
ICANN Transcription

Thursday, 13 February 2020 at 03:00 UTC

GNSO New gTLD Subsequent Procedures PDP Working Group

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JULIE BISLAND: Good morning, good afternoon, good evening. Welcome to the New gTLD Subsequent Procedures Working Group call on Thursday, the 13th of February, 2020.

In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you're only the audio bridge, can you please let yourself be known now?

All right. I just want to remind everyone to please state your name before speaking for the transcription and please keep your phones and microphones on mute when not speaking to avoid background noise.

With this, I will turn it over to Jeff. Neuman. You can begin, Jeff.

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

JEFF NEUMAN:

Thank you very much, Julie. Welcome, everyone. If I'm talking too soft, just let me know. I'm at home and don't want to wake everybody up in the house. So just let me know if you can't hear me.

The agenda is up on the screen at this point. I do want to add an item to that agenda if we could. I'd like to add in just to talk a little bit about working methods, if we can just put that as the first item. Then we'll review the draft recommendation for universal acceptance [in] registry system testing, and then we'll get to Any Other Business.

Speaking of Any Other Business, does anyone have anything that they would like to add?

Okay. Not seeing anyone with a hand raised.

Let me ask if anyone has any updates to their statement of interest.

Okay. Not seeing any updates either.

The leadership team had a call today, and I thought we would present or at least start a discussion on what the next steps are going to be, now that we've started going through the draft recommendations that have covered a number of topics already. The logical question is, "Okay, so then what?" We talked about the timing and the workplan. You all should have a link to that workplan. That was in the last meeting. It was in the notes from

the meeting. If everyone still needs it, just let us know. So we're covering the topics as covered in that workplan.

The next step will be that ICANN policy staff and leadership are creating another document that will contain any revisions to the topics that we've been discussing so far. We're going to release those documents in logical batches. When I say "logical batches," I mean material that's related to each other. We're not going to just release one every day. We'll hold off until we've finished a section and then do three or four sections at a time.

When we put those documents out, obviously we'll let the working group now. The expectation at that point is to really adopt some of the procedures that the EPDP has been using and we think have worked fairly well. That is that we're going to produce a template comment form and ask that any future revisions to those topics be really ones that are of necessity to be made and ones that you would – what they say; the expression – die in a ditch for. We're not looking for, at that point, additional questions or comments. It's really the next term. It's substantial comments. Also, on this form, it's going to ask you to quote the language that you have an issue with and then to also propose specific language that would address your concern. Then we'll take the discussions of those on the e-mail list.

So that's what we're thinking as far as the next steps for these topics that we've already been covering. We haven't produced any of those documents yet. This was just discussed at the leadership meeting. We're also going to put out a paper or a note that described the process in writing so that it makes more sense to

you than my quick description now. Plus, anyone that's not on this call will also be able to see what the process will be going forward.

I hope that makes sense. I just wanted to give you all just an indication of where we're at and what our current thinking is.

Jim has put a comment in that says, "Re: the workplan. I had some specific feedback on dates. There might be scheduling issues. Others still under considerations, as I saw the timeline submitted to the council."

Jim, we're still discussing those. I think the most important thing to the council is really the end date and not so much all of the dates in between. So, if we end up changing any of those or moving things around or also having the double extended sessions we were talking about, we could still do that. The important thing for the council project change request is really the date that we expect to deliver it to the council. So, yeah, what you put in the chat is ... Yeah, they're more concerned, I think, with the finished line and not so much how we get there, although Cheryl and I had a call with the Vice-Chairs of the council, just to walk through our project request form so that they understood what was on it, as, generally, the council meeting, when they discuss this next week, I won't be on. Flip, as the council liaison, will be presenting the plan. So I just wanted to make sure that we addressed any questions that they might have so that we can prepare them for any questions that councilors have.

So, I think, overall, it went well, and I think they understand where we're at and at least the two Vice-Chairs are going to also ... What Cheryl and I brought up—one thing—was that, because they

asked here the GNSO Council could help, we responded essentially that we think council members can help us by going back to their respective groups to just encourage their representatives of constituencies, stakeholder groups, advisory committees, etc., to remind them to continue to be collaborative as we get towards the end and make sure that we're really working hard to get compromises where compromises may be necessary.

Just looking at the chat to see if there's anything we need to cover. I think we're okay. Maybe Steve, if I can ask you after the meeting—I can't remember if you sent around the project change request to the full working group, but if you have, great; but if not, maybe after the call or during the call—if someone can send that out to the full group I know it went out to the council.

Any other questions on that?

Okay. Thanks, Steve. Steve or someone will forward it to the full working group. Thanks.

We have two topics to cover today, first one being universal acceptance and the second one on registry system testing, where I promised to reveal the new name for the preapproval program. I know I teased that a little earlier on today. The full leadership team had a pretty good discussion on this and came up with a name, I think, that will satisfy everyone. But we'll see when we get there.

If we can go to the universal acceptance section, I'm going to try to read this off Zoom, but I'm sure someone will put the link in the chat for the working document. By the way, the link is the same as all the other sections we've been reviewing. They're all being put

into the same document, if you haven't noticed. So this section starts on Page 6.

Like the other sections, we start out with affirmations on universal acceptance. The first affirmation is that the working group supports and encourages the work of the universal acceptance initiative and the Universal Acceptance Steering Group. I think we can put in a link and footnote to a link to their work in there. I think that would help, both for the initiative and for the steering group.

Any questions on that one? I think it's pretty self-explanatory.

Okay. Moving on to the next one ... Sorry. I just realized I need to make my participant list a little bigger so I can see if someone has got their hand raised.

Okay. No hands up. The second affirmation is that the working group affirms the 2012 implementation elements addressing universal acceptance issues and, in particular, guidance provided in Section 1.2.4 of the Applicant Guidebook, which was entitled, "Notice concerning technical acceptance issues with new gTLDs," as well as Clause 1.2 of the registry agreement, which is entitled, "Technical feasibility of string." That latter part is, as we've previously discussed, essentially an acknowledgement by the registry operator that we're not guaranteeing that all strings will work in every application due to potential universal acceptance issues caused by elements outside the control of ICANN or the registry or essentially our ecosystem. So that's another affirmation.

I'm looking to see if there's any comments or questions.

No. I think this question is pretty straightforward, so I don't think there's much that's controversial here. Oh, there is a question from Paul. Sorry, Paul. I don't see a hand raised, but okay. Paul, please?

PAUL MCGRADY:

Hi. I just was wondering, for the first affirmation, does our supporting and encouraging the work of the Universal Acceptance Initiative Steering Group make it policy—what we came up with? I mean, are we accidentally make policy? I'm just wondering. Probably not, but I thought I should ask. Thanks.

JEFF NEUMAN:

Thanks, Paul. That's not the intent. If there's a couple words, we can add to that to make that more clear. Let us know. But that's certainly not the intent.

Cool. Okay. That's a good question. Like I said, if there's any words to make that more clear, just let us know.

I think we're on the—yeah—first recommendation here. Principle B from the 2007 policy states, "Some new generic top-level domains should be internationalized domain names (IDNs), subject to the approval of IDNs being available in the root. The working group recommends revising Principle B to read ..." The first parts of the same, and then there's a comma that says, "although applicants should be aware of universal acceptance challenges in ASCII and IDN TLDs and be given access to all applicable information about universal acceptance currently maintained on ICANN's universal acceptance initiative page

through the Universal Acceptance Steering Group, as well as future efforts.”

Now that I read that sentence, it is a long sentence, so maybe we can work on the sentence structure. But hopefully the point seems good.

Jim has suggested in the chat, if we want back to the affirmation ... I guess this is, instead of the word “support,” we could say, “welcomes.” I think that’s fine. This way, it’s not saying that we support everything that they’ve done or make anything that they’ve done actually policy.

Any questions, other than that we’ll work on the sentence structure because it’s a really long sentence for that recommendation? Perhaps any questions on the substance of the recommendation?

Okay. Not seeing anything. Oh, let me scroll up. Sorry.

Good. Then we propose an implementation guidance that we got from our discussions on this topic, which is that ICANN may want to include more detailed information regarding universal acceptance issues, either directly in the Applicant Guidebook or by referencing the Applicant Guidebook to additional resources produced by the Universal Acceptance Steering Group or other related efforts. So there’s some specific white papers and things that the Universal Acceptance Steering Group has done. If ICANN believes that there are certain materials that should be called out either in the guidebook or by references, this is essentially saying that it should do so.

I'll scroll up again here – oh. Jim's got his hand raised. Jim, please?

JIM PRENDERGAST: Thanks, Jeff. The thing that strikes me with that implementation guidance is the word “may.” I just go back to the 2012 round, where I think, even though there was language in terms and conditions and in the guidebook, I still believe there are several registry operators who were really caught off guard by the universal acceptance issues associated with their TLDs. That really hurt them, I think, as far as adoption, when you get first [movers] who have a difficult time with it and they decide to give up on it. So I think “should” or something a little stronger than “may” is warranted in the implementation guidance. Thanks.

JEFF NEUMAN: Thanks, Jim. I think that is helpful. We've been using “may” or “should” interchangeably. I agree with you. I think “should” definitely connotes more of a push to do it than the word “may.”

Paul is suggesting “really ought to.” I think “should” covers that. Oh, that's a joke. Sorry. It's late here. Thanks.

Jim, did you have another point? I see your hand is still up.

Okay, great.

If you read the deliberations section, I think it's that as well as self-explanatory. We do point out that we're encouraging ICANN to more clearly and thoroughly illustrate to applicants the possible

problems that registrants of IDNs in particular may face. So that, again, I think is pretty basic and pretty obvious.

There were no new issues that were brought up in the comment periods or since the initial report. The dependencies here that we added ... Because, remember, the section is not only dependencies on other areas of this final report but also external efforts ... So we have the universal acceptance initiative and the Universal Acceptance Steering Group. We'll put in the links with that as we discussed above.

I think we can – sorry. Let me just double-check here. When I'm in the office, I have multiple screens up at the same time so it's easier for me to see if there's a hand raised, but here at home I only have one screen. Jim's hand is up. Jim, please?

JIM PRENDERGAST: Jeff, thanks. Just to mirror the edit that we just made in the deliberations and rationale section, instead of "The working group encourages ICANN org to clearly and thoroughly illustrate," "ICANN should more clearly and thoroughly illustrate," to strengthen the encouragement and get across the "really ought to" point.

JEFF NEUMAN: I see what Steve is putting in there. If we say, "The working group believes ICANN should ..." Does that address it?

JIM PRENDERGAST: Yeah, that works.

JEFF NEUMAN: Okay, great. I think we can move on to the registry system testing. Before we get started with this section, because we'll be talking about the RSP preapproval process, the name that the leadership team as a whole came up with—when I say “the leadership team as a whole,” I'm also talking about some of the work track chairs that were on this call, people like Martin and Robin and Javier and others; so they all weighed in on this— is the Registry –well, we'll say RSP – Pre-evaluation Process, or PREP as the abbreviation.

Does that sound like a good term? We're not saying approval. We're really saying what it is. It's a pre-evaluation. We're not saying that it's certified. We're not saying it was approved. It was pre-evaluated. Any thoughts on that PREP?

All right. Jim thinks that might work. That's good.

Obviously, we have not put that term into the document yet, but we will put that in in the places, at least on a going-forward basis. But you won't see that today. But you'll see that when we send around revised documents.

Let me just see if there's anyone with a hand raised.

Nope. So the first part or the preamble to the affirmations says that the following recommendation from the 2007 policy remain ... I think it should be “remains applicable to the subject.” That was Recommendation 8. So it starts with the – yeah, Justine. That was the proposed term I had Jim waiting for, yes, with a little teaser.

So the first affirmation is an affirmation with modifications. Essentially, we're affirming what was Recommendation 7 in the GNSO final report back in 2007, which stated, "Applicants must be able to demonstrate their technical capability to run a registry operation for the purposes that the applicant sets out" –this is what we're revising here— "either by submitting their plan for evaluation at the time of application or agreeing to use a previously" ... I guess we'll have to say "previously evaluated RSP (Registry Service Provider)."

Let me just stop here and see if there are any questions. This was, I believe, the same recommendation we had in the initial report. So this is not anything new.

Okay. Moving on to the first recommendation that we have here, which is, "ICANN must develop a set of registry system tests designed to minimize the opportunity for registry violations of SLAs."

Before I got into detail about any of this, I do want to also make it clear that we are differentiating in this section registry evaluations from registry testing. Is it a subtle difference, but when we talk about registry evaluation, we're talking about things on paper, like answers to questions and things that can't really be demonstrated until a registry is up and running and live, versus registry testing, which is what ICANN would do in order to test certain capabilities of a registry.

Where that distinction becomes important is later on in the implementation guidance. I'll give you an example. When we talk about things like a registry being able to scale, the reality is you

can't test scaling capabilities, but you can evaluate their ability to scale by looking at answers to questions and written materials.

I see Donna's hand up. I'll get to Donna in a second. So, in other words, when a registry puts in an application—a registry service provider—they would say, "This is the expected number of queries into the system, and we can handle up to X plus whatever number (or five times those number) of queries. If we find that we need to scale up further, this would be our plan. That would increase hardware," and all this other stuff that you put into these answers traditionally so that ICANN could evaluate your ability to scale. But you can't test that initially because you haven't bought all that extra hardware because you're basically saying that, if and when it becomes necessary, we will do that.

So it is a subtle point, but it's important, as we go through some of these other materials, to be thinking of that.

Donna, sorry for making you wait.

DONNA AUSTIN:

Thanks, Jeff. The context is helpful, but it's still a little bit too subtle for me. I think Justine suggested a footnote, but I think we need something more because I'm still not sure that I understand what the difference between system testing and ... I think what you're saying is that there's a difference between system testing and the evaluation or pre-evaluation of the RSPs. Is that correct?

JEFF NEUMAN: No. It's actually a little more subtle than that. It is that the term "evaluation" and the term "testing" have two different meanings, but they both can be applicable to the normal application process and to the pre-evaluation process. In other words—

DONNA AUSTIN: So testing would be conducted as part of a pre-evaluation?

JEFF NEUMAN: Yeah. As we go through here, that's one of the recommendations. Correct.

DONNA AUSTIN: Okay. So registry testing is similar to PDT? I'm sorry to ask these questions, but it's ...

JEFF NEUMAN: As we go through these recommendations, certainly part of what was in PDT will be in the testing that is applied during the pre-evaluation process, as well as the regular application process. But we do have some recommendations for additional testing which came from recommendations from the SSAC, as well as from our Work Track 4. So, yes, it incorporates the elements that were included in PDT, but we ask for some revisions in here.

DONNA AUSTIN: Okay. So, if we think about this in the context of 2012, there was a theoretical exam that the applicant had to pass (whether the

applicant or if they were using a third-party) to confirm their ability to manage the registry from a technical perspective. So that's what we're talking about here with registry system tests?

JEFF NEUMAN: Yes. The evaluation component is like the exam that you put on. The testing component is actual demonstration of abilities. Both evaluation and testing will be part of the pre-evaluation process as well as the regular application process.

DONNA AUSTIN: Okay. Got it. So now I think I understand. I don't know why the recommendation would be to develop a system designed to minimize the opportunity for registry violations of SLAs. I think surely it has got to be more to do with the technical capability of the RSP. So I don't understand why you'd be developing tests to minimize the chance that you're not going to meet SLAs.

JEFF NEUMAN: Thanks, Donna. I think that language may have come from the SSAC recommendation, or it may have come from discussions that we've had and one of the reasons we looked at the SLA statistics that we had. I think you're right. The testing obviously should be designed to demonstrate the technical capabilities. I think we can put both in there and maybe state that ICANN must develop a set of registry system tests designed to demonstrate registry operators' capabilities ... Technical ... Ugh. Sorry. It's late. Let me try to not do wording on the spot. But essentially—if Steve can do it, great—you're demonstrating their capabilities, as well as

designing tests to minimize the opportunity for registry violations of SLAs. I think that makes sense.

I know, Jim, that this is a topic that you've made some comments on, so, if you have any comments, both in support or not, let us know.

Donna suggested some other language, which I think also makes sense. Oh, Donna, you raised your hand, so might as well ...

DONNA AUSTIN:

Thanks, Jeff. I think we need to be careful with the recommendation that's talking about minimizing an opportunity for registry violations because I think that's really difficult to achieve. So maybe we can find some other language. Thanks.

JEFF NEUMAN:

Okay. I see Steve has put in there something about ... Or to reduce the likelihood. I like Donna's language as well, which has taken into account service levels or service level requirements, which I think is the term that they used. So we'll work on that sentence, but I think we understand your point.

Paul is stating, "To minimize the opportunities for failures to meet SLAs." I think we can work on it. Donna, your hand is up. Do you want to address that?

Okay. Well, I think – Donna, you're still on mute, if you were speaking.

DONNA AUSTIN: Yeah. Sorry, Jeff. I have things getting in the way of me being able to unmute. I'm really worried about the "minimize or meet SLAs" because I'm not 100% sure it's relevant. SLAs can be taken into account, but I'm not sure having a reference to meeting those SLAs or minimizing or anything like that is something [inaudible].

JEFF NEUMAN: Thanks, Donna. Let's put two versions in brackets and get comments. The one version is the "minimize likelihood of failures to meet SLAs" and the second one is taking into account the service-level requirements. That's what ICANN calls the actual requirements themselves, whereas the service-level agreement is something that could be violated. Hopefully that makes sense.

So we'll bracket both of those. Let's see what the group thinks – the broader group. But I think we all have the point. I think, Donna, it was a good comment.

Then we have implementation guidance under this. The first one is, "ICANN should include operational tests to address readiness for domain name security extensions, DNSSEC contingencies, key rollover, and zone resigning." That came directly from the SSAC's comments [to] us. I don't think that is or was included in the 2012 process. So this is something that's new but certainly something that I think is good.

The second one is, "ICANN should only rely on self-certifications in cases where such testing could be detrimental and disruptive to test operationally. Examples: load testing." You don't want to bombard a registry to intentionally try to make them fall. So that

would be more of an evaluation as opposed to something you could test. What we state is, “This guidance is consistent with Recommendation 5.2.B from ICANN org’s program implementation review report.” There’s a footnote that has some more specifics about that provision and the program implementation review report. This one also come from the SSAC as well in response to our initial report.

The next recommendation: “The registry system testing must be made as efficient as possible.” A question from Donna on this one is whether this is more appropriate to be an implementation guidance or a recommendation.

Let me ask what the group feels. We had it as a recommendation simply because it’s an overarching statement which we would hope ICANN would do anyway. I think [there are] specific points we put in as guidance under that, but I think either could work. Any thoughts?

Donna, you asked the question, so let me put you on the spot and see which one you prefer.

DONNA AUSTIN:

Why don’t we just say, “Registry system testing must be efficient,” rather than say, “must be made as efficient as possible”? Just state that it must be efficient.

JEFF NEUMAN:

Thanks, Donna. I think that works, although Paul has also suggested, instead of “possible,” “practical.” If we kept that

wording, I think “practical” is better than “possible.” I think both are acceptable. Paul is saying, “Donna’s version works, too.” So why don’t we ... “must be made efficient” because either something is efficient or it’s not efficient. Adding “as possible” or “practical” doesn’t really add much to it, anyway.

Justine is giving us all a kiss. Oh, no, no. She’s: “Keep It Simple, Stupid.” Yes, I’m kidding.

Under this one we have implementation guidance. The first one is “The testing of internationalized domain name tables should be removed if the applicant is using tables that are pre-vetted by the community. To the extent an applicant is proposing tables that are not pre-vetted by the community, the tables should be reviewed prior to registry testing and should utilize IDN tools available at the time of review.”

Boiling this down, what it essentially means is there’s already a set of preapproved tables in the community. There’s a lot of them. During PDT, this is when ICANN actually looked at it. Really, they didn’t do much looking. Essentially, they just pretty much looked to see whether you had a table that was already pre-vetted and that it was like a checkmark. They can do this during the evaluation processes as opposed to doing it during PDT. If you have a pre-vetted one, there should be no reason for a third party to have to look over what that table is and do that comparison. It just wasn’t efficient.

Any questions on that implementation guidance?

Yes, you have a hand raised? From Karen.

KAREN LENTZ: Hi, Jeff. Can you hear me?

JEFF NEUMAN: Yes, we can.

KAREN LENTZ: Okay. I had a question just on the second sentence to make sure I'm understanding this correctly. Where it says, "Where tables are not pre-vetted, the tables should be reviewed prior to RST and should utilize tools available," that's referring to review during the evaluation process. That's how I interpret, as opposed to that the applicant should be doing something with these tools.

JEFF NEUMAN: Great point. I think we should change that to, "must be reviewed during the evaluation process." I think that's a good change. Really good.

KAREN LENTZ: Okay. That clarifies. Thank you.

JEFF NEUMAN: Thanks, Karen. As Steve is putting that in – great. The next one is, "To the extent possible"—maybe we'll put "practical," given Paul's recent comments—"RST (Registry System Testing) should not repeat testing that has already taken place during the testing of

the RSP and should instead emphasize testing of elements that are specific to the application and/or applied-for TLD. This guidance is consistent with a recommendation in ICANN org's implementation review report."

Essentially what we're saying here is you should only have to test once (an RSP) unless there is something ... sorry. What it's saying is that, for most of the test, it only needs to be done once, but there may be specific tests that need to be done for particular TLDs if there's something that's proposed in an application. Hopefully that makes sense. I actually explained that worse than it's written, which is a neat accomplishment. I think I confused things by explaining it.

Okay, I'm not seeing any questions or comments on that one.

The next recommendation: "ICANN org must further develop its service-level agreement monitoring to allow for more robust ongoing monitoring of TLD operations."

So this is not saying there should be additional SLAs. What it is saying—this is consistent with SSAC comments—is that ICANN should build up its monitoring program so that it is actually testing what needs to be tested under the service-level agreements.

Any questions on that one? Let me just scroll up here.

Donna, please?

DONNA AUSTIN: Thanks, Jeff. This recommendation without context is a little bit challenging, but maybe that will be overcome some other way. I just think ... Because there's an assumption here that the current modeling isn't robust. But how do you make it more robust? Maybe that comes in the implementation guidance. I don't know. But, without context, this is a challenging recommendation, I think.

JEFF NEUMAN: Thanks, Donna. Can we scroll down to the Rationale #4. Maybe this addresses it. What we said here is, "The working group agreed with ICANN's org recommendation that, in order to streamline testing by removing certain tests, ICANN should be relying on ongoing monitoring of TLD operations against existing contractual requirements. In a public comment to the working group initial report, the SSAC noted, "In general, it's preferable to discover major failures before delegation instead of after the TLD is in operation. Past performance is not a guarantee of future performance. However, the working group believes that expanded operational testing in conjunction with more robust ongoing monitoring will ensure that registries are able to meet SLAs."

Let me go to Jim while, Donna, you're absorbing that, to see if that helps at all. Jim?

JIM PRENDERGAST: I think another point of context for it was the EBERO threshold incidence, the prevalence of those, and the most recent data report we got about a lot of them happening while TLDs were operational not prior to launch. So I think taking all of those factors

into consideration is one of the, I think, background on why that recommendation is in there. Thanks.

JEFF NEUMAN:

Thanks, Jim. I also want to address Justine's question about adding a point about publishing the results of data collected. ICANN ... Maybe, Karen, you know the answer to this. I probably should. I know that registries ... no, actually, they don't do that anymore. Never mind what I was going to say. But I do believe that ICANN publishes, at least in the aggregate, service-level statistics in their reports. But I'm not 100% sure of that.

Does anybody know the answer to that question?

Karen is not sure, either. Let's find out about that. In any case, we'll see if that is a recommendation. Certainly I would guess that ICANN and the registries would be reluctant to have service-level information published specific to a registry service provider. But whether that is published in the aggregate I just don't know at this point. So let us find out the answer to this.

Let me ask the question just so we can get an idea of whether the group thinks this is a good idea. Do we as a working group want to either affirm if ICANN's doing it already or have a recommendation here that ICANN should publish or must publish, if it's a recommendation, service-level agreements' statistics on a period basis in the aggregate? Do we want to put that as a recommendation or implementation guidance?

Donna, please?

DONNA AUSTIN: Thanks, Jeff. It seems that the missing piece is that, while ICANN is monitoring at the moment—we know they’re monitoring—they don’t—this has come up when we’ve requested data ... It hasn’t been readily available. So I agree that we’re not asking for individual statistics or anything like that, but there’s no readily available information about whether there are EBERO events or anything like that. So maybe it’s more about the publishing of that information rather than the monitoring. So ICANN is doing the monitoring but they’re not sharing on a regular basis what’s happening with that monitoring. That seems to be more of what we’re trying to get to here than a more robust monitoring. It’s more about publishing what that monitoring is revealing.

JEFF NEUMAN: Thanks, Donna. Jim has in the chat, “There were EBERO-level violations where ICANN does not know the root cause,” which he’s saying is a driver for increased robustness.

Perhaps then, maybe under the robust recommendation, we put in implementation guidance or even a separate recommendation that ICANN publish data on all SLA violations, at least in an anonymized aggregate way. We could say a quarterly basis or whatever we want to say in terms of that (the results of the data collected or results of monitoring). So why don’t we draft something up that captures that point? Then we can – sorry, I was just waiting for Steve to put that language, or at least a comment, in there. So we’ll go back and do that. The concepts we want to include in there are statistics or data in the aggregate, and on a

regular basis, and publish the results so that the community can see.

Let me just move on here. I think I might have missed some comments. Jim says, “Justine, I believe the EBERO stats were published prior to the GDD Summit. What was news in Bangkok was the number of applications who had issues with passing PDT. According to Christine Willett, it was not just a typical IDN table issue.” Yeah.

So requiring that they publish these results on a, I think, monthly basis would be too much. Perhaps on a quarterly basis would be more reasonable. Or we can leave that detail to an implementation review team and just put in that it should be on a consistent periodic basis.

Justine states, “Jim, sure. I just wanted to ask for what we need to know [with] what’s going on with the monitoring, whether to do with EBERO or more.”

There are a couple things, just thoughts, that have come up in mind as well, that I certainly know that, when I was working for a registry service provider, there were a few times early on when ICANN ... I don’t know if it has gotten better, so take this for what it’s worth. I do remember there were certain things that were listed as a potential violation of a service level that, when we went back to ICANN, it turned out that the problem was with their monitoring tool, as opposed to with the registry service provider. So we’ll have to think about that maybe it’s more accurate to publish the statistics but also publish responses given that that may mitigate

whether it was a service-level violation or not, but still on an anonymized basis.

Jim is saying we need more context with the statistics. I think that's right. It was like when ICANN first started publishing compliance statistics. They had just published how many notices they sent out and how many breach notices they sent out, etc. But, without context, there were a number of those that were notices that should have never gone out in the first place because it was an error on ICANN's part. But those weren't shown in the statistics, and it skewed the results. I think now Compliance statistics do take that into account. So it certainly has gotten better over the years.

Steve asks in the chat, "Can we include the response received as an example in a footnote? Is that level of detail sought?"

I think that's part of it, Steve, although there has to be way to publish that without giving away who the RSP is. But I think that's something that could be worked out. But I think that's one example.

For those of you that look at Steve's comment that's in there, SLAM is the abbreviation for the tool that ICANN uses to monitor. So that's just some context for what that means.

Any other questions or comments on that particular recommendation or on the new recommendation?

Okay. Let's scroll down then. I think here's where we go into the rationale for all of the different recommendations. We already went over the one for #4, which we'll probably have to include

some more rationale for to discuss what we just added and why. So we'll also put a new paragraph in there so that the, the next time when you see this, you'll see not only a new recommendation or expanded recommendation about publishing the data but also the rationale, which will be consistent with our discussions today.

As with all the other sections, please do read these rationales. They are important. They try to give more context here about why we've made these recommendations or implementation guidance.

Can we scroll down again? A little bit more. There was no new issues that came about since the publication of the initial report. The dependencies here would be the RSP pre-evaluation process and the applicant reviews, which really should be applicant evaluation. I guess that's the term that we've been using. But I think "applicant review" is the term that ICANN used in the guidebook.

Okay. We have covered all of the materials for today. We do have next week, just to give a heads up. You should have the material for the first part, at least. We'll start on Monday's call with the application queuing or processing. Then we'll go into the closed generics issue. We currently have one-and-a-half sessions talking about the closed generic issue, but, as we discussed the last time we talked about closed generics, which was a long time ago now, really the focus is going to be see if we can get some sort of compromise or some sort of collaborative position in the middle. If it looks like, from the tone of the discussion, we're not going to be able to get to that, then we may start that next subject, which is application submission limits and role of application comment a little bit earlier.

So what we're going to say ... We'll have those materials out shortly. I think this is a general comment as we move forward. We are going to make sure—"we" being the leadership team and ICANN staff—that we have the material for several topics ahead sent out to the group because, if we move quicker than what is in this workplan, we'd like to not necessarily end the call early but move on to the next topic.

So what I'm going to ask or what we ask is that you be prepared to talk about application processing and closed generics for the next meeting, but it is quite possible that we may move up the application submission limits and role of application comments to earlier if it seems like we're not going to be able to find some sort of compromise/solution. So we are hoping we can have some compromise or some solution where we can come to consensus but know that this is one of those issues that has been very controversial. We have people in groups that are passionate on all the different sides of this particular issue. So, if that is the case and it doesn't seem likely that we can come up with one unified solution, then we will move on to application submission limits and the role of application comments.

As Cheryl said, we will aim to always have an option to move into the next topic to reduce the total time in the workplan. We're trying to be optimistic.

Paul—yeah—says, "We're trying to be optimistic." I think, at this point, with closed generics, I think I'm being more pessimistic than optimistic. The optimist side of me would love to take up the two full sessions talking about closed generics because that means that we are working towards and believe that we can come up with

a consensus solution. So we'll see. We'll see what happens on the call on Monday.

If we could just publish the call time so it's up on the screen at this point. Tuesday, the 18th of February, at 15:00 UTC. Let me just explain the reason why this is on Tuesday and not Monday. It's because it is a holiday in the United States that some people, including ICANN, have off (Monday the 17th). I note that not everyone has off at that time, but because we would be without support staff, who are critical to our functioning, we need them all. So that is why it's on Tuesday.

Thank you, everyone, for showing up and making good progress today. I'm becoming more and more optimistic that not only will we meet the work plan timelines but we will exceed what we're sending to the council. So thank you, everyone. Sorry. I don't want to jinx anyone.

Also, please also look out for a note. We are trying to finalize dates for the extended sessions that we were talking about on the last couple calls for April and May. We are just trying to make sure that we don't conflict with EPDP extended sessions that they're having as well and, of course, holidays and other things that fall within those timeframes. So please be patient with us. We will certainly give as much notice as practical, which should be well over a month-and-a-half of notice before we have those meetings.

And, as Paul says, "Or conflict with the INTA annual meeting, if possible." That's of course, Paul, assuming that the INTA meeting will be on in Singapore, if not cancelled. But, yes, we will do our best to—optimist—to avoid that as well.

Thanks, everyone. Have a great rest of your day or night, depending on where you are. Thanks, everyone. We can end.

CHERYL LANGDON-ORR: Bye for now.

[END OF TRANSCRIPTION]