Dear EPDP Team,

Thank you all for your hard work these last few days. I know every email starts with these sentiments, but it was hard, so thank you.

We made substantial progress on difficult items, but there is still some work to go. As you know, we are still working (with a somewhat optimistic eye) towards our deadline of delivering a Final Report in early February. This means we need to plan our time well (our job) and will require your commitment to work diligently online as well as off-line (your job). Attached you will find an overview of the status of our work:

* Highlighted in green are those items where I believe the group has completed its deliberations and those Recommendations / Purposes are ready for inclusion in the Final Report.
* Highlighted in yellow are those Recommendations / Purposes where agreements in principle have been reached, but where final language needs to be reviewed and agreed by the EPDP Team.
* Highlighted in orange are those Recommendations / Purposes for which public comments still need to be reviewed, or deliberations have commenced but have not yet concluded.

The leadership team expects that yellow items can be dealt with on list. The Staff Support team is working on proposed language which will be shared shortly. Feedback is expected to be provided via the mailing list. Only if issues are flagged that require further conversation, will these items be added to the agenda for one of our upcoming meetings.

For the following items, email threads will be kicked off – some of these have been discussed in small teams or have been discussed in plenary. We hope these can be closed on the mailing list, but if not, these will get added to our meeting agendas:

* Purpose 1 – Establish the rights of a Registered Name Holder: awaiting final language and data workbooks from RySG; need to close discussion as to if / whether reference of registered name holder obligations should be inclided.
* Recommendation 7 – Contractual Compliance: the support team will propose revised language based on discussions in Toronto, specifically to address the concern to ensure that each compliance audit or data request is narrowly tailored to the requirement. Then, the EPDP Team will be asked to confirm whether that addresses the concerns or whether further deliberations and/or input from ICANN Compliance is needed.
* Recommendation 11 Data Retention – the small team proposed some revisions to the language and has passed that on to the plenary with questions for consideration.
* Recommendation 12 Reasonable Access – a small team collaborated at the end of the Toronto meeting on proposed modifications to the recommendations to address public comments. Proposed modifications to be shared with the mailing list for review.
* Recommendation 13 - Controller agreement – where alternative wording to the Recommendation in the Initial Report has been recommended.

For the meetings this week, the call agendas will cover these recommendations:

* Recommendation 3 – Whois accuracy
* Recommendation 4 – Data elements to be collected by registrars: the team will review the public comments while small teams will review the data elements
* Recommendation 5 – Data elements to be collected by registries: the team will review the public comments while small teams will review the data elements
* Recommendation 8 – Redaction (where the remaining issue is whether “city” should be redacted)
* Recommendation 14 – Responsible parties; review public comments and update the charts in the recommendation that refer to the different responsible parties and their designation for each of the purposes (controller, processor).

In addition, these issues require resolution:

* Implementation Review Team & Time Gap – the Final Report should address the GNSO WG Guideline that: “The GNSO Council must direct the creation of an Implementation Review Team (IRT) to assist staff in developing the implementation details for the policy, unless in exceptional circumstances the GNSO Council determines that an IRT is not required. In addition, an appropriate recommendation must be put in place for addressing the issue that the ORT will complete after 25 May 2019.
* Interdependency of recommendations – the EPDP Team should indicate if there are interdependencies between the recommendations to address the GNSO WG Guideline: “The GNSO Council is strongly discouraged from itemizing recommendations that the PDP Team has identified interdependent or modifying recommendations wherever possible.”
* Geographic basis – requires another attempt at resolution prior to release of Final Report.

We plan to apply the same methodology as for the Toronto meeting. The focus will be on reviewing and addressing public comments. In advance of the upcoming meetings, we request that you review and collaborate with your group regarding the public comment. We’ll assign specific time to each topic and ask you to be as brief as possible in your interventions. At the end of the allotted time, we’ll make a determination of whether to continue the conversation or whether to move on to the next topic.

As we have all experienced, wordsmithing and editing by committee has not proven an efficient use of the plenary meeting time. In that spirit, if you have a specific concern with the language of the recommendation, we ask you to share proposed language in advance of the meeting.

Thanks,

Kurt