
ICANN85 Mumbai | CF – GNSO Work Session (1 of 3)
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TERRI AGNEW

The recording has started and this is Terri Agnew. Hello and welcome to the GNSO Working Session 1 of 3. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior, and the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct Concerning Statements of Interest.

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If you wish to speak, please raise your hand in Zoom or otherwise as directed. When speaking, please state your name for the record and speak clearly and at a moderate pace. I will now hand the floor back over to our GNSO chair, Susan Payne. Please begin. Hello.

SUSAN PAYNE

Hi, everyone. Welcome to councilors and anyone else who's here observing us for our first GNSO Working Session. We have three working sessions here in Mumbai today broken up by our meeting with the GAC. So, these are primarily working sessions for the

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GNSO councilors, but obviously open to anyone who wants to observe them.

Really, it's an opportunity for us to work on our sort of topics of interest to prepare for the sessions that we've got during the meeting, including preparing for the meeting with the GAC and also the meeting later in the week with the Board. And we'll hear sort of updates and certain presentations on kind of topics of interest to the GNSO.

Today, first of all, we are joined by a couple of colleagues, Wes and Greg from the ICANN Board from the Board's data protection and privacy caucus. And they have joined us to talk about Urgent Requests. And so, I think we should kick that straight off really. And thank you both for joining us. I know you had to duck out of the Board workshop for this. So, over to you. Thank you.

WES HARDAKER

All right. I appreciate letting us come here and continue this conversation. I'm Wes Hardaker. I'm the RSSAC representative to the ICANN Board and the chair of the data protection and privacy caucus within the Board. And I've agreed to take on the role in part because I'm somewhat neutral and don't have skin in the game.

I actually work for Google, but we do not have a registrar, for example. You know, the timeline for these discussions in the past few months has been very tight. And the Board is greatly

appreciative of the effort that people have put in to finally bring this to a concluding resolution or a sort of path forward.

There're many critical elements of the entire set of recommendations, including Urgent Requests and authentication and many elements like that. And we certainly greatly appreciate all the corners of ICANN that have been part of the discussions to sort of bring this to looks like what we're on track to becoming a final consensus which is why we're here discussing it further again today.

The Board has certainly had extensive discussions about sort of the best paths forward for what to do with the SSAD recommendations. And we recognize there is no perfect path, but we think that we're finally at a point where it seems like with the GNSO Council and with the Board and the GAC and everybody, we're coming up with the best possible path that we can.

Now, with that, I'm actually going to turn it over to Greg, who knows the details better than I do about doing a quick recap of where we are.

GREG DIBIASE

Thanks. I don't know if it's a quick recap, but as I was writing my notes, I was like, this would be a perfect hypothetical for SPS at some point. So, providing a little background before I dive in to refresh everyone's memories. EPDP Phase 1, all the recommendations have been adopted and all of them are

published except Recommendation 18 that deals with Urgent Requests.

Subsequently, there's EPDP Phase 2, which deals with the mechanism by which requests can be routed to the registrar. So, we've already had the conversation on Phase 2, the SSAD recommendations. The plan is for the Board to non-adopt them, send them back to council for supplemental recommendations based on learnings from the RDRS.

So, now we're focused on Recommendation 18 from Phase 1, which dealt with Urgent Requests. And there was more work to be done on establishing a timeline for these Urgent Requests and also an authentication mechanism. Because when there was a reaction to this initially, the Board's feedback was it should be faster than a business day given the urgency. However, if registrars are responding to these requests, they have to have some responding quickly. They need some assurance of where this request was coming from. And that's where kind of the idea of the authenticated request came from.

So, on the timeline, ICANN has gone back and forth with the community, gone through the Public Comment, and now feels like they're in a position to finalize the timeline, which was the 24-hour timeline that went out for Public Comment. And the Board supports that action.

We think we've discussed this issue and it's time for the timeline to be published. And that leaves the authentication mechanism. And

so, the issue, I think, is that original Recommendation 18 doesn't have the language, any language about an authentication mechanism, that Urgent Requests will be authenticated. So, I think what we're trying to figure out is the best way to incorporate that language to make sure we can finalize Recommendation 18, finish EPDP Phase 1, move on to EPDP Phase 2 and the SSAD.

So, we have the Board and talking with staff has a couple thoughts. I think our preference would be that the GNSO could provide guidance that this is an implementation detail, adding the language about authentication requests, given that the community is broadly aligned, that authentication will be required for this type of request, and that authentication is considered in Phase 2. And at the end of the day, this is all the same PDP, right, on how to request data.

So, that's kind of option 1 and the option the Board was leaning towards because we think it's the most efficient route. And then we're also considering two other options when the SSAD recommendations are not adopted and go back to council for supplemental recommendations. Perhaps this issue could be addressed in the supplemental recommendations. And then I guess the third option, which speaking personally, I don't love because it's rather cumbersome, would be for the Board to non-adopt Recommendation 18, send it back to council to have a supplemental recommendation to update and add that authenticated timeline language.

And so, I just note there the difference between the SSAD recommendations, which are non-adopted, they haven't been adopted by the Board yet, and Recommendation 18, which has been adopted by the Board and is in the IRT and the community is still finalizing the work as part of the IRT process.

So, those are a lot of words. I'll stop there and open it up for questions and thoughts.

WES HARDAKER

Susan, can you manage the queue?

SUSAN PAYNE

I'm going to manage the queue, yeah. Okay, I can see a couple of hands now. So, Anne, first of all.

ANNE AIKMAN-SCALESE

Great, thank you and good day everyone there. I'm remote from California. I did want to say that I liked how the options were described and particularly in the report on the Public Comment and how Greg just summarized those. I think it would be extremely helpful to council to have more information from the GAC on the authentication process because we've been working hard in PSWG group for authentication for a number of months actually, and there are several council members represented there and several registrars represented there.

And we've taken a pretty hard line about how that authentication process should occur and a solution which is reliable for registrars. And so, I think it'd be super helpful to all council members as we get to the GAC session, to hear the explanation from Gabe Andrews as to where they are, where PSWG is on this authentication issue before actually making a specific recommendation on how to proceed from council. Thanks.

SUSAN PAYNE

Ashley.

ASHLEY HEINEMAN

Thank you. Ashley Heineman, representing the Registrar Stakeholder Group. I have a question for Greg, and I apologize, there is just so many different parts at play. And with respect to Recommendation 3, I gathered that this is not a preferred option because it could be cumbersome. Could you go into more details as to why it would be cumbersome? Because from what I understand, everything is following an un-adoption process or likely to follow an un-adoption process. I'm just trying to understand the difference with Recommendation 18. Thanks.

GREG DIBIASE

Sure. So, the Recommendation 18 is different than the path forward we're on contemplating on the SSAD recommendations. And both of these terms are terms of art that aren't necessarily helpful. The SSAD recommendations are pending before the

Board. They haven't been adopted yet. So, the council is, quote, non-adopting them or the Board is non-adopting them to allow for supplemental recommendations.

Recommendation 18 has been adopted by the Board. So, we've been talking about a process by which a recommended adoption can be unadopted, but that's not, I think, entirely nailed down. We've been working on that process, but there's just more, I guess, unknowns there. We haven't done that before. With the SSAD recommendations, we'd at least be following a template that we used for the Next Round, for example.

WES HARDAKER

If I can add a little bit to that one of the things that I think multiple constituencies within ICANN is concerned about is the speed of which we can accomplish things. And when you go through the process of doing an un-adoption and then going back and rethinking about it, there's certainly been concerns. I don't want to speak for the GAC, but they're concerned about this process taking so long when we really need to get to the point of being able to have a system up and working that meets all the requirements from all the constituencies.

And so, the third option of actually going through an adoption and going back through more discussions and policy work ends up being a slower path. And there's a question of, is that needed? You

know, is there really that much discussion that has to happen or not?

SUSAN PAYNE

I see Lawrence in the queue. Not sure. There he is, sorry. If you don't mind, Lawrence, Farzi has made a comment in the chat, and I think there's still a bit of confusion about the difference between the sets of recommendations. So, I'll, I'll try and clarify as well, just in case it helps. So, obviously the work on, on the EPDP relating to the 10th spec and registration data, it was broken up into more than one phase because it was such a huge piece of work.

And so, the first phase was more focused on what data should be collected and processed and so on. And it did cover other things, but mostly, it was more focused on what's the data and who should have it and what should be done with it.

And then Recommendation 18 was part of that Phase 1 set of recommendations. And it related specifically to this provision about there should be a timeline for Urgent Requests effectively. It was a fairly brief recommendation, it didn't set what the timeline was. It essentially expected what that timeline would be dealt with in implementation. And so, all of those Phase 1 recommendations went to an IRT to work on the implementation and the vast majority of them have been implemented.

And the thing that got carved out was, as I remember, as I recall, and Greg is nodding, was Recommendation 18, because the IRT

was somewhat stuck on this issue of what the timeline should be and so on.

So, the other recommendations that we're talking about non-adopting are the ones that came out of Phase 2 of the work. And they focused, we'd already in Phase 1 dealt with what's the data and who should have it and how should it be processed and so on. And then Phase 2 looked at, okay, now we're talking about processing of that data and particularly about disclosing of that data. And so, the Phase 2 recommendations dealt with that in much more detail and in particular were about the idea of a system that would deal with the requests and evaluating and authenticating requesters and then disclosing the data.

So, they're on slightly different paths because the set of Phase 2 recommendations have been sitting pending since they were sent by council to the Board and they are sitting pending as we all know, because there was an operational design assessment that looked at sort of implementability and cost and operational issues. And so, the Board has never adopted them, but the Phase 1 recommendations, including Recommendation 18 were adopted. And in fact, they all went off to the IRT and years of work from some people in the room were, were have already been expended on those ones. So, sorry, that was really long winded, but there seemed to be a bit of confusion. Lawrence, thank you for bearing with me.

LAWRENCE
ROBERTS

OLAWALE- Thank you. My name is Lawrence from the BC, for the record. So, thanks Greg and the rest of the Board for the clarity provided around this. The question that I have is such that Recommendation 18 as it is currently is at the IRT process. And that means that for work to go on this particular issue that is identified, we will also need to identify a possible mechanism within council that can help with this resolution.

My thinking is, I mean, looking in the direction of staff, is this something for instance that a GGP can help with, or what are the kind of mechanisms, what other mechanisms could possibly be deployed for this? One thing that I'm also wary of is yes, we have ongoing work from the PSWG which I'm also a part of, but we will still need the council to take certain actions even with that work ongoing.

So primary, my take is we should also be wary of not stopping one process for the other. I think we need some kind of guidance. I know there are other options. There's a second or third option for me. I think since this is already at the IRT stage, we should look at a simpler or a more-easier way to deal with this issue. But I don't know if a GGP or we have a mechanism, possibly we can be advised from the staff end. Thank you.

SUSAN PAYNE

I'm not seeing staff maybe in a position to answer that question yet. Although Steve is looking like he might do. Comment.

STEVE CHAN

Thanks, Lawrence. This is Steve from staff and obviously a little bit on the spot. I think for option one, I guess there's some different thoughts about how this can be, I guess the clarity provided. And I think Greg was sort of going towards the angle of oftentimes in policy recommendations, every element of the recommendation is not laid out explicitly. And oftentimes and probably almost every single time there's additional work that needs to happen within implementation to develop further details, to make it operational, to make it be able to be drafted in the consensus policy.

That is often what happens. And so, that is perhaps one way in which it could happen is just as a matter of implementation, authentication is a necessary element.

To your point about whether or not, well, sorry. And so, that element could happen in just maybe a clarifying statement from the council, like they did for SubPro is maybe one option. Another option, if there's a need to do it more robustly, I guess, as maybe a word to describe it, then perhaps something like a GDP would work. And then that actually results in formal recommendations. It requires council adoption, Board adoption. And so, it could be a mechanism. And again, I'm speaking off the cuff here. And I see a one finger from Greg. Thanks.

GREG DIBIASE

Yeah. I mean, the GNSO can provide guidance on policy. So, I'm thinking back about the I don't want to say these words, but the billing contact. We provided a letter on the billing contact issue saying clarifying what the policy meant, right, that this there was implementation details that didn't need to be written in the policy. So I think there's a precedent and processes for that. And yeah, it is currently in the IRT. But I like to think the very, very, very final stages of the IRT with one detail to address before this can move on. So, I'm seeing this.

WES HARDAKER

If I can add to that, I want to bring back a point that you highlighted very well, which is recommendations that come out and then have to be implemented in an implementation. They're always very high-level statements and goals of what the purpose is and what needs to be done. And there's always a lot more architecture and work that has to be done in any implementation for any recommendations, not specific to just this one.

And then if the council can provide guidance that they agree with the approach going forward, that's sort of option one, right, that you agree that authentication would be needed in order for this to be properly implemented.

SUSAN PAYNE

Ashley?

ASHLEY HEINEMAN

Thank you. Ashley, representing the registrars. And sorry to keep dragging this out. But another question I have, and I think you kind of answered it, Wes, but perhaps a little bit more detail as to why the Board is leaning towards addressing these issues in implementation. What's the basis for that other than ease?

GREG DIBIASE

Ease, and we think the community is aligned here, that for these Urgent Requests to be operational, there needs to be an authentication mechanism. And the idea of an authentication mechanism is also considered in Phase 2, which is part of the same PDP. So, yes, ease and efficiency is a factor. But we also think there's a policy basis for doing that. But I also want to be clear that we're laying out all these options, because this is a bottom-up process. And so, we're saying what our preferences, but we want to have an open conversation, say what the universe is, what we're leaning towards, and the council can take it from there.

WES HARDAKER

Yeah, and as I hinted about before, it's also the quickest route. And there's been a lot of concern about the length of time that the whole process is taking. But as Greg just wisely pointed out, the Board is certainly willing to consider everything anything that the council believes is necessary. We have a preference, but it's our duty to listen to what everybody here wants.

SUSAN PAYNE

Vivek?

VIVEK GOYAL

So, the fact that it will for the BC, I would prefer if there's a way we can achieve this without doing un-adoption. Once you adopt a set of recommendation, there is no nothing forcing people to start discussing other than Recommendation 18 or poking holes in things that have already been agreed on. I mean, people change opinions change, we don't want to open that up.

So, if something has been recommended and move forward, I would feel better if just a way to plug that little thing without opening this whole thing just for the assurance that no, no, we will not touch everything else, but only touch this. But you know, if somebody brings it up, you can't stop them from discussing it or opening this whole thing up again. Thank you.

GREG DIBIASE

And so, I also want to be clear that what we're talking about is just incorporating the language that for urgent any Urgent Request needs to be authenticated for that timeline to be effective. We're not talking about the authentication system itself. This 24-hour timeline only comes into compliance once the authentication system is finalized. And that's a separate issue. So, I want to take these in different bites and not conflate them to make sure I think this is a much narrower issue than finalizing whatever the authentication mechanism would look like.

SUSAN PAYNE

I'm going to put myself in the queue. Oh, sorry, Sam, I am going to put myself in the queue first. With sort of a question for people to think about, I suppose, which is the Recommendation 18. And I apologies, don't have it in front of me. But it basically says there shall be a timeline during which responses which is faster than the regular timeline for responses, where there are Urgent Requests.

And we know from SSAD2 what Urgent Requests is because they that group then spent some time actually defining it, which is also helpful. So, it's a certain category of requests. And so, on the face of it, it doesn't say authenticated. But authenticated requests would be a subset of requests, if you like.

So, the broadest interpretation of the language currently would be, if one doesn't read in the word authenticated, then we're arguing that that actually applies to all requests. And I don't think anyone's aligned on that, like, we all are aligned that that isn't right.

So what we're really reading in for the purposes of implementation is that we're narrowing down what, arguably narrowing down what REC-18 says into a subset of all requests, which are urgent, that also need to be authenticated. Are we doing anything more than that? Are we actually doing anything that isn't what the recommendation says? We're just taking we're taking the slightly narrower part, which is actually these requests need an

authentication. They can't just be all of them. I don't know if that made sense. Sam?

SAMANTHA DEMETRIOU

Thanks, Susan. You posed a question, and I don't know that I have a clear answer to that question, but I do think that the language that was proposed, that went out for Public Comment on REC-18, that covered both the timeline for Urgent Requests and what authenticated requester means, I think that is a pretty decent path forward for us in this instance.

So, it talks about, not only does it define the definition for Urgent Request like you just said, but it also talks about an authentic requester means a law enforcement requester or a trusted such competent authority that is authenticated through an authentication mechanism implemented pursuant to ICANN consensus policy.

So, I'm wondering if there is a path here where the Recommendation 18 can be implemented per what went out for Public Comment. This can be integrated into the registration data policy with the language that was proposed and understanding that an authentication mechanism is something that is required to be put in place via a policy mechanism.

And then this policy mechanism that we have available to us could exist in the process of developing supplemental recommendations for the SSAD recommendations because those recommendations

deal with the topic of authentication more broadly. And also, there is a specific one about the authentication of, or I think the term might be accreditation. I think those terms are used a bit interchangeably, but specifically the authentication or accreditation of government entities, which law enforcement I believe would become a part of.

So, a part of me is wondering if the answer to this question is actually already in front of us in the path that we have laid out between these two things. Between one, implementing REC 18 under the registration data policy as was envisioned by the IRT and as was proposed by the IRT at the end of last year, and through the process of developing supplemental recommendations because there happens to be this overlap on the topic of accreditation.

ANNE AIKMAN-SCALESE

Greg, yeah.

GREG DIBIASE

Yeah, and to your point, I think that it's definitely, that's one of the things we noted when we were talking about option two, is that SSAD recommendations do talk about this topic. So, conceivably that topic can be improved by a supplemental recommendation to address this issue, even though they're different phases, I suppose they're the same PDP and overall subject matter.

SUSAN PAYNE

I'm not seeing any other hands at the moment. I think this is our opportunity. If anyone has questions for Greg and Wes before we close this off, this is the opportunity. So, do come forward. Ah, there you go. So, I've got Anne, Justine and then Lawrence.

ANNE AIKMAN-SCALESE

Thanks, Susan. It's Anne again, and I'm NomCom, non-voting, but I have participated actively in the PSWG on the authentication issue. And again, this is repetitive, but I would like to encourage councilors to listen carefully to what the GAC will be presenting. I don't know if Seb is on this Zoom call, but my understanding from our last PSWG meeting was that in the GAC session where we asked them, hey, how are you doing on this authentication issue? You know, let us know.

I do think that's quite relevant information on the topic of whether this is approached through implementation and potentially GGP as Lawrence suggests, or whether it's approached through further policy work as Sam has suggested. And I think whether we want to bundle the law enforcement agency requests authentication with other types of authentications, my understanding is that the law enforcement requests are obviously more likely to be of an urgent nature.

And so, once we start bundling other types of authentications, I think we have to understand that that is going to take longer. So, again, I urge that we listen carefully to what the GAC has to say

about this and that councilors not make up their minds on the approach until they've heard that information. Thank you.

SUSAN PAYNE

Thanks, Anne. Justine.

JUSTINE CHEW

Thanks, Susan. This is Justine, ALAC liaison. I'm hearing people sort of packaging things together and I want to try to separate those things again and see if we can just move forward with by piecemeal. Because I think we're talking about something that is maybe down the line or something else.

So, if we can tackle the first item first, which I understand to be this thing about the timeline for Urgent Requests. So, I'm reading the portion of the Recommendation 18 that Karen has very kindly put into the chat. I don't see anything about authentication. And I don't see anything about other types of requests apart from Urgent Requests.

So, we already know clearly what categories we're talking about when we talk about Urgent Requests. As I said, there's no mention of authentication. And it seems to me it's just a measure of replacing what is in the square brackets with the actual timeline that the community seems to have convalesced on 24 hours.

And for that, I would ask if staff can circulate the report for the Public Comment to council so that we can just have a look at it and satisfy ourselves that the community is aligned on 24 hours. And

that's the only piece that really concern about this Recommendation 18, as far as I can see.

If you want clarification that you want to restrict this to just one little piece, then could I possibly suggest that we add some rationale to what amendment you want to make to Recommendation 18? And then the rest will follow as we can discuss the things further. Can we just tackle this little piece first? Thank you.

GREG DIBIASE

So, I think staff is planning to publish the finalized timeline based on the Public Comment of 24 hours. So, I think that is reasonably put away and you're right. So the question before us is how to add that Urgent Requests from law enforcement need to be authenticated for this 24-hour timeline to be enforceable. So it really is, I think we're talking about that relatively small piece.

JUSTINE CHEW

Correct. That's what absolutely I understand. So, my point about the Public Comment is if we can clearly establish, and it may be through the staff publishing it. If we can clearly establish there's no objections from the community to 24 hours. Then I don't see any reason why council just can't provide a letter to clarify that that is the case. It's gone through the community process and no one's objecting to 24 hours. We just write a letter to inform the IRT, just

put that portion of 24 hours into this, replacing this text in square brackets and we're done.

SUSAN PAYNE

Okay, Lawrence, and then I'm putting myself in the queue again.

LAWRENCE
ROBERTS

OLAWALE- Thank you, Chair. So, plus one to this, Justine, because this was the clarifying question I wanted to ask, that in order to just close the first part of the PDP, which, and then focus more on the subsequent work that comes based on SSAD, can't we just focus on doing any further work, adding any further language to the subsequent work, that's option two now, and close out option, I mean close out the Recommendation 18 as it is, because Recommendation 18 still depends on further work and that further work can be taken care of or whatever it is, whatever concerns, further concerns we have in terms of specificity can be addressed in the ongoing work.

I'm also of the opinion that rather than having too many envelopes open, we focus on closing out what we have before the IRT and as Justine said, that's a path forward. If all we need to do is provide a letter specifying the time that has now been agreed, then we can now focus on inspecting further work, we can then focus on -- especially with the unadopted SSAD work that we need to do -- we can then focus on fixing other things in terms of authentication and whatever concerns comes forward, so that we know that we don't

have too many open work to fill out, but we can just focus on one end. That also is a part that we are in support of. Thank you.

SUSAN PAYNE

Okay, thanks, Lawrence. I've taken myself out of the queue again, because I've got Volker and Damon, so Volker.

VOLKER GREIMANN

Yeah, the entire thing is a little bit of a puzzler and I would say from a contracted party's perspective, it's important that what we decide ultimately is operationalizable for all sizes of registrars and registries. On the other hand, a lot of what we've discussed back in the EPDP has since been overtaken by regulators, at least in some jurisdictions. In Europe, the evidence regulations that have come in, or directive in this case, have mandated a significantly shorter period for emergency responses, as they defined it, of eight hours.

So, everything that we come up might run into conflict with existing regulations somewhere in the world. So, we should probably ultimately find a baseline, but notice or reflect on the fact that this baseline may be different under the jurisdiction that the Contracted Party is operating under and default to that.

SUSAN PAYNE

Thanks, Volker. You make a good point, and I think if I understood you correctly, what you're saying is this is a minimum standard. It's absolutely correct. We know contracted parties have to comply with the laws that they're governed by, wherever they're

operational. So, if there's a law in a territory that says it's got to be five hours, then the fact that ICANN said you could do 24, it doesn't matter. I mean, it matters, but 24 is the maximum, not the minimum. Damon.

DAMON ASHCRAFT

Sure. Thank you very much, Susan, and sorry I can't be there this week. You know, just on sort of a global issue with Urgent Requests, this is one of those things that touches upon law enforcement and it touches upon crime victims, and we've been talking about this in the policy around it for years now.

So, we really need to try to get this issue resolved and move it along, and so if there's anything I could do to help, I'd like to help, but to be honest, the fact that we keep talking about this, we haven't made more progress on it, it just makes ICANN look, frankly, silly, and so I let's all work together to try to get this to a resolution. I appreciate the conversation today and everything people are trying to do to do that, so thank you very much.

SUSAN PAYNE

Thank you. So, before I turn it back to Greg and Wes for if they have anything else they want to say in wrapping up, I think we've probably gone as far as we can go in this meeting. This was very much a sort of an opportunity for us to hear from our Board colleagues and to sort of have this initial discussion. I don't think we in the room are making a final decision here, I'm not sure we're

quite empowered to do that, but I'm certainly getting a sort of sense from people that that the option or the proposal that Sam put forward seemed to be getting some traction.

I think we should all probably take this back to our groups. We do have our INFERMAL meeting on Monday afternoon, where we're also joined by the SG&C leadership, and so that might be an opportunity for us to revisit that if we're in a position to do so, but obviously this is something we do need to address sooner rather than later, and I know we are actually meeting the GAC later, and they one of their questions is to ask us about this, so we know it's very much front of mind for everyone.

Really appreciate your time coming and talking to us about this, and I think our next steps for us is to see if we can get aligned on what we think the right option is for taking this forward. Vivek, I'll just go to you before we...?

VIVEK GOYAL

Very quickly, just a request, can I request for an email with the proposed language that we are supposed to discuss with the constituencies, so that it's written and there is no miscommunication between how we present it?

SUSAN PAYNE

Yeah, I think we can do that. Greg, Wes, anything you want to say in wrapping up?

GREG DIBIASE

Yeah, just thank you. I think this is productive, and then just to say that our caucus, our caucus door is open, and so instead of falling back on letter writing or anything like that, if you all have updated thoughts you'd like to discuss we're ready to discuss and keep this moving forward.

WES HARDAKER

Yeah, certainly the Board greatly appreciates inviting us here to have this conversation, and it's been interesting to hear all the feedback. We recognize these decisions aren't easy, and we also recognize, we appreciate your thoughts on, everybody's thoughts, that the timeliness is challenging, and we do need to figure out how to come to resolution, and that's the hard thing to do, because it's one of those hard topics.

It's hard enough that you want to talk about it forever to make it perfect, and as I said in my opening remarks unfortunately in some situations, there is no perfect path, so you have to do the best you can, and I think that's where we are.

SUSAN PAYNE

Okay, thanks very much. Damon, I can see your hand, but I think it's an old one. I really hope it's old.

DAMON ASHCRAFT

Yeah, it is, sorry.

SUSAN PAYNE No worries, thanks very much. I was just ignoring it, so it's fine.

DAMON ASHCRAFT Yes, you should.

SUSAN PAYNE Okay, and right, we have, I think, 20 minutes or so left, just a little under that now in this meeting. I think then the other thing that we really need to spend our time on in this first session is to have a bit of a preparation for the meeting with the GAC in particular.

If we have the time, we can also prep for the meeting with the Board, but we do have that meeting with the Board a bit later in the week, and so there is a little bit of subsequent opportunity should we need it, including in our informal meeting on Monday, whereas we are meeting with the GAC just after lunch, so I think with that, I'm probably going to hand over to Seb, but Caitlin has one point to make first.

CAITLIN TUBERGEN Thanks, Susan, and thanks, Seb. I just wanted to note that the slides that we're about to show are identical with some small exceptions to what was the points that were circulated already to the council, so there shouldn't be any surprises. There's just the addition of GAC's talking points if anyone's interested in looking at

those, and then obviously this slide identifies the proposed speakers that were agreed to, but I'll hand it over to you, Seb.

SEBASTIEN DUCOS

Thank you. Sorry, this is Seb, so your GNSO GAC liaison. I don't know that I have much to discuss more than we have already discussed. I think, so there's a technicality today, and that is that out of our four speakers, two are not here, and we've organized for them, so that's Sam and Bruna, we've organized for them to join us remotely. I've heard Bruna on the mic yesterday and Sam this morning. The communications are loud and clear. Everything is working fine. I hope that it will work equally fine this afternoon, but if you were wondering, ladies, it works absolutely perfectly, so it should work again this afternoon.

Otherwise, to the point, I think that we can do what we did last time, which is the actual speakers, because I will try to do as little speaking as I can today. The actual speakers can take their topics and slides, if that works for you. So, DNS Abuse, I guess it's you, Jen, yeah.

JENNIFER CHUNG

Thanks, Seb. This is Jen Chung, for the record, speaking. So, DNS Abuse, we just started our two sessions, the two Working Group sessions yesterday. The first was more of an administrative looking at leadership, looking at cadence, looking at all of that, and then the second one was a bit of a consensus building exercise, but

specifically to the talking points we sent to the GAC, I think we sent that now almost like one and a half, two weeks ago, so we kind of moved on from that.

I think mainly we are thanking them for sending their experts on this. I know in the GAC talking points I've already seen, no, these are our talking points, that we're thanking them for that. There's a kickoff, there's a lot of the details to be worked out.

I think there was something that I think probably would be good to maybe highlight. I don't know if it's useful to highlight in front of all the GAC as well, because the work plan and the timeline was shown for the very first time to the Working Group yesterday. There were some reactions, some quick reactions. I don't recall any specific reactions from the GAC yet. There was, okay, my memory, but I think it's useful for us to highlight that, of course, to the Working Group and also Council will also take a look at that further, so what was seen yesterday may not be the 100% final, final, final thing that might look to everyone.

The other item we can highlight is the early input request that has been sent to the SOACs. I think that deadline there is the 20th of March, and I guess if GAC has any ideas or comments particularly about that, it would be good to also know. I don't know if their small group or small Working Group is in any position to opine on that. I also noticed there was a lot of GAC observers.

Thank you, Seb, for sending over that list. I know they didn't have to tell us they had a lot of observers, but it's really good to note that

there's a lot of GAC members who are paying attention to this important work, and I also did see them in the room yesterday, so I think they are keeping abreast of all the information, and we should thank them for that as well.

One more thing I wanted to highlight. There was a lot of questions about timing for the PDP-2. I guess another reminder for Council, we here in the Council, we have back in, I don't remember, was it the October, the November meeting, when we said go ahead with the two PDPs, we separated that motion into the second part of the resolve clauses, approved the, well, split out the charter for approval.

We approved the charter for the first PDP, so the ADC PDP, but we didn't look at the second yet, so in any case, Council will need to take a look again at this. There is no charter available for PDP-2 yet. I think in the outset in our discussions, we have talked about looking at efficiencies, looking at when the progress of the work of PDP-1 moves along enough so that Council and community are comfortable with all this, then Council can revisit when PDP-2 starts, so really that's a long-winded way for me to say we also have eyes on this, and we will be able to discuss and decide.

I don't know if this answer will satisfy any similar questions that come from the GAC. I think there's some reluctant nodding over there, Seb, but I mean, that's something we can also put in a little lighter term if you think it is useful, so I don't know if you have thoughts on that or any other councilors have thought on that.

SUSAN PAYNE

So, two things. One, is it a typo? I mean, I'd love to think that we would get it done by April 2026, but I'm guessing it's 27, is it? Yeah, okay, it's right in the middle. Yeah, I did think, especially when it also talks about, we may get this finalized earlier, it's like, whoa, that's impressive.

And then maybe on that last point you just raised, I mean, I wonder is it worth us asking the GAC themselves what their thinking is on timeline, not asking them when we should kick it off, but more like do they envisage that it would like to be the same volunteers or I'm floating this, you may think it's not a good question to ask, but if the next one were to kick off in six months, can they actually accommodate it or, you know?

SEBASTIEN DUCOS

So, I think that we can conclude from the very long list that they sent us of participants and alternates and that there'll be plenty of people raising their hands and ready to participate. Yeah.

SUSAN PAYNE

Justine?

JUSTINE CHEW

Thanks, Susan. Thanks, Jen. I appreciate the fact that council might want to take some time to relook at, or actually look at for the first time, at the Charter of the PDP-2, but I also note that

council takes a certain amount of time to approve a Charter. And we've seen it with PDP-1, where we had to actually extract it out of the resolution, as Susan says.

So, can I suggest that we try to make an early start on the Charter of PDP-2, as in, like maybe set up a draft and start discussing, but we don't have to put it onto the agenda of council to start the approval process?

And if we do have kind of like a working draft, maybe, okay, maybe not circulate around, but at least we can refer to it in the other groups that are interested in participating in PDP-2, would have a fair idea of what it involves. And time-wise, people commitment, who is the right person to send to the PDP-2, that may help the community as well. Thank you.

JENNIFER CHUNG

Thanks, Justine. I'm seeing some faint nods from staff, maybe. There're some smiles. I don't know if that smile means it's okay. Did you want to...?

FEODORA HAMZA

Hi, this is Feodora from staff. I think just to give some staff perspective; we should wait a little until we see how ADC Working Group is progressing. But in theory, having a small team, just like we did in the past on working on the Charter, and then decide for the council to decide when the Working Group should convene,

seems like two different steps. So, there might be some room for discussion there. But yeah, I would hand over to Steve to add more.

STEVE CHAN

Just a little bit, actually. This is Steve from staff. We're not starting from scratch. There is a draft Charter in the final issue report. And we have findings from the first revision effort. And I think those can be married up at least to provide a good starting point. So, like while there is work to do, we're not certainly not starting from scratch. Thanks.

JENNIFER CHUNG

I see Vivek with his hand up, but one second. Just to carry on from what Steve just mentioned in the final issue report, you'll see that there is a template for the Charter for the second one, even though, of course, we haven't had a really close look at that. Maybe we can get that circulated one more time. And councilors can really take a look at that and send it over to your SG&Cs, SO/ACs to take a look.

One more thing I'd like to highlight, sorry, Vivek, just taking a little more time. Even if we, well, not even if, when we set up if it's a small team, to look at the Charter to make sure everything is okay, we can still say this Charter is fine and council will still have time to decide when that actually kicks off.

So, the approval of the Charter doesn't mean it's immediate for that PDP-2 to start. So, I think having that work and having early eyes on that could also prepare our constituencies, our stakeholder

groups on who might be the best suited to be part of PDP-2. Okay.
Thanks, Vivek. Vivek, please go ahead.

VIVEK GOYAL

And I'm going to ask this to the staff and you can come back later, if not now. My question is, what aspects, you mentioned that, let's see how PDP-1 is going and then we'll do the PDP2. My question is, what is it in PDP1, what factors are determining the PDP-2? What are you looking at PDP-1 to go well or not go well, then decide on PDP-2?

STEVE CHAN

Thanks, Vivek. This is Steve. I don't think it's actually a staff decision. This is a council decision on when you want to undertake and begin the work on revising the Charter-2 and then also when the council feels like it's an appropriate time to actually kick off that second PDP. Yeah, that's the wrong word, not initiate because it's already initiated, but actually adopt the Charter and have the work start progressing. So, I don't think it's a staff determination.

JENNIFER CHUNG

I'm very sorry, Vivek, I was trying to respond to one message just now. Could you repeat the last bit?

VIVEK GOYAL

My question was, we've heard this time and time again, let's see how the first PDP is going, then we'll discuss PDP-2. My question is,

I believe PDP-1 is going fantastic by the first two meetings. So, what is stopping us from start discussing PDP-2?

JENNIFER CHUNG

Okay, thank you for that question. I think it's something for also the Working Group to decide. I don't think we've coming, we haven't actually stepped into the substance of the topic of PDP1 yet. I know perhaps the perception, of course, yesterday, the two more introductory sessions, I'm very glad that the review from you is we're going very well.

I'm actually very happy, it's so positive. But I guess once we look into the Charter, once we start discussing the Charter questions, once we understand the work plan, which I referred to earlier, that's not 100% final, we saw it for the first time on the screen.

So, there was some comments, there was some feedback, there was a lot of questions about that. Once we understand that work plan, and that work plan has to come to Council for approval as well. Once we understand that, I think we might have a little bit more detail and information with which to make this kind of decision. I don't think at this point, we have enough information yet to decide definitively, this is a date where we want PDP-2 to start.

VIVEK GOYAL

We did not decide on PDP-1 for DNS Abuse based on the other PDPs or EPDPs that are running. Then why is there this dependency on

starting DNS Abuse PDP-2 based on DNS Abuse PDP-1 just because they contain the word DNS Abuse?

JENNIFER CHUNG

It's a part of also resourcing in terms of community, in terms of staff, in terms of people that different SG&Cs, SO/ACs might send. It could be that the persons that are most well suited for these two topics might be the same person. It doesn't have to be that way. Another thing is, even though we don't envisage right now if there are any dependencies whatsoever between the two, which I really don't think it is, but I'm not the super expert on this. I don't have clairvoyance on this.

If there happens to be some kind of dependency that comes out of this, then we also want to know. So, I think right now, I'm very glad you think that both of the sessions we had yesterday were very positive. I hope to keep that throughout this entire process for the PDP-1, but I think we're still a little premature right now to say council has all the information it needs to decide when PDP-2 starts.

SUSAN PAYNE

Can I just chip in and say that we're really only at the moment prepping for the meeting with the GAC, and I'm really conscious that we actually have only a couple of minutes left. So, maybe this is part of a more-fuller discussion about timing and so on, rather than really the conversation with the GAC, if that's okay.

Back to you, Seb. I think perhaps in terms of our other talking points, perhaps the Urgent Request one is maybe when we want to just have a quick conversation on, given what we've spoken to the Board about.

SEBASTIEN DUCOS

Sure. So, the second topic is RDRS. Are you suggesting that we skip it altogether, or we go to, yeah. Because this, sorry, there's two topics that are overlapping.

SUSAN PAYNE

Yeah, sorry. And I'm also thinking, Jen's just reminding me, we do have session two, and we should have a bit of time at the end or during session two, when we can also pick this back up. So, let's do what we can, and then we'll pick it up in the next session as well.

SEBASTIEN DUCOS

Okay. So, the topic of Urgent Requests, we'll do RDRS later, I guess. I don't know. I don't know that there's much to be said anyway. Sorry, Sam, I'm not diminishing your great intervention. But again, we've discussed this before. Ashley, this one is yours.

ASHLEY HEINEMAN

Thanks, Seb. Ashley, representing the registered stakeholder group. Yeah, I think having that conversation with Greg and Wes was helpful, and I think can supplement what we were already

planning to say, which was largely, can we get an update from the GAC as to where things are with authentication.

But I think this might also be a good time to raise the three scenarios that were proposed in the summary of the comments received, which is addressing authentication through the implementation process, option two being addressing any potential supplemental policy issues through the SSAD recommendation un-adoption, I'm going to get these words all confused, or three, go through the yet to be kind of defined or used un-adoption process.

Wow, un-adoption word is a problem for me. And I think it might be helpful to get the GAC's perspective on this. I don't know if we're at a point now to say where council is, but maybe say that we are considering kind of a hybrid approach of adopting the Urgent Request timeline of 24 hours, or publishing rather, publishing the Urgent Request timeline of 24 hours, and then addressing any potential need for supplemental action through the SSAD un-adoption process via council.

I think that would spur quite a bit of conversation and discussion, but then also making sure that we have enough time to get a really good update from the GAC with respect to where they are in developing the, oh, my gosh, the word, the word, the A word, the authentication system itself.

So, I don't know if there will be time to discuss other issues. I think it's been fairly well articulated by the GAC that jurisdiction is

something that registrars will have to consider, and it's up to registrars to consider jurisdiction, but that otherwise the authentication mechanism is there to help streamline our processes. So that's, I think, would be kind of the basis of any talking points. So, I don't know if anybody else has any thoughts or ideas or objections to that approach.

SUSAN PAYNE

Super quick. I think we will all get confused, and so will the GAC, but I think in the first process where we're talking about SSAD, we're talking about non-adoption, or we could even say rejection. Like, let's just say rejection, but reminding them that, well, Sam will already have reminded them that rejection doesn't mean putting them in the bin, and then I think un-adoption or reversal of adoption or something like that maybe for the second one. Yeah, thanks.

ASHLEY HEINEMAN

I've made a note, so I won't make that mistake again.

SEBASTIEN DUCOS

So, this is Seb again. Just one tiny little note. We're counting on the GAC and PSWG and possibly Dave Andrews, who I saw yesterday, and I know he's here, to lead most of the conversation. At this stage, I haven't heard anything from him confirming that he will. So, if in the next hour we bump into him in the hallways, maybe another nudge to verify that he's aware and able to step up

would be fantastic. I'll try to find him, but somebody else might get to him first.

SUSAN PAYNE

Okay, thanks, Seb. And I've done a terrible job on timekeeping, and so we are actually a couple of minutes, four minutes over, sorry, and I've eaten into the coffee break. We are coming back in at the bottom of the hour for our next session in 30 minutes' time, well, 25 minutes' time, and we'll talk about Review of Reviews. We'll have a bit more time if we need to talk about our GAC rep, and we'll hear from Edmon about Universal Acceptance. Yes, thanks. Sorry.

TERRI AGNEW

And you can stop the recording now.

[END OF TRANSCRIPTION]