ICANN85 Mumbai | CF – GNSO: RrSG Membership Work Session (3 of 3)
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UNIDENTIFIED SPEAKER: Hello, and welcome to the RrSG Membership Working Session three of three. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior, the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct concerning statements of interest. Please observe the following guidelines to participate in this session. I will post them in the chat for your reference. Only questions posted in the Zoom chat identified as a question will be read aloud during this session as time permits and when directed by the chair of this session. 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 at a moderate pace. I will now hand the floor over to Owen Smigelski.

OWEN SMIGELSKI: Thank you very much. Hey, everyone. This is session three of three of membership today, so thank you for making it this far. Hopefully, we can get through and get everything done and get out of here on time for whatever fun evening plans we have. All right. So first, we will go right to urgent requests, LEA authentication, and I think our victim is Sarah.

SARAH WYLD

As usual. Hello, friends. So we are going to get into urgent requests and LEA authentication. I have two notes before we do. Number one, open conversation is encouraged. I really want to hear what you all think. I will remind you that registrars are not the only people in the room. This is an open meeting. Just remember that. But I do want to hear what you think. The other thing is, we have allotted thirty minutes to this time slot. We are not going to do what we did in Dublin, where we had about twenty minutes and talked for an hour. Not this time. Okay.

Next slide, please. So we will start with a reminder of the status of where we are on this language, policy, et cetera. There was proposed language from October 2020 as to how urgent requests should work, and I am going to post the link in the chat. This proposed language included that urgent requests must be submitted by an authenticated requester, and that is a defined term, and I will also put that definition, which is part of this new language, in the chat. So an authenticated requester has to meet the definition of urgent. We are generally accepting of that definition. The IRT took that definition from the phase two EPDP policy work. RrSG has expressed that we have some concerns with the definition of critical infrastructure, but we are not super excited about revisiting the whole definition argument, so that is where that went.

Within this proposed language, the registrar needs to acknowledge the request within two hours, which means a response that says, "Yes, I have received it," and then respond within twenty-four

hours. That means actually make a decision and carry it out, disclose the data or say no and why. In some cases, they can extend that time period. So that is the proposed language. There was a public comment period from January 2021, and that has completed and the report has been published. So now we think that the next step is that this new language will get updated into the existing registration data policy. It was written specifically so that it would fit into it. It has got numbering that matches, et cetera. So that is the status of this work right now, and the piece that is mostly under question is the authentication of the law enforcement requester.

To start us off in this conversation, we will hear a status update from some RrSG members who are also participating in this ad hoc group that has been put together by the GAC Public Safety Working Group team, who are working on the LEA authentication process. We have with us today Roger Carney and Reg Levy, and Reg was originally going to not be here for this segment, so we were expecting only Roger would speak, but now they are both here, lucky us. I think they are going to have a little fight to see who talks first. Please go ahead.

ROGER CARNEY Thanks, Sarah. First off, on your point above on the urgent request timeline, we are encouraging staff to publish this as soon as they can. It is something that we support. Just recognize even when it gets published, it does not mean anything because you have to

have an authenticated user, and that cannot happen until this actually happens. So yes, we want them to publish it because the work is done and behind us and does not need to get stale sitting there and never get put in place. We do want them to get it put in place, but it does not affect anyone operating until the authentication piece is done. I will leave that there and let Reg jump in and start talking about the authentication work.

REG LEVY

Thanks, Roger. Reg Levy. So we do not have an SSAD, so we do not have a way of creating an authentication mechanism that attaches to the SSAD. I understand that there is an exquisite hope from some parties that the RDRS pilot be extended indefinitely and become an SSAD despite the fact that it is not fit for purpose per the recommendations, but I will put that aside. The ad hoc group has suggested a temporary solution and a permanent solution. The temporary solution is to simply provide us, and by us, I mean registrars and concerned parties, a list of domain names that are used by law enforcement entities. For example, la-sd.gov would be the domain name that the LA County Sheriff's Department uses, so that would be on the list. If you were to receive an email from that address, which you would not otherwise recognize, you can know that at least the domain name is authentic.

I think this is a great thing for registrars. I love this. I really would like to have access to this list for a lot of police departments, both in my country and outside of my country, because I do not know if

you have ever gotten a German request, but they very specifically use domain names that are not their websites because that is just more secure, which it absolutely is, but it makes it more difficult to authenticate. This is the temporary solution proposed by the chair of the ad hoc group, which is Gabe, the US representative of the law enforcement working group from the GAC. Again, I really like this. I think this is going to be great. I want to get my hands on it. Looking forward to that.

There continues to be a presumption that authentication means immediate disclosure, which we continue to remind people that we still have to review the request. We still have to deal with jurisdictional issues, et cetera. The more permanent solution that is being proposed presumes either the SSAD has been created or the RDRS has become the SSAD, and it involves an in-depth integration of international police portals to RDRS so that when an RDRS request is received, it has been sent through a national law enforcement portal that has been synchronized with an international law enforcement body's portal and then sent into RDRS. It seems extremely ambitious that that would be the case or that that would ever happen, especially since, again, RDRS is not the appropriate venue for it and the SSAD does not exist yet. But in the meantime, I think that the temporary solution is very good.

One of the issues that was raised by the US representative to the GAC of the law enforcement working group was that once an authentication system was created and integrated with whatever it is going to be integrated with, it would work for any authenticated

user, not limited to law enforcement. I want to flag that for us because that is something that we have very strenuously pushed back on on multiple cases, but that is something that is being publicly said to the GAC. I want to let people know that is out there.

SARAH WYLD Thank you, Reg. Roger, did you want to add anything to that at this point?

ROGER CARNEY Yeah, just a little bit. I think some of the bullets here are still useful. I think more and more of the LEA group is understanding this, though I am not sure they are admitting it yet, but this is just a piece of information. So the authentication is just a piece of information. It is not a key to anything. It is just one more piece of information that the registrar will have to make a determination. I think that is something that everybody needs to be reminded of, and we continue to remind the group of that. I know Ashley started a discussion this weekend sometime about these next steps that we are trying to do, and we had a discussion with the board today on this about the next steps.

I do not know if the board has said this yet or not, but it sounds like they are going to unadopt the SSAD recommendations. Now, I think there is going to be some work coming with that in that some of those things may continue, but I think that is going to be up to council on how to do that. It sounds like the board is going to just

push this out and say, "We are done with these. Council needs to pull some of these together if they want to keep them and decide what authentication means and where it goes."

So I think that work, to the question here at the end whether more policy work is needed, we do not know that for sure, but that is the direction it sounds like it is going to go. If that is the case, I think this LE authentication group is more of a design team at this point because they have no real ICANN function. It is just a group of people meeting to talk about possible solutions. Reg mentioned the two solutions that are being discussed, but again, not in an ICANN context because, as Reg mentioned on our last LE authentication call, none of the calls to this point have been recorded or notes produced. It does need to grow up a bit and get into an actual function of ICANN. I will leave it there, Sarah, and let you run the queue.

SARAH WYLD Thank you. Yes. This is Sarah. So one of the complicated things here is that this urgent request process and this question of authentication connects into different pieces of our ICANN work. There is the RDRS, there is the SSAD, if that becomes a thing, but it is also the registration data policy. It is complicated. On the topic of who can get authenticated, I am not necessarily opposed to it being a concept of authentication for other groups, but I do not think that non-law enforcement should be able to make urgent requests. Maybe it is useful for an entity to be authenticated as

representing a certain trademark, but they cannot make an urgent request for disclosure. Indeed, we should watch out for that. So we will go to Ashley as she has waited very patiently in the queue, and then Beth. Then we will move on to some poll questions to guide our discussion for the rest of this seventeen minutes remaining. Thank you.

ASHLEY HEINEMAN I like the time check there, too. I just wanted to say I am a bit surprised that you are saying that you are still hearing in this group that there is a lack of understanding or appreciation that authentication does not equal disclosure. There seems to be a need to clarify jurisdiction because I have spoken to the US GAC representative. I actually teed this up in our council conversation with the GAC because I wanted it on the record, and I think I got it on the record, that they understand that authentication does not mean disclosure. It is one more thing to consider in reviewing the request, and they understand jurisdiction is a consideration as well, not only for urgent requests but for all requests. I think that is a good thing. I will make sure to find the recording of that statement and we can have it when necessary. Owen, Bow Tie Owen, said he is going to try and get that in writing, perhaps in the GAC communiqué. So we will have it very much on the record. Thanks.

SARAH WYLD Thank you, Ashley. That disconnect is really interesting. I forgot to say there is a link I posted a few minutes ago in the chat. That was our input on questions that ICANN Org is asking about LEA authentication and whether and how it would be useful. Please do refer to that link. Beth, please go ahead.

BETH MARTY Yes, hello. Beth Marty with Name.com. I think this is a very important conversation. Thank you for leading it. I want to flag what comes after authentication. Is it coupled with authentication? How are registrars supposed to perform a balancing test, or are they supposed to perform a balancing test? What is the expectation coming from the GAC, and how do we resolve that? How do they propose that we solve for that? More information about optics and expectations of what authentication would mean are vital to our understanding of what we are expected to do with what Roger calls a piece of this. I just want to put that out there for consideration. Thank you.

SARAH WYLD Thank you, Beth. That is a really good question to be thinking about. With regards to how urgent requests would be, or actually just for any type of request, I tend to look at it from the lens of the registration data policy. The only difference between urgent requests and regular requests is the timeline. But in all cases, I believe there is an expectation that the registrar would consider the request and do a balancing test or whatever is appropriate in

their legal circumstance to then determine whether they can disclose the data or not. Hopefully that is helpful. Let's move on to our poll questions.

ROGER CARNEY I have the poll questions.

SARAH WYLD Okay. So first of all, thinking about this disclosure process, if you get a disclosure request from a user at a verified law enforcement email domain, how would you use that verification information? Would you accept it and complete a disclosure without further review? Would you include that authentication information in what you consider as you balance or think about the request? Would you entirely ignore that verification, or is there a secret fourth option? I see voting is happening, so we will give it another moment.

ROGER CARNEY I am very curious about the Ds.

SARAH WYLD Yeah, I wonder if there is something else happening. Okay, we are going to give it just another minute. I do not see any other numbers coming in, so we will close that poll. Our results show ninety-one percent said they will include this in their consideration, but somebody said they would do something else. Would that person be interested in speaking to what that something else might be?

ROGER CARNEY There are two of us.

SARAH WYLD There are two. I am sorry. I do not know how many people answered, so I just assumed that nine percent was one person, silly me. Does anybody want to speak to that?

ROGER CARNEY I did.

SARAH WYLD Yeah. Hey, Brandon, you are in the queue. Please go ahead.

BRANDON Brandon, for the record. Personally, I would authenticate it with the agency from where the person is purporting to be from. There are a few situations where you cannot necessarily take even an authenticated email address at face value.

SARAH WYLD Thank you, Brandon. That is true. Luc, please go ahead.

LUC SEUFER Thank you, Sarah. So yeah, I am the other D. For me, unless the jurisdiction or the LEA is from my jurisdiction, I would treat it as a regular request. It could come from a third party, and I do not care

if they are an LEA and authenticated; they do not have jurisdiction over us.

SARAH WYLD: Thank you very much. Good perspective. All right, let us move to our next poll question. There are four in total. Does your answer to the previous question change based on whether the law enforcement is local or foreign? I know what Luc's answer is.

LUC SEUFER: Damn it.

SARAH WYLD: That is no. Please take a moment and think about that. The numbers are changing as people vote. Very exciting. Zoe, the screen... yeah, thank you. So just as a reminder, at the bottom of the slide, you can see what that previous question was, whether if you get the disclosure request, how would you use it? Does it change? It looks like our responses have stabilized, so in a moment, we will end the poll. You can get in the queue right away while we are still voting. Jothan, go ahead.

JOTHAN FRAKES: Yeah. When you are saying foreign here, I assumed or I took that to mean foreign to my jurisdiction. Thank you.

SARAH WYLD

Yes, that is how I intended it. Thank you. Okay, closing the poll now. Our results show thirty-nine percent said yes, it would change their response to how they would use that information. Thirty-nine percent said somewhat, and twenty-two percent said no. Would anybody else like to speak to their thoughts on that one? Jothan's hand is legacy, so I will look at Ashley and then Michele, please.

ASHLEY HEINEMAN

I am not the person at GoDaddy who would do this, but I do know from previous conversations that we do not write it off necessarily out of hand if it is from an outside jurisdiction. We would still consider it. It might have an impact depending on what the jurisdiction is, but we would not just say no out of hand.

SARAH WYLD

Thank you, Ashley. Michele.

MICHELE NEYLON

Much as it pains me to agree with Ashley, no. I mean, I think the authenticated law enforcement email is a piece of evidence. It is another piece of a puzzle. The other thing as well, I need to see email headers. I need to see other things. It is very easy for me to send an email purporting to be from any particular agency. It does not mean that I actually am. If you do not know how to forge emails, talk to Jothan. He will show you how. It is not particularly complicated. And if you want to forge SMS messages, can you do that one as well? Yeah, you can. Perfect. Thank you.

There is a lot of this stuff that can easily be forged. From our perspective, knowing that the email address is from that particular agency or purports to be, yes. But the thing is whether or not the agent that is coming from there has the right authorization to even make the request. For us, for example, we require certain things before we interact with law enforcement. If they have not met that, we're just going to politely tell them to go off and get sign-off from their parents.

SARAH WYLD

Thank you, Michele. I feel like I heard two different things there, which is interesting. One of them is that the law enforcement agent may not actually have authority to make the request that they're making. But the other thing that maybe I was just misunderstanding is even if I know that the RCMP, the Canadian Federal Police, use the email rcmp.ca, which they don't, the email that I received that says it is from rcmp.ca might not really be from them. So I would need to make sure that it really is from that email. These are both very good points. Thank you. Reg, please.

REG LEVY

Thanks. Reg Levy from Tucows. Yeah, like Michele said, we're sharing a brain cell today apparently. It is a piece. It is a very important piece, I think. It is going to be a very useful piece. It is a piece I do not currently have for a lot of law enforcement, but it is just one piece.

SARAH WYLD

Thank you, Reg. Yes, and the idea that it's a piece of the puzzle is exactly what we said in that comment that we sent to ICANN, so I'm very happy that we're so consistent with ourselves. We'll go to Michele, and then we'll move to the next poll question.

MICHELE NEYLON

Yeah. Thanks again, Sarah. It is Michele. The other thing is it is unclear to me how we're getting these requests. Please let me follow through on that, because the thing is, if I'm getting an email from an external third party, I have access to data about the flow of the email from the external third party. So depending on what tools I'm using... look, I'm sure quite a few of you use Outlook and things like that. It actually indicates clearly whether this email is from outside your organization, or that an email may or may not have passed SPF or DMARC. But if I'm getting it from some kind of weird ticketing system, then it will always appear as valid. I do not know what I'm going to see or how I'm going to see it. I do not know what I am going to have access to.

I am not trying to make it a concern, but some of this is being presented to us in a couple of different fora as if it is some kind of silver bullet. I think the expectation thing that a couple of us have talked about cannot be stressed enough. Conversations with some of these people show they do not seem to understand the concept of balancing tests or due process. They do not seem to understand that we have a duty of care to our clients, and that if we just start

giving out our clients' data willy-nilly without having done balancing tests and checking that the request is actually valid, we could be in a lot of hot water.

SARAH WYLD Absolutely, yes. Thank you, Michele. Completely agreed. I did not mean to potentially interrupt you earlier. I do think that this goes back to what we were saying in the Ashley segment earlier that perhaps you were not there for, that we don't really know how it is going to work, so we don't know if it needs to be policy or not policy, and it ends up just feeling quite circular. Roger, please.

ROGER CARNEY Thanks, Sarah. Yeah, Michele, I think that is a good question to keep pounding on. The fact is, the idea from this group for their short-term thing is an email, so you are validating an email domain. Okay, easy enough. The long-term solution has a much wider range of solutions where the law enforcement agent may be logging into a law enforcement portal that is then communicating to some ICANN system that says "Yes," and again, getting back to the SSAD identity provider, authentication provider, and all those things. It is still that possible idea, and your point is right. We don't know yet, so it is hard to answer. Thanks.

SARAH WYLD Thank you, Roger. Reg?

REG LEVY

Thanks. Roger raises a good point that had not previously occurred to me. This is more useful to us than the proposed long-term solution because we can actually look at the email headers. We can look at information that we're receiving from the law enforcement body, whereas if it's all in ICANN's hands, we're actually losing a significant amount of information that we would otherwise have to take into account.

SARAH WYLD

Thank you. Yes. It is a super interesting idea that I also had not yet thought through. We will move to our third poll question. Would this authentication process help you to meet the twenty-four-hour response time for urgent requests, which is now being contemplated to be added into the policy? Would it help you to meet that? Yes, somewhat, or no? Just in case someone is listening and not watching, it is because there is a typo in the poll question. It should be somewhat. Yes, somewhat, or no. Does anybody want to speak to that while we are voting? We're going to give it another couple minutes. I had actually corrected a different typo on this poll question. All right. Looks like our answers have stabilized, so we will close the poll. Fourteen percent said yes, this process would help them meet the twenty-four-hour response time. Fifty-five percent said somewhat, and thirty-two percent said no, this would not help. Would anybody like to speak about that? I wonder if

perhaps we have already said what we think, but Owen's hand is up in the queue. Thank you. Please go ahead.

OWEN SMIGELSKI: Sure. Thanks, Sarah. I haven't babbled yet in this section, so I figured I would raise my hand. I voted somewhat only because, yes, it could help, but it is not dispositive. It is one part of a piece of information. It is not going to make it open and shut. I mean, we're generally pretty quick with these types of requests, at least for urgent requests. But it's not going to tip the scale one way or another. It just makes it a little bit easier. The more information you can have to process it, the better. Thanks.

SARAH WYLD: Thank you, Owen. Volker?

VOLKER GREIMANN: Yeah. I answered no here because the verification or knowing who the request is coming from is not really the factor that makes the timeline of the response expand or decrease. That is a different question. That is how we are staffing our response line. That is in which queue it is going into and how the entire process is being set up. That determines the ability to respond within that timeline, not knowing who the requester is.

SARAH WYLD Thank you, Volker. Super interesting. We will go to Jothan and then close that queue to move to our final poll question for this section.

JOTHAN FRAKES Sure thing. I just want to rope in the context around urgent requests. Are we talking about the urgent request for lawful disclosure where we have like the three-minute response time, or are we talking about... I know I was being facetious. But those don't seem to happen very statistically frequently, if I understood. Like a dozen across a decade kind of thing. Are we using our gut here in our thinking? Are there people who have actually had these experiences? Because it seems kind of anecdotal. Thank you.

SARAH WYLD Thank you, Jothan. I do think that some registrars are receiving these. If you want to look at our blog at opensrs.com, Tucows publishes stats about these every ICANN meeting. We've received some urgent requests, and one of the bigger concerns is that sometimes it's marked as urgent, but it's not really. Volker, is that a new hand or legacy hand? Okay, we will go to the last poll question on this topic. This is what the draft of the new policy language says: "Authenticated requester means a law enforcement requester or trusted/competent authority that is authenticated through an authentication mechanism implemented pursuant to ICANN consensus policy." The question is, do we need to do more policy? Like, is what we have already pursuant to ICANN consensus policy, or is there more policy that this needs to be pursuant to? I

still don't know what I think on this, so tell me what to think, friends. Vote, and Michele, please talk.

MICHELE NEYLON: Oh my God, Sarah, you really are letting me rip today. I find it... look, if this is policy, enough. We don't need more policy. I mean, ICANN needs more action, I think, in some cases, especially in this space where you're trying to talk about urgent requests, and the urgency of developing the policy for this seems to be anything but urgent. I did find that rather amusing looking at it from on high. I don't think we need to over-do that. I think we need to be aware of all the things that we've been discussing, how it looks in reality, and what the expectations are, but that's not policy. That is not ICANN policy. That's education. That's law enforcement not being ridiculous. That's governments not expecting us to fix all the ills of the internet.

SARAH WYLD: Thank you, Michele. You lost me at law enforcement not being ridiculous. But no, this is how I lean also. I feel really weird saying so, but I kind of think maybe we don't need more policy. Reg, please.

REG LEVY: Thank you. Reg Levy from Tucows. This is a draft. Can we make changes? Because "trusted or competent authority" is opening the

door to what ICANN staff is saying to the GAC, that it's not just for law enforcement.

SARAH WYLD: Thank you, Reg. This is a good question that somebody raised with me earlier today as to what the status of this language is. It went for public comment. We commented as we did. Then there is a report, and then the IRT didn't go back to the language to see if they need to update it based on that report. I know sometimes that does happen, but sometimes it doesn't. After a final report, there is a public comment period that doesn't result in more work. So it is not clear to me whether there should or will be more work on this language. But if we think that there should be, then we should decide that and say so quickly. The poll is still open. I think we are going to close it, but we will continue our queue with Ashley. Thank you.

ASHLEY HEINEMAN: I don't know if this is a very helpful... well, whatever, it doesn't matter. The part that gives me pause isn't the statement on the slide. It's the fact that this has been developed in a way that's not really ICANN-y. That's the part. I don't know how to sort that out. I don't know what to do with that, honestly. I don't think it's a policy issue. I don't know what it is.

SARAH WYLD

Thank you, Ashley. Yes, and I just want to make sure that we separate in our minds. There's this language that we see on screen, which was developed by the IRT, so I do think that's ICANN-y. But there's also the authentication mechanism that is being worked on by this ad hoc group that is GAC and friends and not GAC plus registrars, which is, of course, what I think it should be. Maybe that's what should happen. I will note the poll results while we still have a queue. The results showed eighteen percent said yes, more policy; fifty-nine percent said somewhat; and twenty-three percent said no. Owen's next, please.

OWEN SMIGELSKI

Yeah. I voted somewhat on this because, like Ashley, I think it is outside the process, and like Reg, it should be law enforcement requester period. Nothing else. I don't know why we're opening this door to potential others. Do we really need more policy on this as well? How much time have we spent on this? And again, is it that big of a problem if it has taken this long and we still haven't done something and the world hasn't ended despite us discussing this since 2018? It's been a long time. So maybe we don't need it because the world ain't falling apart because of it. Thank you.

SARAH WYLD

Thank you, Owen, and sorry for waving in your direction. I was trying to do a time check with Zoe. Roger, please.

ROGER CARNEY

Thanks, Sarah. Yeah, and I am going to probably steal some of Reg's prior talking points that Owen just kind of hit on. Reg has made it perfectly clear in most of these meetings that there is not an urgent request if you send an email. That is not possible. I mean, email is a good way to document the process that went through, but there is going to be a different communication to make an urgent request. But that is something that we may have already lost because now we are already into this process. I get to disagree with Michele here, so that's why I put my hand up to start with.

I do think that there is policy needed, especially if we make the assumption that the board unadopts the SSAD recommendations. Because at that point, there is no discussion or community agreement on using an authentication mechanism. That disappears. It is in no language and no community-led effort has provided that language. So I think if that goes somewhere, then we need to have policy, which I think the board and council have given the possibility of if SSAD is removed, then there may be a supplemental recommendation that comes from council, which I assume is going to be driven by a small PDP or whatever. Then to me, again, that is the perfect spot where this LE authentication team gets to get ICANN-y, as Ashley said. So I think that the policy should be done if SSAD goes away. Thanks.

SARAH WYLD

Thank you, Roger. That could be a really good way to bridge that. Jothan, please.

JOTHAN FRAKES

Hi. Thank you. Jothan, for the record. So yeah, this draft... something that was uncanny was the appearance of "or trusted competent authority." This is a strange thing that came into play. I tested this when we had the comment period on urgent requests for lawful access and said we need to be very careful about how narrow the circle is, that it's limited to that competent law authority and perhaps the organization or something within their organization directly. You want to be really careful about how many degrees of separation you go beyond that because it becomes less and less validated or trusted. For this urgent stuff, we really want to be working directly with the law enforcement, and it is really designed for law enforcement for real crisis situations. If they have some WHOIS tools, kind of a data researcher service or something working on stuff, that is going to start to set expectations around data access that does not exist anymore after 2018. So that was kind of concerning. I don't know where this uncanny, un-ICANN-y "or trusted competent authority" kind of crept into this. Thank you.

SARAH WYLD

Thank you, Jothan. I am super into this ICANN-y uncanny thing. Reg, we will close the queue with you. Thank you.

REG LEVY

Thank you. Reg Levy from Tucows because I wanted to talk about ICANN-y stuff. I am very concerned about process not being followed in a number of situations coming up here. So I answered somewhat. I'm not saying we need more policy. I'm just saying we have to follow process. We have not been following the process for this or for some other recent things. I don't know where the process broke down in this situation, and maybe we just need to have a policy to bless what has happened without policy. With this and with the ad hoc group that's being thrown together and is starting to somehow create implementation without being an implementation group, we need to go back to how we're supposed to be running the internet because there are rules for a reason. This affects everyone on the planet. It is not that we need more policy and need to do more of that; it's that we need to do it the way that we've told everyone that we're going to do it.

SARAH WYLD

Thank you, Reg. Yes. It's not that I want to stop people like the GAC here from having an idea and trying to actually do some work, but we do need to figure out how to do that properly, even if that's not necessarily through policy. Ashley, I saw a hand go up and down. Did you want to have one last thought before we move off of this, or are we good?

ASHLEY HEINEMAN

I hesitate to bring it up, but the closest parallel is the portal idea that happened right before GDPR went into place. Not everybody, I

think, was part of that conversation, but working with law enforcement to put together some portal, and it had a similar feel to it where it was kind of under the radar. I like the idea of finding some kind of bridge to bring this into the process, and what that is, I don't know.

SARAH WYLD

A bridge. Yes. Thank you. All right. We are going to leave this topic on that thought. Thank you all so much for providing input. This has been very helpful. I hope everyone feels that they were heard. If you do want to follow up, send an email to the list. Okay. And I only went eleven minutes over time. Moving on to me again. Comms check-in. Okay. So this is a different topic entirely. Before we get into it, I am going to say: would somebody like to please chair the Comms team? I'm doing policy. I'm doing Comms. I will stay on the Comms team. I will continue to do some work and support that, but I would love to not chair the Comms team anymore. They are a wonderful bunch of people who are very easy to lead in meetings, and I would like for somebody else to lead those meetings. So if you think that you might be interested in that... Michele, please take it.

MICHELE NEYLON

Thanks. Thanks, Sarah. In terms of... okay, I'm not volunteering for that role, okay? Just so we are clear. Thank you very much. But yeah, it's a fair question. It would be helpful, not that you can't do it now, but I'd prefer if you did it via email because then I can

forward the email to give an overview of the amount of hours and the commitment that is involved with it. Because the thing is, this is... I'm more than happy to ask a couple of my staff, "Hey, if this is X number of hours..." Now, if it's Y number of hours and I see that, I'm going, "Hell no. I'm not paying them salaries to go off and work for a load of publicly traded companies and other stuff." But I think just framing it that way would be helpful.

SARAH WYLD Well, gosh, do you always have to be so reasonable? Come on. Thank you. Yes.

MICHELE NEYLON Have you met me?

SARAH WYLD Moving on in our slides... yes, thank you, Michele, I'll do that. First up, a poll question. We have a RrSG newsletter called In the Zone. I'm sure you all read it. What did you think of the most recent issue of In the Zone? That is the second issue ever. So did it provide useful information? Was it not particularly useful but still enjoyable? Or neither useful nor enjoyable? Please vote, and while you're doing so, I would like to hear from Reg, please.

REG LEVY Thanks. I thought Michele was in front of me. I wish there was an "other" here because it did provide useful information, perhaps not

to me because I'm in all of these meetings, but we did share it more broadly amongst the herd, and it provided good information to people who are not plugged into ICANN on a daily basis but who care about what it is that Sarah and I do when they ship us off to India.

SARAH WYLD Thank you, Reg. That is a good point. Volker?

VOLKER GREIMANN Yes. I also feel that you are missing an option there because I find it useful and enjoyable, and that's not an option here.

SARAH WYLD So happy to hear that. Thank you. We will close that poll, and our results were that everybody said it provided useful information. Nobody talked about my beautiful visual design skills of putting little dot borders around things. Come on, guys.

REG LEVY It wasn't an option.

SARAH WYLD I know it wasn't an option. I don't expect you to actually follow the poll. You're just going to say what you're going to say. I know it. Next question, please. I don't remember what it was. What would you like to see more of in the newsletter? Would you like interviews

with members? Would you like policy topic deep dives? Would you like games and quizzes? Or would you like something else? While you're voting, if you pick something that takes work, please be prepared to do the work. I don't have time to make a crossword, guys.

REG LEVY Never.

MICHELE NEYLON Wordle?

SARAH WYLD Wordle's fun, but who has time? Okay. So as we're voting, would anybody like to talk about what they'd like to see more of in the newsletter? I heard sounds when I said interviews. Volker?

VOLKER GREIMANN Yes. These little things that you do that make it more enjoyable.

SARAH WYLD My beautiful formatting. Thank you. I actually really enjoy formatting it. It is a lot of fun for me. Okay, so the poll is happening. We will close the poll and see what people selected. I see we have chosen thirty-five percent of people want interviews, forty percent want policy topic deep dives, fifteen percent went for games or quizzes, and ten percent said something else. I like it. I'm kind of

into this. I like the interviews idea. I think that could be a lot of fun. Would anybody like to speak to what they've chosen? Prudence.

PRUDENCE MALINKY

Ashley, of course I'm the nerd. Of course I'm the nerd. Prudence for the record. I went for policy topic deep dives because I'm that guy. Thank you. I think this meeting alone, there was a moment when we were talking about Latin script diacritics, and everyone was so confused and had no idea. This is what I mean by if we had a section to kind of break it down as part of that In the Zone newsletter, that would be great. Or making things accessible and fun and interesting, so we can all learn about stuff that we don't know about, I think is a good idea. I'm not saying that Latin script diacritics should be where we start, but I think it will help everybody. Thanks.

SARAH WYLD

Thank you, Prudence. I appreciate that. I want to take a moment to appreciate Volker saying, "In Latin, everyone is a diacritic." I just love that. As we're thinking about this, I start to wonder how a policy topic deep dive would be different from an explainer. Indeed, I helped to make the question, so I don't know, but that is a thought. Okay, we'll go to Reg. Thank you.

REG LEVY

Yeah. I think that the explainer documents are a wonderful resource, and yes, we need to make one for Latin script diacritics.

But I think that a policy topic deep dive can be like one section on one page that is highlighted. For example, what is the definition of Latin script diacritics? That is a lot of big words. I may know what it is if I knew what it was, if that makes any sense. Then for more information, here is our explainer document and a link. I really think that the policy topic deep dive could just be highlighting one of the... words are gone.

SARAH WYLD: It totally could be. It could be highlighting one of the... Okay, Beth Marty, please.

BETH MARTY: Hi. Beth Marty with Name.com. Appreciate all the work that goes into In the Zone. I put "something else" because I would love to see a strategy update or a "why." I also agree about deep dives and policy: what is this, but also why does it matter? Do I need to know what this is, et cetera? I always like alignment in our communication, and so maybe an ExComm corner or something from someone who's part of our leadership team and what are our north stars we're working on would be great.

SARAH WYLD: Thank you so much for that, Beth. I feel like you're consistent in wanting that type of thing, and I appreciate that. We will move to our next poll question. There remain two questions. Do you read the messaging documents? And just as a reminder, messaging

documents are for the stakeholder group only, internal, whether we really think about things, separate from explainers that get published on our website, which are also what we really think about things, but maybe not quite so candidly. Do you read all of them? Do you read only the ones on specific topics of interest to you? Do you read them but something important is missing? Rarely, or never? All right. And as we're voting, someone's chosen never, and we have a hand from Reg.

REG LEVY

Thanks. Yeah. I feel like I write a lot of them. I want to make a pitch for anyone who isn't reading them to read them. It is very important to know what our messaging is and to be on message because we have opportunities throughout these meetings where we're talking to people in the hallway, where we're running into people who are asking questions. Knowing how to frame a response is really important, and I feel like other groups in the ICANN ecosystem are just so much far ahead of us on this. That is why I recommended that we start doing these. So I just want to pitch them.

SARAH WYLD

Thank you, Reg, for reminding us of that crucial function of the messaging document and how they are different from explainers, which are more to explain what the topic is. Michele.

MICHELE NEYLON

Yeah. I mean, I tend to agree with Reg. However, I would just say look, the position is the position of the stakeholder group and could be seen as being the broadly held position of registrars. Depending on the topic, we may not all agree. So that I think is something... and we have the ability and the right to not agree, obviously. But it's very important when it comes to the messaging because as Reg says, a lot of these groups are hyper-organized. Do you honestly think that articles twenty-seven and twenty-eight of NIS2 came out of a vacuum, that somebody in the EU gave a damn about that? That was them lobbying in Brussels for things that they could not get here.

If you look at what's happening elsewhere, and where are the Americans... have a look at the potential changes to the dot US contract. That is the kind of stuff that they're shoving in there that they tried to get within the multi-stakeholder model and failed. So we have to be very on point, on message. Use some of their language back at them. They like to talk about things like underserved regions, digital divides, bringing people online, all of that kind of thing. But you can't have it both ways. You can't make it harder and harder and harder to get online and then say, "Oh, yes, but let's bring everybody online." I don't see how that works.

SARAH WYLD

Thank you, Michele. I forgot to close the poll, so we will do that now. The results for whether people read our messaging documents showed thirty percent say all of them, sixty-five percent

said only the ones specifically of interest, and five percent said never. Excellent. Okay. Zoe, do we have time for the two more poll questions? Yes. Okay. Super.

ROGER CARNEY

Three minutes.

SARAH WYLD

Three minutes. We've got three minutes for two questions. All right. Next up... oh, yeah. So we have this idea that we wanted to share the newsletter with ICANN staff so that we can show them all the great work that we are doing and also my pretty formatting. But sometimes there is stuff in the newsletter that is not public, like for example, the names of the people who have represented new members of the stakeholder group, or the topics on which we have messaging documents, which we have, of course, just discussed in this public meeting. So the question is, would it be okay to share the newsletter with ICANN staff? What do you think? Does anybody want to talk about that? We're going to give it another moment in the poll. Michele, please go ahead. Thank you so much.

MICHELE NEYLON

Yeah. I would've said yes, but then when you actually, as part of your introduction, mentioned something that puts me into the "something else" category. It is a privacy issue, so that is easily fixable. It is very easily fixable, and I think it is something that should be fixed. The draft privacy policy that is being worked on

may go some way to do that, and maybe it is there that it is fixed. I have absolutely zero issue with anybody knowing that I am the representative Black Knight within the stakeholder group, and I have no issue that various members of my team may be on various lists. They are all doing it as part of their jobs. It is perfectly fine. You're not going to get their mobile phone numbers, their home addresses, or their blood types. It is not super sensitive information; it is part of their job. So I don't have an issue with it, but at the same time, making it clear that by joining this or by participating in that, whatever way you want to do... that is what you lawyer types worry about. But I think that's the way to fix that.

SARAH WYLD Thank you, Michele. As you were speaking, I actually thought what you were going to say is that we could remove the person's name from the newsletter. But that is not what you said.

MICHELE NEYLON No. That wouldn't be very helpful.

SARAH WYLD Well, it would still list the registrar name, just not the person's name.

MICHELE NEYLON Yes, but no, sorry, because I was thinking it is broader than that. Because if you wanted to say, oh, I don't know, who will I pick on?

I'll pick on Owen. Owen won an award last week. Well done, Owen. But if you start saying, "Oh, I have to remove the name of the person," then it just starts getting reduced to the ridiculous. Whereas it makes more sense to me to just get their consent and we move on.

SARAH WYLD

Thank you, Michele. Yeah, it wouldn't make so much sense to say we have a new member spotlight on someone who lives here in Mumbai, but we're not going to tell you his name. All right, Prudence, and then we'll move on. Thank you.

PRUDENCE MALINKY

Hi there, Prudence for the record. I went to the middle, like something else. I went there because if we can't... can't we just redact or create a light version where we take the contents and remove all of the salacious stuff that potentially shouldn't be seen, and then just give a clean version or a light version to whoever? Then we can actually potentially use it for lots of people outside of our group, not just ICANN staff. Is there any reason why we can't do that? I don't see why we can't just edit it and just come up with two versions. It will take like two seconds. Okay, okay, okay. And I'm not volunteering to do it. All right, I am going to stop speaking. All right, thank you.

SARAH WYLD

Thank you, Prudence. Yeah, it is a good idea, but I do think it would take some level of work. We will go to Owen. Thank you for whoever closed the poll on that one, because as usual, I forgot. So I will just say that our poll answers were seventy-four percent, yes, it's okay; sixteen percent, no; eleven percent, something else. Owen?

OWEN SMIGELSKI

So real quick, I really don't have any concerns sharing with ICANN staff. I just mean ICANN staff. It's not going to go to the entire company. It will be people who work with the registrars, maybe registries, because they are familiar with the industry. It is good for them to know who's doing what and where because they sometimes reach out and stuff like that. So I think it could be a benefit, but I don't want to share it with anybody outside of that. Thanks.

SARAH WYLD

Thank you, Owen. Good note. Our final poll question in this section, and thank you all for your participation at this late hour. Do you read our guidance documents? And again, the same answers: all of them, only the ones on specific topics of interest, yes but something's missing, rarely, and never. Michele, I see your hand up, and while you're speaking, I will share the link to the guidance documents in the Zoom.

MICHELE NEYLON Yeah, thanks, because I was going to ask what the hell the guidance documents are. Sorry.

SARAH WYLD The link just goes to our website, the guidance and information section, which much of it is explainers. But also we had, for example, the registrar's guide to participating in the policy development process put together by our fabulous outreach team. I can't think of any others, but that is where we were with...

VOLKER GREIMANN The white paper.

SARAH WYLD The white paper from the DNS Abuse Mitigation team, exactly. So we're seeing some poll results. I'm going to close the poll because it is too late now. Twenty-four percent said all of them, seventy-one percent said the ones on specific topics of interest, which I think makes sense, and six percent said rarely. All right. Thank you all so much for your participation in this section. I really appreciate all the input. I feel like I've learned a lot. And we will go to Volker before we end this segment.

VOLKER GREIMANN Just one comment, because these explainers are excellent when they come out, but they're even more excellent months after they come out when I need to be reminded of certain things that are in

there. I actually draw the most benefit out of these explainers and the guidance documents maybe a year after they are first published because that's when I tend to forget what was originally discussed. Very helpful.

SARAH WYLD Strongly agree. Thank you. All right, back to Owen.

OWEN SMIGELSKI All right, thanks. So real quick, because we have a little minute. The CP Summit schedule is now online. I just dropped the link into chat, and if you want to register and get hotel, I just dropped the link to that in chat as well too. That will be starting April 27th or 28th in Manchester, UK. So be there and have fun. Thanks. I think that is it. AOB, we've got like thirty seconds, so if there is a desperate AOB. Otherwise, we can go ahead and close the meeting.

JOTHAN FRAKES Desperate AOB. NomCom. We need a new representative. I'm terming out, and there were two hundred and thirty-two applicants, a huge pool of people for the various positions. We will be working through the summer ICANN meeting to get people out. But I will term out, and so I hope people might consider this if folks are already having some conversations. It is a great service position, and it has been a privilege to serve the RrSG in this capacity. I complete my term at the end of the October meeting. Thank you.

OWEN SMIGELSKI Thank you, Commander Riker. Volker?

VOLKER GREIMANN Yeah, just one consideration that I saw on someone's domain online blog that was published just recently. We are currently in the practice of providing the registration data and unredacted data under privacy services to UDRP providers upon UDRP requests. WIPO has now gone ahead and greatly reduced the fees for withdrawn requests, thereby opening up a loophole for requesters to abuse the system for basically what amounts to disclosure requests. I think this is something that we should look at and form an opinion on. Not now, but something to noodle over until next we meet. Thank you.

OWEN SMIGELSKI All right. Thank you, Volker. And with that, apologies for going over. Thank you, everyone. And enjoy the rest of your meeting. Thank you techs, thank you ICANN staff, and everybody who makes these meetings happen. Thank you.

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