

Adobe Connect: 26

Alan Greenberg (ALAC)	Hadia Elminiawi (ALAC)
Alan Woods (RySG)	James Bladel (RrSG)
Alex Deacon (IPC)	Julf Helsingius (NCSG)
Amr Elsadr (NCSG)	Kavouss Arasteh (GAC)
Ashley Heineman (GAC)	Kristina Rosette (RySG)
Ayden Férdeline (NCSG)	Kurt Pritz (Chair)
Ben Butler (SSAC)	Lindsay Hamilton-Reid (RrSG Alternate)
Benedict Addis (SSAC)	Marc Anderson (RySG)
Collin Kurre (NCSG Alternte)	Margie Milam (BC)
Diane Plaut (IPC)	Mark Svancarek (BC)
Emily Taylor (RrSG)	Rafik Dammak (GNSO Council Liaison)
Farzaneh Badii (NCSG)	Stephanie Perrin (NCSG)
Georgios Tselentis (GAC)	Thomas Rickert (ISPCP)

On Audio Only:

Gina Bartlett (CBI)

Apologies:

Milton Mueller (NCSG)
Matt Serlin (RrSG)
Leon Sanchez (ICANN Board Liaison)
Chris Disspain (ICANN Board Liaison)

Audio Cast (FOR ALTERNATES AND OBSERVERS)

Peak: 16 joined

View Only Adobe Connect:

42 joined

Staff:

Berry Cobb
Caitlin Tubergen
Daniel Halloran (ICANN Org Liaison – Legal)
Marika Konings
Mike Brennan
Trang Nguyen (ICANN Org Liaison – GDD)
Terri Agnew
Andrea Glandon

AC Chat:

Andrea Glandon: (10/2/2018 07:07) Welcome to the EPDP Team Meeting #16 held on Tuesday, 02 October 2018 at 13:00 UTC.

Andrea Glandon: (07:08) Agenda Wiki Page: <https://community.icann.org/x/JQWrBQ>

Ayden Férdeline (NCSG): (07:57) Hi all

Terri Agnew: (08:05) Action items wiki page: <https://community.icann.org/x/NwSNBQ>

Terri Agnew: (08:07) everyone can scroll themselves

Marika Konings: (08:07) action item for Thomas Rickert

Marika Konings: (08:07) he volunteered :-)

Alex Deacon - IPC: (08:09) @mark - the workbook is more than data elements - its all of the data/justification/analysis we are capturing for all purposes.

Alex Deacon - IPC: (08:09) sorry Marc not Mark.

Marika Konings: (08:11) @Kavouss - picture with names can be found here: https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_news_blog_epdp-2Dteam-2Dmakes-2Dimportant-2Dprogress-2Dduring-2Dlos-2Dangeles-2Dmeeting&d=DwlFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=k7uKdjSb7_ZjItyVqrCY_Ho_rKms9SFxImbYEJqG-y9I&m=k7K_PkEC84gx5g5IKRsww_C4JBjm9OjEkRWCbODiAqc&s=9ev8yCzJCdub41cqH6OqBP06yrlAg_-RIY9IkFX5H2U&e=

Stephanie Perrin: (08:12) apologies for joining late

Collin Kurre (NCSG): (08:12) Me too, I was in the alternates corral. Forgot I have member status today :)

Kristina Rosette (RySG): (08:13) Hi. Apologies for joining Adobe late. I've been on phone since call started (btw, operators are taking longer today)

Kristina Rosette (RySG): (08:13) N is underway

Kristina Rosette (RySG): (08:13) and will be submitted today.

Kavouss Arasteh (GAC): (08:13) By the end of the day we should know whatz we mean by other purpose

Marika Konings: (08:14) @ Margie - this question was sent to ICANN Org: 4. Apart from ICANN Org Compliance, do any other ICANN departments require access to registration data and, as such, might require a specific purpose? If so, please describe in detail sufficient to provide a legal basis for such data processing.

Kavouss Arasteh (GAC): (08:14) Pls confirm my comments in the chat

Margie Milam (BC): (08:14) Thanks Marika

Benedict Addis - SSAC: (08:14) Kavouss - other purpose doesn't refer to a NEW actor. It is about identifying different purposes for data processing by the actors we've already identified.

Ashley Heineman (GAC): (08:15) +1 Benedict.

Terri Agnew: (08:15) @Kristina, we will look into operator delay, thank you for reporting

Benedict Addis - SSAC: (08:16) in our model the actors are {ICANN, registries, registrars, 3rd parties seeking access}

Marika Konings: (08:16) This document can also be downloaded from here: <https://community.icann.org/download/attachments/95094053/Lawful%20Basis%20for%20Processing%20Testv3%28k%29%28ct%29.pdf?version=1&modificationDate=1538429788000&api=v2>

Alex Deacon - IPC: (08:23) ok thanks.

Ashley Heineman (GAC): (08:26) For clarity, on Purpose B, I think tentative "agreement" is a little strong. There was agreement to go through the exercise of applying the worksheet to registries and registrars only and go from there with respect to whether or not to add ICANN back into the responsible party category.

Georgios Tselentis (GAC): (08:27) +1 Ashley This is what I remember from the meeting

Farzaneh Badii (NCSG): (08:28) we had around 21 people who were in agreement about B. but I agree Ashley that we should further discuss this

Ayden Férdeline (NCSG): (08:29) We spent a lot of time discussing this last week and we did have a tentative agreement that we polled on and largely felt comfortable with. It's time to move on, for now at least, if we want to get an initial report ready by Barcelona.

Ashley Heineman (GAC): (08:30) Ayden - I refer you to the notes of the meeting where it says what I just said.

Alex Deacon - IPC: (08:30) More discussion needs to happen with B. it was not at all clear to me where we ended up at the end of our face to face - other than agreeing to continue working on it.

Farzaneh Badii (NCSG): (08:31) we were supposed to discuss it with our stakeholder groups and constituencies Alex that is true. but then if we want to dis uss we should just start

Alex Deacon - IPC: (08:36) +1 Alan - similar to my previous question that I didn't make as clearly as you just have. (registrar doesn't need WHOIS data to communicate with the RNH)

Thomas Rickert (ISPCP): (08:36) Then we need to add another processing activity (and then probably get to the anonymized e-mail / web form)

Farzaneh Badii (NCSG): (08:38) sorry did I miss something? Alan G asked for a processing activitiy to be added and we are just adding it cause he asked?I didn't get that part

Thomas Rickert (ISPCP): (08:39) Farzaneh - we need to discuss that. What I tried to say is that imho what Alan is asking is not covered by the other purposes.

Lindsay Hamilton-Reid (RrSG): (08:39) Yes but are those contractual obligations compliant with applicable law?

Alex Deacon - IPC: (08:40) @Farzaneh - I don't understand either - are you suggesting the text in this doc is complete and agreed to and can't be discussed?

Farzaneh Badii (NCSG): (08:40) M is only addressing URS and UDRP

Farzaneh Badii (NCSG): (08:41) no Alex, I agree it is not. I just think we should discuss things more indepth

Thomas Rickert (ISPCP): (08:41) Lindsay, not sure you are asking me. If so, I guess we need to do the full test to determine whether it is legit or not

Ayden Férdeline (NCSG): (08:42) I like the approach that the facilitators did, of keeping us to 'threads'. i.e. if Alan G proposes we add X, we could invite comments on only X first, before making it an action item, just to test the temperature of the room. Just a suggestion

Marika Konings: (08:42) @Farzaneh, on M it is still under consideration whether those other three belong here or require a separate purpose.

Marika Konings: (08:42) or are not required to be mentioned

Farzaneh Badii (NCSG): (08:42) yes Marika we said we come up with N to be discussed

Lindsay Hamilton-Reid (RrSG): (08:42) @Thomas, no that was in response to what Amr said.

Alan Greenberg (ALAC): (08:42) If we need to discuss whether there is a need for third parties to at times contact the registrant for technical purposes, then I may give up....

Alex Deacon - IPC: (08:43) @Alan +1

Julf Helsingius (NCSG): (08:43) There needs to be a contact method, nothing more

Ayden Férdeline (NCSG): (08:44) @Alan - Why can't the third party contact the registry/registrar and ask that their message be forwarded along to the registrant?

Amr Elsadr (NCSG): (08:45) @Kristina: That sounds great. I'll hold off on my questions until the worksheet is available.

Mark Svancarek (BC): (08:46) @Ayden - is the CP contractually obliged to forward that message? If not, I think it's appropriate to provide a contact method that does not depend on the optional good behavior of teh CP...

Alan Greenberg (ALAC): (08:46) @Ayden, in fact, that is how an anonymized e-mail address generally works. BUT in the general case, we could do it that way. IF we add a new registrar requirement to handle such communications and do it with the speed needed to address technical issues.

Alan Greenberg (ALAC): (08:46) I am not sure that would be welcomed in the general case.

Diane Plaut (IPC): (08:46) Agrred, Mark

Kristina Rosette (RySG): (08:46) With regard to the other DRPs, I'm working on a matrix of the procedures, the DRP, elements and processing activities. That got pushed by my work on Purpose N.

Mark Svancarek (BC): (08:46) @Alan, I consider an anonymized email address separate from "ask to forward"

Ayden Férdeline (NCSG): (08:46) @Mark S - but why should it be a contractual obligation? should the contracted party be obliged to pass on a spam message, for instance?

Amr Elsadr (NCSG): (08:47) @Kurt: Agree that it might need data that is required for provision to a DRP provider. My question is on whether it needs to be included in the RDDS, and so is subject to the scope of this EPDP. Not disputing that it needs to be collected, and disclosed to specific third-parties.

Lindsay Hamilton-Reid (RrSG): (08:47) Why should we be obligated to forward any message? You can't put a burden on CPH in this way without considering all applicable law.

Mark Svancarek (BC): (08:48) Exactly. We cannot depend on the CP to forward the message.

Lindsay Hamilton-Reid (RrSG): (08:48) Well if we have webforms, that takes away any responsibility to forward.

Amr Elsadr (NCSG): (08:48) @Kristina: Thanks. Seems like my Qs on M and N are both issues you might be able to help me with. Hope I'm not adding to your work load. :-)

Ayden Férdeline (NCSG): (08:48) @Mark S: I don't understand why a third party should have any entitlement to contact a registrant.

Alex Deacon - IPC: (08:49) @Ayden - see PPSAI for an example of consensus policy on "message forwarding"

Alan Greenberg (ALAC): (08:49) The purpose we are discussing is ENABLE COMMUNICATIONS. We are not specifying or limiting the mechanism.

Hadia Elminiawi - ALAC: (08:49) @Amr with regard to purpose m generally we don't need to name the ICANN dispute resolution policies - they are just mentioned for the benefit of the processing activities

Lindsay Hamilton-Reid (RrSG): (08:50) I don't see why contracted parties need to be contractually obligated to enable communications. We do provide other mechanisms currently anyway so I am not sure why this is an issue.

Mark Svancarek (BC): (08:51) @Alan, agree, the mechanism to enable communications is undefined, and is part of an access discussion. I was responding to Ayden's verbatim question.

Mark Svancarek (BC): (08:51) @Lindsay - please clarify the "other mechanisms"

Ayden Férdeline (NCSG): (08:52) Registrants can make themselves available in other ways, i.e. by providing contact details on their website for "administrative issues". For technical issues I'm not sure why a third party would be involved here rather than the registry/registrar really. What third parties are we talking about for technical issues?

Thomas Rickert (ISPCP): (08:52) Sorry, I have not audio now.

Alex Deacon - IPC: (08:52) @lindsay - if contracted parties want to avoid being contractually obligated to enable communications the simple solution is to put the registrant email in the RDS. If its not in the RDS there must be a mechanism to enable communication with the RNH.

Thomas Rickert (ISPCP): (08:52) I have patchy connection.

Mark Svancarek (BC): (08:52) @Ayden - Last Christmas I needed to contact a company because I received a defective gift. Their site was down. I used Whols. The next day the site was up and I received the proper software. An admin contact on their site would not have been available.

Lindsay Hamilton-Reid (RrSG): (08:53) So we have web forms and you can contact the registrar to contact the registrant on your behalf.

Alex Deacon - IPC: (08:53) @Ayden - the world would be great if all websites put their contact details on them. unfortunately this is not the case.

Lindsay Hamilton-Reid (RrSG): (08:53) @Alex, that will never happen. Third parties have interests and it's not ICANN's remit to ensure that access.

Ashley Heineman (GAC): (08:54) But it is in ICANN's remit to enable access.

Benedict Addis - SSAC: (08:55) @Ashley which part of ICANN's.

Benedict Addis - SSAC: (08:55) mission & bylaws are you relying on?

Lindsay Hamilton-Reid (RrSG): (08:55) How is that Ashley? Access will be subject to applicable laws and to the CPH.

Ashley Heineman (GAC): (08:56) Let me get my bylaws out!

Benedict Addis - SSAC: (08:57) Thanks! I'm riffling through them too

Amr Elsadr (NCSG): (08:57) @Margie: I can't think of a single reason why a registrant would want to enter in to a contractual relationship with ICANN!!

Diane Plaut (IPC): (08:57) Yes, Margie - the IPC also supports the discussion about a direct ICANN contract, as many stakeholder groups at the LA meeting expressed interest in this and ICANN org made clear their commitment to taking on clearer and more direct liability and therefore this would address this need as well as clear GDPR compliance needs.

Farzaneh Badii (NCSG): (08:57) we need time limits for interventions

Marika Konings: (08:57) Ashley, you may be looking for this which is actually from the RAA: "1.3.4. maintenance of and access to accurate and up-to-date information concerning Registered Names and name servers"?

Farzaneh Badii (NCSG): (08:58) no Margie we dont talk about access now .

Amr Elsadr (NCSG): (08:58) What's in it for the registrant? Or is this a contract that needs to be shoved down RNHs' throats?!

Georgios Tselentis (GAC): (08:58) I think we spent almost 1 day discussing in LA concluding the best ICANN role was not as facilitator but as an enabler

Ashley Heineman (GAC): (08:58) And.... the EDPB specifically stated that it expects "ICANN to develop a WHOIS model which will enable" access for legitimate uses by relevant stakeholders.

Farzaneh Badii (NCSG): (08:58) M is about collection and then it will be disclosed in accordance to the processes community comes up

Julf Helsingius (NCSG): (08:58) Key part: " concerning Registered Names and name servers"

Trang Nguyen (ICANN Org Liaison -GDD): (08:58) This document is a good way to summarize the discussions at the F2F and to facilitate continued discussions. As this is the first time we are seeing this, we will consult with our colleagues and flag any issues/concerns.

Benedict Addis - SSAC: (08:59) +1 Georgios

Hadia Elminiawi - ALAC: (08:59) @Benedict - DNS abuses investigation and mitigation is part of ICANN's mission that requires the stability and security of the Internet - to accomplish this access is required therefore Access is an ICANN purpose

Diane Plaut (IPC): (09:00) Amr - its not about a registrant desire, its about joint controllership/compliance issues and to address joint liability concerns, which would practically support registries/registrars administratively and financially

Ashley Heineman (GAC): (09:00) I got lost in chat (I need to stop) what purpose are we on?

Julf Helsingius (NCSG): (09:00) We seem to be discussing access again...

Marika Konings: (09:01) Purpose E

Marika Konings: (09:01) Now on Purpose F

Ashley Heineman (GAC): (09:01) thanks Marika

Amr Elsadr (NCSG): (09:01) @Diane: That may be what it is about to some, but not RNHs. RNHs have a contractual relationship with their registrars of choice. They don't need to enter into a similar relationship with ICANN, and should not be obliged to.

Amr Elsadr (NCSG): (09:02) Liability can be mitigated in other ways.

Amr Elsadr (NCSG): (09:02) By not breaking the law?!

Lindsay Hamilton-Reid (RrSG): (09:03) +1 Amr

Stephanie Perrin (NCSG): (09:03) this process is very difficult to follow. Did I hear correctly...there is a proposal here to change the entire delegation of power, and put ICANN into a direct contractual relationship with the registrant????

Stephanie Perrin (NCSG): (09:04) All to avoid registrant rights? OR am I oversimplifying the situation....

Alex Deacon - IPC: (09:04) +1 Kristina - I was going to ask how input on this document will be handled moving forward.

Ashley Heineman (GAC): (09:04) Good recommendation Kristina

Alan Greenberg (ALAC): (09:05) Or 2/3 way through call! ;-)

Kristina Rosette (RySG): (09:05) Yes, we would have a redline with annotations to minimize call time spent explaining.

Diane Plaut (IPC): (09:06) Certainly not to avoid registrant rights, Stephanie. As we discussed at the LA meeting, the goal is for ICANN org to be lined up to take responsibility as a joint controller and to satisfy GDPR and liability concerns.

Farzaneh Badii (NCSG): (09:06) what law is not well established?

Amr Elsadr (NCSG): (09:06) @Mark: :-)

Ayden Férdeline (NCSG): (09:06) correct @Alan G, we had hoped to keep calls now to 90 mins!

Hadia Elminiawi - ALAC: (09:06) +1 Diane

Stephanie Perrin (NCSG): (09:07) They are a controller without being privy to the contract

Farzaneh Badii (NCSG): (09:07) we don't even take the EDPB guidelines seriously. even when EDPB says don't do it we say but we should !

Kristina Rosette (RySG): (09:07) Talking about something does not equal consensus.

Stephanie Perrin (NCSG): (09:07) they do not need that contractual relationship

Margie Milam (BC): (09:09) Im going offline, but will still be on the phone

Thomas Rickert (ISPCP): (09:09) It seems like we are discussing the same questions again and again. Therefore, I think we need to table these ideas and have "mini-consensus-calls" or "testing the water" on these to see whether they get traction. If they do, we continue discussing them (in a structured manner), if they don't, we will not pursue them further.

Benedict Addis - SSAC: (09:10) +1

Hadia Elminiawi - ALAC: (09:10) sounds good thomas

Ayden Férdeline (NCSG): (09:10) +1 Stephanie - we need neutral legal advice

Amr Elsadr (NCSG): (09:10) @Stephanie: +1

Diane Plaut (IPC): (09:11) Agreed, Thomas

Emily Taylor (RrSG): (09:11) +1 Stephanie

Hadia Elminiawi - ALAC: (09:11) @Stephanie alternatively we can pose the questions to the DPAs through ICANN

Emily Taylor (RrSG): (09:11) ICANN does not need a direct contractual relationship in order to be a data controller - it is able to determine the terms of downstream contracts through its accreditations

Stephanie Perrin (NCSG): (09:12) We will not get answers from the DPAs Hadia.

Emily Taylor (RrSG): (09:12) ...and those contracts set out what data needs to be collected, processed etc by the contracted parties

Stephanie Perrin (NCSG): (09:12) They are already dealing with complaints about ICANN.

Amr Elsadr (NCSG): (09:12) And not trying to be flippant, but creating circumstances that may result in data subjects abandoning some rights in order to relieve liability to some, and to the benefit of others does not seem like a reasonable solution to me.

James Bladel (RrSG): (09:13) I think it's just as likely we could consider eliminating ICANN entirely, rather than reconfiguring it as a central contract authority for millions registrants.

Stephanie Perrin (NCSG): (09:13) DPAs have to maintain their independence. The UN Special Rapporteur offered to continue the dialogue with us after he met with us in Copenhagen, have we followed up on that? Since he is not a DPA, he can continue to provide advice.

Alan Woods (RySG): (09:14) I agree with Stephanie. on legal advice and re the DPAs not being able to help us. The DPAs can be approached in formal ways if er are not presenting Art 40, or making a pre-consultation DPIA type reference, then we risk the continuing ire of the DPAs, which we must avoid.

Stephanie Perrin (NCSG): (09:14) and we can hardly invoke the Art 40 since we have not done a DPIA

Stephanie Perrin (NCSG): (09:15) we are, as I keep saying, wallowing around in medias res

Stephanie Perrin (NCSG): (09:15) Agree with Alan

Lindsay Hamilton-Reid (RrSG): (09:16) Also agree with Alan and Stephanie.

Collin Kurre (NCSG): (09:18) A logical step forward would therefore be to make movements toward a DPIA, no? That's what I was getting at with my message to the group. I don't see any downsides to requesting / suggesting it as a group. If anything it will inform this policymaking work by clarifying ICANN's collection, retention, and other data processing activities

Mark Svancarek (BC): (09:19) +1 Collin

Alan Woods (RySG): (09:20) if it is optional ... it is only 6(1)a surely

Alan Woods (RySG): (09:22) as it ... yes I would like to provide you with my Admin contact ... i consent to provide you with this extra data (ignoring if that data is actually a 3rd party)

Ashley Heineman (GAC): (09:22) Hey Alan, not sure I understand your point. Only some fields are optional, not all. Maybe I'm just misunderstanding

Diane Plaut (IPC): (09:22) Agreed, Collin; we all have the same goal - to move forward with our thoughtful work here and work within the structure as it exists, but also to do a DPIA and discuss and put forth legal recommendations for ICANN, as requested, as part of our task.

Ashley Heineman (GAC): (09:23) (my last point was to Alan Woods)

Alan Woods (RySG): (09:23) yes. if we are however providing people an 'option' to provide the data, it is not necessary. the only way we could process it therefore, is if the registrant chooses to allow us to process it

Benedict Addis - SSAC: (09:24) Ashley I think he's saying that mandatory fields (whatever we agree) will be collected under 6 1 b. Optional fields *can* be collected under 6 1 a.

Lindsay Hamilton-Reid (RrSG): (09:24) That is against the principle of data minimisation.

Stephanie Perrin (NCSG): (09:24) Everybody please remember that every consent-based collection requires quite a complex explanation in order to be valid.

Amr Elsadr (NCSG): (09:24) @Lindsay: +1

Ashley Heineman (GAC): (09:24) For those optional fields, yes (I think, but I may still be misunderstanding you). You would need the other lawful basis to go with still I believe.

Benedict Addis - SSAC: (09:25) Lindsay can you expand on your point about data minimisation?

Lindsay Hamilton-Reid (RrSG): (09:26) Sure Benedict, why do we need to collect the additional data if we have the RNH?

Lindsay Hamilton-Reid (RrSG): (09:26) We should only collect data if it is necessary.

Mark Svancarek (BC): (09:27) +1 Alan re consent needed for optional data fields

Mark Svancarek (BC): (09:27) AlanW

Alan Greenberg (ALAC): (09:27) @Lindsay, some registrants may want to designate different contacts for different purposes.

Mark Svancarek (BC): (09:27) hard to hear

Thomas Rickert (ISPCP): (09:27) You could define two different products: 1 where the registrant acts for all contacts 2 where he / she wishes to designate additional contacts. IN such case, both could be 6 1 b and collection of third party data would occur based on ART. 14

Amr Elsadr (NCSG): (09:28) Agree with Alan W and Lindsay.

Ashley Heineman (GAC): (09:28) If the registrant "offers" the information.

Alan Woods (RySG): (09:30) Thomas.... OK i'm in your ball park here. But that is for the registrar yes ?
What happens for Ry and (dare i say it) ICANN.

Ashley Heineman (GAC): (09:31) Agree with Alan Greenberg. Also, some registrants may want to make it very clear who to contact for what issue and have multiple ways to contact them for specific reasons. If they "want" to offer this information, how is this a problem?

Lindsay Hamilton-Reid (RrSG): (09:32) Agreed Emily. I still think there is too much of trying to fit what is currently around to the law rather than the other way around.

Mark Svancarek (BC): (09:32) @Emily - We've already established in the chat that contacting the registrar is not viable

Thomas Rickert (ISPCP): (09:32) Alan, just saying you could specify two different types of contracts with different requirements. Need to think more about this would all play out

Diane Plaut (IPC): (09:32) Agree with Alan G and Ashley.

Alan Woods (RySG): (09:33) I'm all for discerning ways of allowing this to work! :)

James Bladel (RrSG): (09:33) @Ashley - more data = more exposure. And with >95% duplication, why let the exception drive the rule?

Mark Svancarek (BC): (09:33) Also, I find it hard to believe that legal persons prefer to use the same contact for RNH, admin and tech contacts; certainly Microsoft does not use a single contact string for all three

Ashley Heineman (GAC): (09:33) In terms of helping us make an educated decision, can the contract parties provide some statistics?

James Bladel (RrSG): (09:33) A better approach would be to use the TXT fields in the DNS record itself (like .TEL).. That restores control to the Registrant, rather than obligate the Ry/Rr to manage this "Rolodex" of contacts

Alan Greenberg (ALAC): (09:33) @Thomas, we could do things in all sorts of ways. Some a lot more difficult to implement than others.

Ayden Férdeline (NCSG): (09:33) perhaps we could also consider input from the German court re: tech/admin contacts and the principle of data minimisation

Mark Svancarek (BC): (09:34) Yes, please provide some stats, with a breakdown by natural versus legal persons

Mark Svancarek (BC): (09:35) (those "natural persons" are very problematic)

Alan Greenberg (ALAC): (09:35) @James, yes we could. BUT that is a major change that would take a long time to propagate.

Ayden Férdeline (NCSG): (09:35) the distinction between natural and legal persons is really not important, as some 'legal' persons are also natural persons i.e. small business owners, so deserve protection too

Ashley Heineman (GAC): (09:35) No one is saying YOU MUST provide this information, but for those who optionally want to provide additional contacts....

Mark Svancarek (BC): (09:36) The distinction is important insofar as sweeping statements are made about duplication without clarifying that the duplication may be occurring mainly with natural persons and not be applicable to legal persons

Benedict Addis - SSAC: (09:36) On a technical level, RDAP allows a registrant to provide additional contacts at will. The question is do we want to tie future use specifically to Admin-C and Tech-C ?

Amr Elsadr (NCSG): (09:36) If the functions of the tech and admin contacts are fulfilled by the RNH and/or registrar, what's the point in offering to collect this data? Especially keeping the data minimization principle in mind?

Mark Svancarek (BC): (09:36) if the stats clearly show that corporate name holders prefer to use those optional fields, then I will withdraw my argument

Ashley Heineman (GAC): (09:36) Fair enough Benedict. I'll back off my chat high horse. :-)
Benedict Addis - SSAC: (09:37) Hehe!
Hadia Elminiawi - ALAC: (09:37) @james I support your proposal to include it in the DNS record
Ayden Férdeline (NCSG): (09:37) "make work activity" - isn't that exactly what you're advocating for @Alan G? easier for everyone to have less fields to complete
Mark Svancarek (BC): (09:37) sorry, clearly show that they *don't* prefer the fields :)
Benedict Addis - SSAC: (09:38) @Hadia there is a tendency to "just stick it in the DNS" that we should probably resist !
James Bladel (RrSG): (09:38) Because it relies on consent from the signatory to the contract (Registrant) to provide contact data for other entities/people. And then we'll need to track that, revoke it, etc.
Stephanie Perrin (NCSG): (09:38) Alan has just proven why we need a legal coach folks.
Alan Woods (RySG): (09:38) I don't we disagree that it might be beneficial.
Alan Greenberg (ALAC): (09:38) @Stephanie, Agreed. No one is disputing that.
Alan Woods (RySG): (09:39) but we need a legal basis nonetheless.. and that legal basis is more difficult to implement in the grand scheme of things where 'optional' is concerned.
Ashley Heineman (GAC): (09:40) Understood and appreciated Alan Woods
Alan Greenberg (ALAC): (09:40) I am not an expert in writing disclosure statements, so I will not take the challenge. But I have little doubt that one could explain in relatively few words that the may be supplied only if the RNH does not want such contacts directly but prefers them to go to another contact.
Terri Agnew: (09:41) please remember to mute
Kavouss Arasteh (GAC): (09:41) It is evident that natural and legal persons should be treated differently but the question to the group would be where they must be treated differently and why
Alan Greenberg (ALAC): (09:42) @Alan W, I don't agree. The stability of the DNS requires that someone be contactable if there is a technical issue - that is a requirement of registration. It is the RNH who decides who that is.
Terri Agnew: (09:42) finding the line
Hadia Elminiawi - ALAC: (09:42) @marika how do we sign to the groups?
Mark Svancarek (BC): (09:42) +1 AlanG
Hadia Elminiawi - ALAC: (09:42) +1 Alan & Mark
Margie Milam: (09:43) +1 Alan G
Alan Greenberg (ALAC): (09:44) I am less sure that we need a separate Admin contact, as that has not been a area of focus for me. Perhaps others can better justify it, or perhaps we should separate the two.
Alan Woods (RySG): (09:44) @Alan you're argument then is that it's not optional and I refer you to EPAG.
Alan Greenberg (ALAC): (09:45) @Alan W *A* tech. contact is not options. A unique Tech Contact is.
Margie Milam (BC): (09:45) Alan wood -- EPAG hasnt concluded yet - the decisions to date were related to preliminary injunctions, not to the underlying issues at trial
Mark Svancarek (BC): (09:45) @AlanW, AlanG and I have already explained this. The field must exist and be populated. It is optional to populate it with data other than RNH contact info
Mark Svancarek (BC): (09:45) And "optional" = "consent was granted"
Lindsay Hamilton-Reid (RrSG): (09:46) @Mark why must it exist and be populated?
Alex Deacon - IPC: (09:46) so many 6am (pacific tmie) meetings! ugh....
Alan Woods (RySG): (09:46) (also no problem in making that argument but we must be careful and consider what cone from EPAG.) Again Mark ... your point then is that it is not optional. And thank you Margie, I am aware that ICANN continues to beat that particular drum. I mena i refer you to the current 3 judgments.
Margie Milam (BC): (09:47) Yes Alan W - I have read them - you are interpreting them overbroadly

Alan Woods (RySG): (09:48) @Marc you were saying that you must have the contact! I'm not arguing with you .. I'm just saying that you need to be clear on what you are arguing.

Alan Woods (RySG): (09:48) @mark

Alan Woods (RySG): (09:48) not Marc! :)

Mark Svancarek (BC): (09:48) @AlanW, that is NOT what I am saying. We should discuss offline

Alan Woods (RySG): (09:48) :) definately!

Mark Svancarek (BC): (09:49) <phew>

Lindsay Hamilton-Reid (RrSG): (09:49) That was not clear then Mark.

Lindsay Hamilton-Reid (RrSG): (09:49) Also happy to discuss.

Mark Svancarek (BC): (09:49) thx

Ashley Heineman (GAC): (09:51) Daniel Halloran provided a good explanation in LA on this issue of tech/admin contacts.

Hadia Elminiawi - ALAC: (09:51) thank you all bye

James Bladel (RrSG): (09:51) Thanks all

Amr Elsadr (NCSG): (09:51) Thanks all. Bye.

Rafik Dammak (GNSO Council Liaison): (09:51) thanks all

Julf Helsingius (NCSG): (09:51) Thanks everyone!

Lindsay Hamilton-Reid (RrSG): (09:51) Thanks all

Marc Anderson (RySG): (09:51) thanks all

Alan Greenberg (ALAC): (09:51) Bye all.

Emily Taylor (RrSG): (09:52) Bye

Georgios Tselentis (GAC): (09:52) bye everybody