're going to provide obstacles by mandating detailed evidence, that actually is going to contradict the whole purpose of this urgent, fast lane type of request.

In terms of the concern about business days being calculated based on where the contracted party is locate, while I see that has a certain appeal, I will also point out that would result in a very fragmented system that would be difficult to predict. And I think I'll stop there. Thanks.

RAFIK DAMMAK: Okay. Thanks, Laureen. So, we have Alan, Mark, James, and Alan Woods. Yes, Alan, please go ahead.

ALAN GREENBERG: Thank you. I guess we feel we did provide things that were not fully discussed or not sufficiently discussed during the previous time we looked at this. If you look at the [thing we're considering,] we're looking at urgent requests that are limited to things that pose imminent threats to life, serious bodily injury, critical

infrastructure, and child exploitation. Those don't stop on the weekend and for holidays. And there are already requirements, if I remember correctly in the RAA, that registrars have to respond to certain things within 24 hours. Therefore, there already is infrastructure in place and I think it's quite unreasonable to presume that bodily injury takes a three-day break because there happens to be a weekend and a Monday off wherever the jurisdiction is. It just doesn't mesh with what the public interest issues are here. Thank you.

RAFIK DAMMAK: Thanks, Alan. Mark SV?

MARK SVANCAREK: Thanks. Yeah, I wanted to address the comments by Volker and Laureen because I see some other people have jumped into the queue and I think they're also going to make some comments on that. It is sort of a protocol question or a threshold question. Namely, I saw things that we were asked to comment on that I note that we did, there are examples of things that we did come to compromise on in previous meetings, and I wasn't necessarily happy to overthrow that consensus. On the other hand, I objectively agreed or disagreed with what the comment was and so I put agree or disagree regardless of whether I thought that was going to change [inaudible].

So, Volker's comment about just saying "noted," was that the correct process to follow or not? I just said agree or disagree. And I do note that the BC is not going to be alone in that. I did see at

least one thing that was submitted by somebody else that was in the same situation. I was pretty sure we had discussed it and come to an agreement on it, and that other group did the same as I saying "Objectively, we disagree with this." Whatever the compromise was.

So, it would be good to have some clarity on how we're going to do this process in future days because I'm not sure what the most helpful and useful approach is going to be here. So, that's all I have to say. I have a concern that we're not all working from the same assumption and that we might started getting irritated at each other. It's like, "Hey, I thought you agreed to that" and "I was just responding to a statement in the document." So, let's make sure we have consensus on what it is, how we're going to approach these things, and what we should do with it before we all start getting irritated at each other. Thanks.

RAFIK DAMMAK: Thanks, Mark, for the comment. We are not going to get frustrated here. So, we are trying to review those concerns and determine what is best course of action. And as you recall in the beginning, Volker, you were drafted to help and [inaudible] maybe proposing some language or edits, amendments and so on, to respond to that.

So, before moving to James, I would like just to remind that our approach here is really that we want to hear from each group and to encourage [inaudible] to have one speaker by group. So, I would like to ask here, James, if he is going to share something that was not shared before by Volker or something [inaudible]. We

are trying to hear from everyone and also to try to move forward. Yes, James?

JAMES BLADEL: Yeah, thanks Rafik. I think when I put my hand up, I was asking a similar question to Mark SV which is how are we going to get on the same framework before we dive into the substance of these comments and I see, I think from Alan's comment and some of the text in the chat, that folks want to dive into the material here.

But I wanted to disagree with Laureen's characterization that the purpose of comments is to find out if enough critical mass means we need to change our recommendations. That's never been the approach that I've used in any PDP where the comments were used to solicit input, perspectives, and data in some cases were applicable that was not available to the working group during its deliberations. Having a hundred comments repeat one side's arguments and a hundred comments repeat the other side's arguments is not a good use of the public comments. I think we just essentially take note of that.

I think what we're looking here for is novelty, something that we haven't seen before, something that we haven't heard before. And then incorporate those into our recommendations. But I guess I'm going back to what Mark SV said, Rafik, we need to get on the same page here and be operating from the same set of framework of expectations in order to make progress. Thanks.

RAFIK DAMMAK: Okay. Thank you, James. Okay, Alan Woods.

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ALAN WOODS: Thank you. Again, this is based on the fact that we're going into the detail of what is there, and I think just generally from the registries' point of view, be clear. If you're looking at the comments that we would agree with in general and, just [put it in general], I agree with the registrars and their points in there.

But just to give a little more color to that while we're on the call, it's just to say that it is clear that there are issues with regards to the assessment as to what is a priority, who sets the priority, what are the abilities for us where it says in the recommendations that we can actually disagree with the priority. It's so unclear, and especially when this is being linked to SLA specifically, and SLAs are being linked to contractual compliance and the results of that.

This wishy-washy language must be looked at. I think that is one of the things that is a theme going through this. So, generally, agree with the registrars, but at the same time, creating SLAs based on absolutely indecipherable timeline starts, number one, and also indecipherable allocations of what is priority or not needs to be changed and I think that's a general idea.

RAFIK DAMMAK: Okay. Thanks, Alan. So, the question here maybe, what you would propose to resolve this issue? I mean, we are trying here to find out all those concerns to review them but also to propose or suggest in how we can respond to this or, if we need to, amend the language or edit it. So, do you have any suggestion?

ALAN WOODS: Me?

RAFIK DAMMAK: I know it's not easy, but yeah.

ALAN WOODS: Yeah. Generally speaking, then if I just jump in, because now I'm here. Very quickly to say, well, that's a hard question because again, we are up against a very tough deadline here and genuine concern is clearly being given by people reading the report and those people who are people potentially who are even on this call. But rereading the report, they see that there are gaps that would allow for a proper policy to come out of it, even out of IRT.

So, my recommendation, I don't know what it is. This is sort of a really odd position that we're in where we genuinely do not have enough time to even consider the public comments in a timely manner, not to mention actually put some sort of a change in in the background. So, I don't know. I mean, there's clearly some issue here and there's clearly a lack of clarity that needs to go into our recommendations. But as to how we're going to fix that, that's anybody's guess.

RAFIK DAMMAK: Okay. Thanks, Alan. Sorry to put you on the spot, but just maybe if you can have time to think about and come back with a proposal, maybe not during this call. But, I mean, it's the way how we can progress. Okay, so we have Hadia and Alan, and just I don't want to kind of reiterate or to not allow anyone to speak, but I think the

idea here is—I mean, you are from the same group. So, I expect probably want to talk about the same thing. Who will speak here? Hadia or Alan?

ALAN GREENBERG: I don't know what Hadia's going to speak about, but I want to speak about process, not the subject specifically, and I think that I have a relevant comment to make. But I don't know what Hadia is going to speak about, so it's up to you to decide.

HADIA ELMINIAWI: And Rafik, I think also I have a comment that has not been made before. So, I guess we need both to speak.

RAFIK DAMMAK: Okay.

HADIA ELMINIAWI: Also, I haven't spoke before.

RAFIK DAMMAK: Okay. Hadia, I'm not counting how many times people are speaking, but okay, please go ahead.

HADIA ELMINIAWI: Thank you, Rafik. However, I do think you need to count how many times people speak on a topic. And, Alan, as he mentioned,

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he is also speaking about the process, which also has not been addressed before. Thank you.

So, my comment is with regard to the coronavirus. In the age of coronavirus, we have seen DNS hijacking, attackers that redirect users to malicious coronavirus-themed webpages. COVID-19 has been a theme that cybercriminals have been using to attract victims. We have also seen efforts to go after those websites and we have seen also that two days was not an acceptable time to do so. So, if we have learned anything from the past couple of months is that urgent requests will require urgent responses. And for that, I reiterate that if a request is received on a Friday afternoon and the answer is on a Monday morning for an urgent request, that's not good at all. Thank you.

RAFIK DAMMAK: Okay. Thanks, Hadia. Alan, please go ahead.

ALAN GREENBERG: I wanted to respond to James. Like James, I've spent an awful amount of time of my life reviewing comments. I've been doing this now for 13 years. And my impression is that when comments come in, you have to actually look at them and think about them. And in my case, I remember more than a few times where a group has discussed something, came to a conclusion, but in light of the comments, sometimes a lot of them, sometimes with a different twist, we actually talk about it and change our mind. The public comments can and should be able to influence us to say we didn't come to the right conclusion the first time, there are other things

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that have to do. So, just because we had a long discussion about it does not mean we should toss comments away without actually considering them and considering whether maybe we do have to make a change. That's the whole purpose of comments. If submitting a comment on something that was discussed is a waste of time, I like that. We're going to have to spend a lot less time in At-Large formulating our comments if there's no point in objecting to something we disagree with because it was already discussed. It sort of makes the whole thing a sham. Thank you.

RAFIK DAMMAK: Okay. Thanks, Alan. Since you talked about the process here, and I think it's important to all that we are on the same page on how we will proceed, because this is not just for this call, but for the next call until we get the final report. What we are trying … It's not about counting how many comments support one option or another, but yes, it's really about to see if there's anything that can be useful to change the mind position within the group and to try to use that as input. That is why we are seeking for feedback and having this process for getting public comment.

So, we're trying to do our best here. Again, it's also about responding to specifically to the concerns. So, we are taking time to go through all and review all the comments [just here,] this discussion document's really more as a tool to kind of facilitate that process. Because you can still see, if I can maybe label that row "data" of the public comment review tools, but here it's just to help us in the way that we can focus on what may be something that we might miss it or we need to respond to.

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And so, again, as I asked before, I'd like Alan Woods to make some suggestion—and this is for everyone. But maybe for this case it's question maybe or ask to the contracted party if they can think about what safeguards that would need to be put in place in relation to criteria for an urgent requests that needs to meet the requirement to make 24-hour response time acceptable. So, that's kind of here to be more proactive and see if we can have any proposals. So, I'm not asking to get this right now, but maybe it's kind of homework to get it done.

Okay, sorry for my speaking a little too long. Brian, over to you.

BRIAN KING: Thanks, Rafik. I'm still not entirely clear on what we're doing here. I think we'd really benefit from some direction or for you or staff to either take these question by question and ask for folks to speak to those, or for folks to get their comments into the document so we're all on the same page with what everybody thinks and what we're doing. I note some comments in the chat, including from Milton, that I agree with. We should get down to the substance here. I'm happy to do that, and I'll do that with this comment. But we really need to be clear about what in the world we're doing here and how this is going to go. It's going to be a waste of time if we spend time fighting about that or even discussing it, frankly. We just need to agree on how to do that.

So, in a substantive comment, the first one I have is that the concern B that was addressed about providing evidence to support tagging a request as urgent should be assessed and standardized by the central gateway. I noted that Alan Woods

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noted in the chat, which I thought was wise, that just because something is urgent to one person doesn't mean that it's urgent to another. And what we can't risk is having requests that are objectively urgent not treated as such by some given contracted party because there's flexibility in interpretation at the end of the chain. I think it needs to be centralized at the gateway and that'll add standardization. So that's a substantive topic I don't think that we've covered before. So, I'm thankful for the comment and the IPC supports moving forward with that.

As a general point on urgent requests and timing of SLAs, I would just note that if fast SLAs are a challenge— and I note there are some concerns about how fast responses need to be provided in these cases, I'm going to sound like a broken record but that's all the more reason to have centralization and automation in every possible case. And that is the answer. The answer is not asking contracted parties to do manual review faster than they're able to or comfortable doing. The answer is centralization and automation. Thanks.

RAFIK DAMMAK: Okay. Thanks, Brian. So maybe going back to the first part of your comment, I guess maybe I failed to be clear in how we'll proceed and to get all of us on the same page. So I would ask here maybe Caitlin to explain, but just also want to highlight, this is not our first time as a team to do a review of public comment. We did it in phase one too. So I'm just [inaudible] it's not our first exercise. But anyway, if I can ask Caitlin maybe just to kind of rephase or repeat kind of the idea we have here in terms of process for the public comment.

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CAITLIN TUBERGEN: Thank you, Rafik. So just to remind everyone, when we give you the silent reading and caucus time, what we're looking for is based on the comments and concerns flagged, what changes should be considered to the specific section. In this particular instance, when it comes to urgent requests, it seems that there are some requests or concerns that one business day might be problematic in some instances. So perhaps what we could think of here is, are there additional safeguards that could be put in place that would make the contracted parties more comfortable with a 24-hour SLA? Or is that not possible?

RAFIK DAMMAK: Okay. Thank you, Caitlin. I think that's maybe more clear and practical. So let's see if there are any comments. Yes, Volker.

VOLKER GREIMANN: Yeah, I think it's very hard to come up with the specific safeguards on the fly for what we would need for an urgent request, but to respond to Brian's comment, we never saw that the urgent request would be a shortcut to automation and we always felt, contrary to something that was mentioned in one of the comments above that urgent requests should really be limited to life and death issues, not any [old abuse] issue, because once you add standard abuse like malware or anything else in there, then everything becomes urgent, and therefore the pipe gets clogged and no use can be gotten out of that queue anymore because it becomes unusable.

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So one of our safeguards would clearly be life and death, and yes, if you're making an urgent request, you should demonstrate the need for that data just as any other requestor. You'd just get the fast lane, you don't get any other shortcuts. So that would be the minimum safeguards, and I think there will have to be more in implementation, but at this stage, it's probably too far down the line to start making very clear descriptions for that.

RAFIK DAMMAK: Okay. Thanks, Volker. I see also that Mark is in the queue, so maybe taking the opportunity here. So you both worked on this. Maybe if you can come up with—write something, proposal. So I'm not suggesting to do it right now, but you still have time to think about. So I'm trying here to find kind of how we can balance between all these different concerns and try to respond to that.

In the meantime, Mark, please go ahead.

MARK SVANCAREK: Thank you. Two comments. Actually, Volker and I worked on the nonurgent request portion—everybody in the group worked on this section, but Volker and I specifically worked on the nonurgent one, the priority three ones. So we don't have any special knowledge related to this. I'm sure Volker and I would be happy to go off and party on this some more, but everybody worked on this one. Just saying.

The second thing is though, I think that the conversation—Volker's intervention is a good example of where we need to have some common body. The central gateway manager, I think, is probably

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the best place where there is a standardized definition of what urgent will be, because Volker's comment of life and death, clearly, that's true, but then determining what is life or death, if somebody wants to attack the water plants, okay, that's probably life or death. Somebody wants to attack so-called critical infrastructure, is that life or death? I don't know. Critical infrastructure generally gets a pretty high priority in many places.

So I don't think that we've ever agreed on life or death. I think critical infrastructure was more along the lines of what we were thinking—I may have misremembered that, it but it really does point to the point in a similar comment that we really need to have a central decider of this, otherwise it's not going to work. Thanks.

RAFIK DAMMAK: Okay. Thanks, Mark. Okay, so we are still [the first priority, and I see] several questions are just people asking us which comment we are reviewing. So there are different concerns and some were brought by those who spoke already. So if you think there's something that was missing or was not brought, this is a good time to do so. And what we are trying here is kind of how we can respond to all those concerns and to how we can bring them together and address them through amending or editing the recommendation.

So I know that can be challenging to do that on the fly during a call, so probably, we can have—as what was explained in the beginning, we're likely expecting the staff to work on some language based on your input or have volunteers form the team to

work on that. Possibly, we can volunteer again Mark, Volker, but we can add others who help here.

Okay. Any comment, question? This is, again, just the first reading and we can see that we still have to respond to the first priority and to work on that. I guess one way maybe is to move to the second one, so we can keep going through and reviewing all the concerns and see what—any [inaudible] or a new thing that should be discussed by the team.

Okay, I guess we can go again to give time for the team to review for five minutes, and let's see how we'll go forward on this one. Yes, Caitlin. Maybe you want either to correct me or you want to add something. Please go ahead.

CAITLIN TUBERGEN: Thank you, Rafik. I just wanted to give a quick overview of the comments before we dive into the silent reading period. I also wanted to just provide a reminder of what we're looking for in the silent review period.

So with respect to priority two, as you may remember, this is administrative proceedings such as UDRP/URS and the proposed SLA, and the recommendation was two business days. The overarching concerns for priority two is that there should be some additional categories added to the priority two and two business day SLA.

There were some clarifications being sought about what we mean by UDRP filing. Does it mean that the provider is requesting information through the SSAD, or is it someone who'd like to file a

UDRP or URS? And what exactly does this apply to? And similar to the concerns raised in priority one, there's the same concern about providing evidence and examples of that evidence.

And I'd like to note that when we go through this, we're looking for, based on these concerns and comments, what changes should be considered to this specific section of priority two requests? And with the comments, how can the concerns be balanced with previous deliberations or address the concerns that others have expressed here. I hope that's helpful as you read through these comments on priority two. Thanks, Rafik.

RAFIK DAMMAK: Okay. Thanks, Caitlin. With this, I guess we can move to the next section and can start five minutes again for silent reading. Yes, you can use your own channels to caucus and coordinate kind of to bring any concern or anything that we should discuss. Okay, so Terri, can we start the ... Thank you.

TERRI AGNEW: One minute, everyone. We have one minute.

Five minutes is now up.

RAFIK DAMMAK: Okay. Thanks, Terri. So we have Brian in the queue. Brian, please go ahead.

BRIAN KING: Thanks, Rafik. I wish I would have thought about this before we sent everybody away for five minutes to discuss this, because if I recall correctly, what we're talking about here is UDRP and URS providers and a two-day response time for those requests, and we actually are considering that those should be automated. So that might turn this whole section on its head, because two business days is not automated. Automated requests are milliseconds.

So sorry if this turns this on its head, but it might make it a lot easier for us to get through this if we consider that UDRP and URS requests are automated. Thanks.

RAFIK DAMMAK: Okay. Thanks, Brian. Volker.

VOLKER GREIMANN: Yes. Just a few comments. With regard to A, we don't have an opinion at this time. We'll probably have to huddle a bit more. B is same thing. C, we don't agree with this. Day one functionality should not really be a target for us. That's an implementation issue, obviously, ultimately.

D, we don't agree with this at this time. E, we don't think it 's relevant as the [priority] only applies to UDRP and URS providers, not complaints. F, we have no opinion at this time. We'll have to review a bit further. G, as it only applies to providers, not requestors, requestors don't get the data and therefore this is not really relevant and therefore the confusion shouldn't apply.

H, I think the hows and what's and wheres should all be handled by the UDRP—the IRT. And finally, I, we have to look at this again a bit more in detail. Thank you.

RAFIK DAMMAK: Okay. Thanks, Volker, for going through the concerns. Checking if any other groups want to speak here, if they have anything they want to bring up. Yes, Amr, please go ahead.

AMR ELSADR: Thanks, Rafik. I'm wondering, should I limit my input now on our thoughts on the concerns already submitted, or should I also add some of the NCSG's concerns here?

RAFIK DAMMAK: I think it's better to bring both. I think that will be helpful for the whole team.

AMR ELSADR: Okay, great. Thanks. Well, on the concerns already submitted, I think this will become evident when I speak more to the NCSG sort of issues, but I think we may need to rework a lot of what concerns dispute resolution processes in general in this context.

And I wanted to note on concern C, which says that priority of cases should be capable of automation from day one, the way I'm reading this—and I'm not sure because I haven't read the comments in full, this is just an extract, but the capability of automation is one thing, and having a policy decision to actually

automate the decision to disclose is another. And if I'm not mistaken, the capability to automate is something is something that's already in the initial report. But that doesn't mean that automation of the decision to disclose will actually take place.

In general, I think we agree more with some of what's been said from the registrars on this, but just to provide context from an NCSG perspective, we think that it will be problematic in general to set strict deadlines as is proposed in the initial report. There are two phases in describing the initial report post policy effective dates. And the outcome of those would be a very strict time period for all contracted parties to be complaint with if they don't want to sort of become subject to compliance enforcement.

To me, this sounds like an unrealistic sort of solution. There are different factors that will affect different contracted parties such as the numbers of disclosure requests being submitted, the resources available to each one of the contracted parties, and if we set a very strict policy, particularly on priority two requests—I'm not talking about priority one, just basically priority two here and possibly even three, but if we do set these very strict deadlines to respond to disclosure requests without taking into consideration the individual circumstances of each contracted party, we're basically going to end up with an ICANN policy that requires contracted parties to either choose to comply with the policies or be in a position where they would need to comply with the policy by not completely complying with data protection law. And this would undoubtedly affect both them as controllers as well as registrants.

So I think we need to do a little more work on this and possibly come up with a curve or gradient that takes into account the different factors in play, and we may not be in a position to do this now but we may be able to do this following these two phases that are in the initial report.

The other thing that I wanted to bring up here—and it probably isn't terribly relevant to recommendation nine, it might be more relevant to recommendation seven or eight, but it's applicable here because there's an example of priorities being shifted. So for example, having a priority shifted from priority two to one and three to two. The example here is for a UDRP or URS case.

The NCSG plans on submitting in its comments guidelines published by the European Data Protection Board that were published in October. This was, I think, seven months after we published the final report for phase one. And our reading of these guidelines is that the legal basis 6.1(b) may not actually be the most appropriate legal basis to process registration data for the purposes of dispute resolution policies. 6.1(f) might be a more appropriate basis. In that case, balancing tests may be required and it might change how we approach all of this.

NCSG plans on submitting more details to this, but I'll put a link to the guidelines in the chat of the Zoom room and I encourage folks to go through paragraphs 27 through 34 where the reasoning behind some of this is described. Thank you.

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RAFIK DAMMAK: Okay. Thanks, Amr. That's a lot to digest, but it's good. Yes, Alan, please go ahead.

ALAN GREENBERG: Thank you. I'm rather confused here. As Brian pointed out, we have made a decision that we could automate these requests. These requests, we have existing policy within ICANN saying registrars or registries must respond to URS and UDRP providers. We have not discussed in this PDP at all the concept of changing that policy, and therefore, we have to follow that policy, and that policy says this information must be released to these providers.

So I don't understand the rationale for having this discussion at all. We have made a decision—unless it's changed—that we're going to automate these kind of requests and therefore they will be automated, presumably. And I don't know what the purpose of this discussion is. If we're rethinking that we want to recommend changes to the UDRP and URS policy, then we need to be saying that. But I thought we'd defer that to another PDP altogether, and I've never heard a comment saying we're going to change this particular rule.

So we either need to get real or be honest about what we're saying, because I don't think we're using our time productively at this point. Thank you.

RAFIK DAMMAK: Thanks. I think Volker and Amr could respond to that maybe clarifying. So just to confirm, Alan Woods, I think you were in the

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queue but you left. Just tell me if you want to join again. Volker, please go ahead.

VOLKER GREIMANN: Yes. I don't disagree that there's a policy that says that we must disclose certain data. However, all policies of ICANN are still under the requirements of the local laws that we also have to follow, and if there's a conflict between policies and local laws, sorry, the policy is gone, or has to be circumvented, or some other way dealt with.

So if we were to find that a certain request—which still might have to go through a balancing test—would severely be impactful of the rights of the registrant depending on who the UDRP is filed by or any other considerations, then there might be cases—I'm not saying that this should be the norm, I think it would be probably the exception—where even though the policy says that we must disclose, we shall not disclose because the request does not meet the balancing test.

That is a consideration and a concern that has to be raised. And I'm not saying that this is the norm, this is something that'll probably happen very rarely. Long story short, balancing test.

RAFIK DAMMAK: Okay. Thanks, Volker. We have Amr and then Brian.

AMR ELSADR: Thanks, Rafik. Yeah, I totally agree with everything Volker just said. And Alan, like I said, the European Data Protection Board published these guidelines seven months after we finalized the report for phase one, and because they are not working according to our schedule doesn't mean that we need to ignore some legal guidance coming from a considerable authority on the matter.

And I think there are different tools and avenues at our disposal. Ultimately, whatever recommendation we provide will go to the GNSO council. The policy recommendations we provided in phase one concerned ICANN's purposes for processing registration data. Right now, we're discussing purposes concerning third parties, which are also part of any dispute resolution process at ICANN, whether it's UDP, URS or others.

So I think it's perfectly appropriate for us to provide further recommendations on this and possibly even revise previous ones. Another one might be that we might want to recommend that the GNSO council send this to the RPMs PDP. I'm not saying that's what we should do, but I think that is another possibility. So I think the right thing for us to do would be to explore these possibilities to make sure, to the extent possible, that all of our recommendations are consistent with what we understand to be data protection law. Thank you.

RAFIK DAMMAK: Okay. Thanks, Amr. Brian.

BRIAN KING: Thanks, Rafik. I'm a little bewildered by this conversation, because we've agreed to automate these in the automation section of the initial report. So I don't know what we're talking about here. But it sounds like there might be some legal concerns which I [can't] understand, but if that is the case, I would note that we have asked a question to Bird & Bird bout automation, and that question includes the automation cases that were in the initial report. So let's sit tight, wait for that legal advice, and that should probably help inform our decision and our discussions here. Thanks.

RAFIK DAMMAK: Okay. Thanks, Brian. I'm not sure, I guess, whether you wanted to speak again or if you can lower your hand. Thanks. Okay, so that was for the priority two. Are there any further comments or any other concerns that we want to bring up?

                     Okay. So we're trying to get all the input, and then we can see how we can use that and how we will proceed as next step. But before moving to priority three, we'll ask [inaudible] to give summary. And I see that Stephanie is in the queue. Stephanie, please go ahead.

STEPHANIE PERRIN: Thank you so much, Rafik. I apologize, I had to leave for another meeting, so you may have already dealt with this. But I just wanted to bring up a concern that I have that when you start talking about the categories of request, it does seem as if people are underestimating the broad range of quality in the requests and treating them as if they can all be met within a certain specified

period. And that's just not the case. Some of these requests, even though nominally they fit in the category, they may not be legally valid. So those ones will take much more time and follow-up and all the rest of it.

So I just want to warn—as I have in the past—about this whole concept of automation. It does not mean that once categories are delineated—whether it's a category of requestor or a purpose of request that this makes it fall into a mechanized, time limited format. Thanks. And again, apologies if you've already gone through that.

RAFIK DAMMAK: Thanks, Stephanie. Alan Woods, please go ahead.

ALAN WOODS: Thank you. This is actually a direct follow-up to what Stephanie's just saying there, and knowing that the registries have not put in their comments yet, just kind of, it is touching on something that we do have in our public comments, specifically relating to the fact that we do not know as technically—well, it's stated in footnote 17 in recommendation 9 as to when the times run from in this SLA, and it is from when centralized gateway sends the request after it automatically states that it is considered complete.

I think this runs into what Stephanie is also saying, that just because an automated review of something says that box A, B, C and D have been completed and there's stuff in there doesn't mean that it's going to be a complete request and it needs to be looked at.

Again, I just wanted to give an update that that's one of the comments that will probably be in the registries. Again, the complexity is not going to be capable of automation and even setting the time limits for these SLAs. So the running of these SLAs is already even in doubt, so again, this goes back to my previous comment of this is all very wibbly wobbly [tiny whiney] at the moment and an SLA that has consequence such as this needs to be much clearer in our recommendations.

RAFIK DAMMAK: Okay. Thanks, Alan. Let's see if there is any further comment. With that, I will ask Caitlin, if you can, give maybe a summary here of the different input and suggestion.

CAITLIN TUBERGEN: Thank you, Rafik. All other requests that are not urgent or administrative proceedings like UDRP or URS fall into priority three, and some of the general concerns expressed here similar to the other categories are concerns with respect to the timing. Some are requesting that it's shorter or longer as well as the categories and what should be included in priority three.

There's another concern brought up that I don't know that the group has talked about yet, and that's how the language of the request might factor in and affect an SLA. Thanks, Rafik. That's the overview.

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RAFIK DAMMAK:	Okay. Thanks, Caitlin. I guess we can move to the next priority. And can we move [inaudible] again five minutes as [inaudible] what kind of concern we need to respond and also how we can respond to that. Okay, so let's start these five minutes of silent review.
TERRI AGNEW:	One minute left. Okay, Rafik, time is up.
RAFIK DAMMAK:	Okay. Thanks, Terri. I see we have Volker and Laureen in the queue. Volker, Dōzo.
VOLKER GREIMANN:	Arigato. First three points, we have very clear position of no, that's not what we discussed and agreed to. I think there's [no] arguments that have been made against that, first and foremost, of all these tech-related comments. We are still dealing with registration data here. So even though you have maybe higher fraud on the weekends, knowing the registration data will not help you immediately turn off [inaudible]. It's just a tool that you can use for other things. Ultimately, remediation issues might be on a different schedule, but that's not what we're talking about. We're talking about access to registration data here. So the response times are kind of arbitrary anyway.

We also do not agree that the proposed edits under G is an error. I think if anything, all the references to contracted parties are the error because ultimately, it's still going to be registrars that are closest to the registrant, and therefore the ones most likely to provide the answer.

And finally, F, we basically agree to this comment in a way since language barriers are something that we are experiencing on a continuous basis [inaudible] as well. Obviously, if somebody contacts us with a request in a language that we do not support and provides evidence in a language we do not support, then probably, response times will be very short because we will respond with a, "Sorry, we can't help you because we don't understand your complaint." So language barriers are a concern and that's probably something that should be addressed in the IRT as well.

With regard to longer-term research, I don't think we have had enough time to debate the research topic to the end, and that's something that probably will have to be picked up at a later date. at this time, I do not see how balancing tests would be met by general research requests for access to certain data. That's all the comments here.

RAFIK DAMMAK: Thanks, Volker. We have Laureen, Mark SV and then Brian. Laureen, please go ahead.

LAUREEN KAPIN: Yes. I wanted to focus on concerns C and D because I think these raise a very good point about requests that perhaps don't fall into the urgent category but still should have a high priority or a higher priority than the five-day SLA. And that concerns these examples of phishing, malware, fraud. I'll just put it under the rubric of consumer protection issues related to the DNS.

That isn't something we really considered and discussed whether there should be some sort of category in-between urgent and the five-day response time, but my proposal would be that perhaps we should be creating a separate category that does prioritize these phishing, malware and fraud issues above the five-day SLA time.

RAFIK DAMMAK: Thanks, Laureen. Mark SV.

MARK SVANCAREK: I just wanted to amplify something that Volker said. When you're looking at this, the numbers are more or less arbitrary. We picked them because we thought they would survive consensus discussion and actually make it into the document. The point is that there's a year before any of this stuff goes into effect. We have a lot of time to determine what the real numbers are going to be, where the real bottlenecks are, who's capable and who's not capable, who's abusing the system and who's not. So that should be kept in mind when you review these things.

So the comments on five business days and things like that, I tend to agree with them, obviously, but that shouldn't be our priority for reviewing these comments here today. So I just wanted to make

RAFIK DAMMAK: Thanks, Mark. Brian?

BRIAN KING: Thanks, Rafik. I'd note here that to take this up to a macro level, the reason that we're talking about this hybrid model and not the central model was because of an interpretation of a letter that we received from the Belgian DPA that cast some doubts about that. And since we received that letter and kind of shifted gears here, the Belgian DPA actually clarified its preference for a centralized decisionmaker and a centralized model that up until December I guess, we were working toward as a common goal.

And I would note that in that model, the decisions are made centrally and contracted parties' concerns about these SLAs and how quickly they're going to have to do this would go away. So I would really just invite contracted party colleagues to kind of rejoin that conversation and understand that if you're not making the decisions, it doesn't matter what the SLA is, it's ICANN's SLA and all you have to do is set up an RDAP server, which you've probably done already.

So our point here is that if the SLA—this is what industry, the cybersecurity and IP folks are requiring. And frankly, five business days is way too long for many types of requests. I understand where our contracted party friends are coming from. I've managed abuse inboxes and compliance teams for a number of registrars,

and I understand that a contractual requirement to do this within a low number of days is uncomfortable, and I completely understand that.

And I'd say the answer is not to say that you can agree to an SLA that's a bigger number of days. The answer is to make ICANN do it as the controller. So I'd really invite you to rejoin us in that conversation, because a longer number of days is not going to work for the folks that need to process this data. Thanks.

RAFIK DAMMAK: Thanks, Brian. Milton?

MILTON MUELLER: It's unfortunate I have to follow Brian's comments, because it sounds to me like he's trying to undo the entire compromise upon which the phase one report was based, in other words, pushing for a centralized model when he knows that very substantial part of the EPDP team does not support that and will not support that.

But my comments—and indeed, we are talking about priorities here and about recommendation nine and not about the entire model, which is a different recommendation. So I will pass over that with my concerns duly noted and focus on these specific comments.

What I'm getting from a lot of these comments, particularly things like C and D—actually, C is a good concern. We do need to clarify what priority typical requests fall in, but what I'm seeing in D and in some of the comments is that nobody thinks that any major

category of request is ever going to be priority three, which is think is a troublesome statement. Everybody wants priority one and they want their data immediately if they can get it, and this is just, again, not going to be a viable request.

We did agree on having urgent priorities, and we defined what those urgent priorities were, and most requests are not going to be fitting into that category. So we have to accept the prioritization, I think, that we established. I don't hear any strong basis for rethinking that. I simply hear that certain requestors want data as fast as they can get it, which we all know, but it's not really the policy that we're going to agree on.

So when we're debating priorities, let's make sure that priority three is not an empty category, and I would say that most routine—what used to be WHOIS—queries are going to be priority three and that we're going to have a thin, maybe 10% tier at the top that are truly going to be urgent in some sense, and if we keep things that way, then priority three requests will probably be responded to relatively quickly because they won't be rushing to meet thousands of things that claim to be priority one or two.

So those are my takes on the concerns expressed. Thank you.

RAFIK DAMMAK: Thanks, Milton. I see that Mark in the queue [will probably] want to respond here, but before that, there is a time check. We have less than 20 minutes left in the call, and I don't think we'll be able to finish this discussion table for today. So we'll hear from Mark, and then we get summary from Caitlin. The idea is we'll give time for

people to finish homework, complete the review of recommendation nine, and the staff to try and come up with some edits to address the comments reviewed to date. but we will continue later on the review for recommendation number nine and also try to cover the next agenda at least to go through the discussion table to prepare for the next calls. So this is kind of just to explain the background here, but let's hear from Mark as this can be used as input for the staff. Mark, please go ahead.

MARK SVANCAREK: Thanks. I want to acknowledge something that Milton said. There is always the concern that everything will get pushed through priority one and that priority three will become an empty set. I think it's okay to be concerned about that; that's a very reasonable concern. But I would say reading these public comment doesn't necessarily mean that people are trying to push everything to priority one. They're just saying that they think that the SLAs that are put forward in the report—which we've already established are arbitrary—are too long.

And I think it's okay that we take that feedback without automatically assuming that they're trying to make everything priority one. They may very well be, but you can't determine that from these comments. I think they're just saying that the SLAs put forward in the report right now are too long, which is something we already knew. So that shouldn't be surprising, but I don't think that we should—I hear what Milton's saying, I just think that he doesn't need to be quite as concerned as he said he was. Thanks.

RAFIK DAMMAK: Okay. Thanks, Mark, for the comment. I'd like to ask here Caitlin just to give us a summary and then moving to the next agenda item.

CAITLIN TUBERGEN: Hi Rafik. I'm giving a summary on the discussion table for recommendation one; is that correct?

RAFIK DAMMAK: Summary for recommendation number nine, yes. For the priority three, what we just discussed, if possible.

CAITLIN TUBERGEN: I think based on the conversation, there are still concerns about the SLA for priority three. We heard what Mark just said, which is that the SLAs that were put forward in this document were arbitrary, and there was also a concern expressed that it seems that every category of requests is presuming that it should be priority one and that that could be abused.

So as berry noted in the chat, it would be helpful if we could get some volunteers to consider the context of safeguards and audits, and indeed if the priority one category is being abused, it could be that the requestors would lose their accreditation for the SSAD. And I see that Mark SV has volunteered.

RAFIK DAMMAK: Okay. Thanks, Caitlin. Thanks, Mark, for volunteering. So again, just to remind everyone, please continue the review of the

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comments for recommendation number nine. We will continue going through the discussion table next time, so being prepared and ready will be helpful to go through that quickly.

Okay, so let's move on to the next recommendation, and Caitlin, please, if you can go through and maybe give a briefing about this discussion table for recommendation.

CAITLIN TUBERGEN: Thank you, Rafik. A couple of high-level comments about the recommendation one discussion and table. The first is that this is on the accreditation recommendation, which as many of you probably remember is a very long recommendation, which is part of the reason why this discussion table is so long. I believe it is almost 40 pages.

Many of the comments that were received on the accreditation recommendation are asking for further details. So when you read through the comments, we would ask that in the comments that request further details, if you could suggest that either those details need to be fleshed out now within the recommendation text, or if this is something that could possibly be dealt with in implementation.

The first couple of proposed edits deal with the definitions themselves. So the ask for those proposed edits is fairly straightforward: do you agree with the edit or do you not agree with the edit? We'll note that the third section deals with signed assertions and there are a lot of questions in reference to signed assertions. For example, are the signed assertions attached to the

accredited entity, the request or both? And so we're hoping that the folks that put forward some of these recommendations on signed assertions could clarify in those clarification boxes what was meant in that text.

The fourth section, which you see here, is concept of trusted notifies. That was a new concept that was put forward. So please review the proposal and indicate if your group is willing to support that proposal. Also, the group that did put forward the proposal, we would recommend putting forward specific language that could help advance that discussion.

For the accreditation authority, there are a number of requests for further clarification around who can get accredited and whether or not an individual accessing the SSAD on behalf of an accredited legal person would also need to be separately accredited. So please have a look at those questions and provide any clarification that you can in the rightmost box.

This section deals with a question raised regarding reaccreditation, and staff support put forward a proposal, a reaccreditation period of five years. I believe that's based on how we accredit registrars. It's five-year periods. So we just put that as an example, but the group is obviously able to opine on that.

The next section details a number of concerns and clarifications related to the accreditation authority itself. Clarifications are sought specifically about how the accreditation authority is expected to verify identities of the requestor as well as the signed assertions that were mentioned earlier in the recommendation.

Moving along, there are several questions related to the code of conduct: who is responsible for developing it and consulting with stakeholders?

In terms of going through the whole recommendation, there were several comments about making it clear who is responsible for what. So as you're going through the draft recommendation text, please pay attention to the recommendation and who is required to do what. In other words, we're trying to avoid the passive voice in this recommendation so that it's clear to the implementors of the policy what the responsibilities are.

In relation to the revocation policy, there's an ask about an appeal mechanism for any decision to deaccredit, and then there were a number of clarifications requested regarding what abuse of the system entails, who's expected to monitor the abuse and judge whether abuse has taken place, also how the graduated sanctions will look.

In terms of the next section on fees, the EPDP team may want to consider these in response to the input that it already provided on the financial sustainability recommendation.

And lastly, at the very end, there's a table marked "other," and these are comments that are mainly of an editorial nature, which the support staff can address in the next version of the report.

Again, as we've said, in reviewing these tables, we tried to do our best to summarize the comments and group them together, but if you feel something is mischaracterized or missing, please feel

free to flag it and be prepared to discuss it during the next meeting.

In terms of next steps for this table, we're asking everyone to review all of the comments in the public comment review tool and then use the discussion table as a means to flag comments that you think represent new information that needs to be discussed, or if any information has been provided that would change the group's view of how the recommendation is currently worded.

As I noted, there's also several clarification questions and we ask that you provide additional information that could help with that clarification. The proposed deadline for this is close of business on Tuesday, and we ask that so that on Wednesday, the leadership team can meet and organize the comments that need further discussion so that we can better prep the agenda for Thursday's meeting and organize the discussion around that.

Going on to recommendation two, that is specifically about the accreditation of governmental entities, and I'll note that the overarching concerns with recommendation two is how does this differ from recommendation one. So there's been a couple of suggestions for the folks that have drafted this to pull out the unique parts of the recommendation rather than restate all of recommendation one within recommendation two.

Additionally, there are several concerns mentioned about some definitional concerns, what a public policy task is, for example, who would accredit the governmental entities, do the governmental entities only apply to national entities or is this something for local law enforcement as well?

So it might be helpful with this particular recommendation to have our GAC colleagues who developed this to go through the concerns and clarifications and see if you could put forward a proposal that might work, specifically in relation to pulling out what's different about this recommendation versus recommendation one, because that seemed to cause quite a bit of confusion with multiple commenters.

And similar to the deadline for recommendation one, we're asking that groups review recommendation two also by close of business on Tuesday and flag what new information has been provided or what comments have been provided that would make a change to the recommendation. And again, if you think that a change to the recommendation text is needed, we ask that you propose the specific change within those tables.

Rafik, I'll hand the baton back over to you.

RAFIK DAMMAK: Thanks, Caitlin, for going through the recommendations and reminding everyone about the deadline for submitting comments. So that will help us to review them in the next call, the next Thursday.

Okay, so we have five minutes left and we should wrap the call, but I see that Milton is in the queue. Milton, please go ahead.

MILTON MUELLER: Thank you, Rafik. I just have a process question for Caitlin and Berry, and that is, you've made a nice breakdown of these

comments and given us little slots in which we can put in our reaction, but in my interaction with this form, this Google doc, I don't think I could directly type in our responses to that. So, should I download this document, input our comments and send it to you, or are you looking to have us directly enter those comments into the format that you'd provided?

CAITLIN TUBERGEN: Thanks, Milton. I see that Berry answers the questions in chat, but we're looking for groups to enter their comments directly into the Google doc itself in suggestion mode.

MILTON MUELLER: Okay, suggestion mode. Yeah. Okay. Otherwise, if we all had edit rights, I could put in the IPC's comment, couldn't I? And that would be fun. So, all right, I see it actually does go into the square there. I was thinking it would be off to the side as a comment.

All right, that looks fine. Thanks.

CAITLIN TUBERGEN: Thanks, Milton. And similar to what we did for the table for recommendation nine, I'll go through the tables and put in examples in each of the starting tables so that everyone knows exactly what we're looking for. Thank you.

RAFIK DAMMAK: Thanks, Caitlin and thanks, Milton, for the question. Okay, I don't see anyone else in the queue, so we are now on the last agenda

item, to wrap the call and to confirm for the next EPDP meeting, which will be on Thursday. So as you can see, you no now what we'll address for the next meeting, and so we expect you to submit your comments prior by Tuesday.

Okay, so maybe just to make here a comment in this [also] with Janis, so I think based on what we did today and the experience we have for reviewing the comments and knowing the schedule we have and the timeline, we might have to go with a three-hour call so we can do our work. And when we say three hours, we'll have a break in the middle, after 90 minutes.

So please have that in mind and just prepare your comment prior to the call so that everything will facilitate and make it easier for us to go through all the comments and to address in particular. I think the expectation here is how we can address the concerns and what changes or language we can add to respond to that.

Okay. So with that, just to double check with Caitlin if there is anything we need to remind or add. Otherwise, we can adjourn the call. Caitlin, Berry? Okay. [inaudible] just remind us we have to be speedy.

Okay. Thanks all for today's call and see you soon. This call is adjourned.

TERRI AGNEW: Thank you, everyone. Once again, the meeting has been adjourned. Stay safe and was those hands.

[END OF TRANSCRIPTION]