

**GNSO/SSAC
International Registration Data Working Group
TRANSCRIPTION
Monday 03 October at 15:00 UTC**

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Present for the teleconference:

Edmon Chung - ALAC

Jim Galvin – SSAC -Afiliias

Steven Metalitz -- GNSO Intellectual Property Interests Constituency, Commercial

Owen Smigelski - Sunrider International, Intellectual Property Interests Constituency, Commercial Stakeholder Group

Rafik Dammak -- GNSO Non-Commercial Users Stakeholder Group

Yao Jiankang, GNSO Registry SG

ICANN Staff

Gisella Gruber

Steve Sheng

Dave Piscitello

Julie Hedlund

Liz Gasster

Absent apologies:

Sarmad Hussain - CLE-KICS, UET

Bob Hutchinson -- GNSO Commercial Stakeholder Group (CSG)

Avri Doria – NCSG

Coordinator: The call is now recorded. Please go ahead.

Gisella Gruber-White: Thank you, good morning, good afternoon, good evening to everyone. On today's IRD Working Group call on Monday the 3rd of October we have Rafik Dammak, Edmon Chung, Owen Smigelski, Steve Metalitz, Jim Galvin. From

staff we have Liz Gasster, Steve Shang, Dave Piscitello, Julie Hedlund and myself, Gisella Gruber.

And apologies noted today from Bob Hutchinson and Avri Doria.

If I could please just remind you to state your names when speaking for transcript purposes. Thank you, over to you, Edmon.

Edmon Chung: Thank you. And I guess Jim is - since you joined in the recent few meetings you were heading it up perhaps if you would like to get the meeting rolling?

Jim Galvin: Okay. We are back in a place where we're - we have a document that is essentially in last call within this group in deciding what our next step is. We have an open - so Steve distributed Version 3. He had a particular thing he was - Steve had a list of questions of things that we are still waiting to close on.

And Steve, why don't we step through those things? We had Avri's item, we have Edmon's item, we have the item from Liz and you also had a couple of questions from John Klensin as I recall, correct? So there's a few things that we should step through in order to come to closure on this document.

Steve Sheng: Yes, Jim.

Jim Galvin: So - right, so with that in mind why don't we - I think the right thing to do is to go over to you and let you step through the questions that you have and see what kind of responses we get from the people here.

My goal would be to try to come to closure on all those things so that you can polish off the document in the next day or so and we can actually declare that we're done. This document - in terms of process we are in last call, right, or should we - do we think that we should do one more, you know, week or two last call within the working group?

Because I remember, Steve, in your note - this was a question that I had - you talked about going to public comment soon. And I interpreted your comment to be even before Dakar to open up a public comment period.

So I just want to clarify and make sure that we're all in agreement that, you know, what we come to closure on today that this is it, right. And the next step is public comment as soon as we can manage it. So could you speak to that for me?

Steve Sheng: Sure, Jim, so first of all thanks for the feedback received in the last round particularly from Steve and Sarmad. So I went through the document and made those changes.

You know, we also received changes from John Klensin and many of which is technical in nature that, you know, trying to make the document more technically precise and accurate.

So from my end I think I've addressed the comments to the best of my ability. There are some comments, you know, probably it will take a significant amount of time, you know, to go over. And the course of action that I suggest is to have the document in a good enough state and, you know, namely a draft final and open for public comment and - after receiving the comments, you know, we can discuss some of those in Dakar.

And, you know, instead of trying to work another couple weeks trying to close those. So that will be my sense. But I'm open to the working group's suggestions on that so the next steps.

Julie Hedlund: And, Steve, this is Julie. I just want to reinforce that we cannot have a public discussion of this document in Dakar unless it is posted for public comment today. This is the cutoff for formal consideration of documents in Dakar. So if

we delay then we really aren't formally asking for any comment on this document in Dakar.

Steve Sheng: Thank you, Julie, yes.

Edmon Chung: This is Edmon. A couple of questions I guess on the process as well. It seems to me that it sort of makes sense, you know, that we - in terms of going forward that we put it out for public comment in the draft final form. And once we get the comments we'll - at least we'll have to incorporate back in and there upon that's probably another last call or, you know, some final adjustments to the document. So that's number one, I think that seems reasonable.

The number two is about the - putting out for comments today versus, you know, and the Dakar schedule what does it really mean? So if we put it out in say a week or so the only thing that it makes a difference is that we would not be, you know, we would not - it would not be an official document for Dakar but in our reports back to SSAC or GNSO we can still mention that, you know, this is the status of which, you know, the document is at.

Like I don't, you know, and since we're not having a public session and in fact I don't think at this point we're planning for a workgroup meeting then it really might not have a - that much of an actual impact even if we take in a few more days before we send it out. As long as we provision for enough extended time to compensate for the Dakar meeting for the entire public comment period.

((Crosstalk))

Julie Hedlund: Edmon, this is Julie. The first two things I should point out - and I apologize if Steve has mentioned this before. But we do have a public session scheduled for Dakar on Thursday from 10 o'clock to 11 o'clock.

Edmon Chung: Oh.

Julie Hedlund: We are on the agenda to discuss this document in Dakar. And everything I thought leading up to Dakar was that the intention was to have this published for discussion in Dakar.

We also do have deadlines that we're committed to meet with the GNSO and the SSAC to complete this document within, you know, by Dakar for the GNSO and SSAC consideration. So the GNSO and the SSAC and the public cannot consider this document if it not posted today.

So that basically shifts...

((Crosstalk))

Julie Hedlund: ...everything back to a subsequent public meeting and that means basically no...

Edmon Chung: Oh okay...

((Crosstalk))

Edmon Chung: I stand corrected. So I think then in that case we should drive towards, you know, a document being published even if it's in a draft form within the day then, you know, I think that seems to be a sensible thing to do. I don't know what the others in the group feel like. And perhaps, Jim, what your thoughts are on this particular issue.

Jim Galvin: All right so the goal is to - Steve, it sounded like you were starting to ask whether or not we were actually going to be done today or not. But our goal is to be done today right?

Steve Sheng: Yes that would be ideal, yes.

Jim Galvin: Okay. So...

Edmon Chung: Yes, even if we're not done today we should at least have whatever we have done today put out. Right? Even if there are loose ends we'll put a note there saying, you know, that this is still being, you know, updated and therefore we are asking for your comments too, right?

Because without the document it pushes us, you know, back a good few months. So I think it makes more sense to drive to as much closure we can get. And if there are still loose ends then, you know, we'll keep it as loose ends and it will be a document that goes out.

Julie Hedlund: Yes and this is Julie. Just please keep in mind that this is going for public comment so of course we do expect that there will be - or we hope that there will be comments in the forum that will need to be addressed. So there will certainly be another opportunity to revise this report.

Jim Galvin: Yes, okay. So let's jump in here to the questions, Steve, that you have that are outstanding. And...

Steve Sheng: Sure.

Jim Galvin: ...let's just try to get through them as quickly as we can. And if we come to something substantive I think I will, you know, try to use a little bit of, you know, chair's privilege here and say let's set that aside and so that we can at least make sure that we've touched on everything that's on your list.

So let's make sure we at least get at least a couple of minutes on everything so we can knock off the things that we know about and substantive things we'll save those for after the public comment period.

Steve Sheng: Sure. So I have open Version 3 so if you could open Version 3 of the document that I sent on Thursday that would be great. The major changes here are really - I think really minor or editorial changes.

So there are in essence three changes. So the first change is tightening up the terminology section. We have received some comments from John Klensin and Sarmad regarding the terminology. So I have tightened those carefully to address their comments.

I've also reached out to Patrick Fältström as well as Andrew Sullivan to review the terminology on A label, U label as far as IDNs. They have provided some comments but it was mostly like a disclaimer saying, you know, the definitions here is, you know, kind of just an explanation for full definition goes to the - RFC 5819 so that's - that shouldn't be a major blocker. So that's the first type of comments that are addressed.

The second type is regarding Steve's comment on translation and transliteration. I also had a side discussion with John Klensin on how to address that. And so I have provided some revised text for that.

So before we go into that I think first of all do we have any questions or objections on the terminologies that I changed? Okay so didn't hear any. During the course of this conversation if you have any please feel free to raise it at any time.

So, regarding translation and transliteration and transcription -- so it turns out that transcription is - whether to call something translation or transcription - transliteration or transcription is really subject to debate. And, you know, since I don't know enough at all in that I just, you know, to be fallback and turn them into transliteration. So that will be my major change.

And also, you know, Sarmad suggested some text on transliteration that I just put in there so. So that's the major change on transliteration. Do we have any comments on that?

Steve Metalitz: Yes, this is Steve Metalitz. I'm...

Steve Sheng: Go ahead.

Steve Metalitz: ...basically comfortable with the way you've handled this in Version 3.

Steve Sheng: Okay thanks. Any others?

Steve Metalitz: Hello?

Steve Sheng: Okay.

Dave Piscitello: No comments here. This is Dave.

Steve Sheng: Thanks. Again if you have comments on this feel free to raise it in the course of this teleconference call.

So another change regarding 4.5 so 4.5 I made two changes. The first change is, you know, is the current Whois system capable of handling the query and display of IRD? Before I say yes with limits but with regards to John's comments on how this section is worded I changed it to no but there are workarounds in local conventions that can permit exceptions.

And then also in the last paragraph, you know, I said this issue needs to be addressed urgently. But, you know, instead of just saying, you know, urgently I add a clarifying sentence which essentially one of the recommendations. You know, I kind of put it up here just to make this section complete. Do we have any thoughts on that, any objections, any comments?

Jim Galvin: Jim. I'll just comment that I'm - I particularly like these couple of changes.

Steve Sheng: Thank you.

Owen Smigelski: This is Owen. I'd like to second that; that's certainly a good call to action right here.

Steve Sheng: Any objections? Okay now we are in the recommendation section. I think there are two - well actually there are three comments. The first comment is from Sarmad regarding the first recommendation. So we had in the recommendation the data model should specify elements of registration data, the data flows in the formal schema.

What Sarmad is - he's not clear what does data flow mean? Jim.

Jim Galvin: Yes, I guess at least for me I meant the flow of the data throughout the entire system, you know. So and I guess - I don't know if we want to be more specific than that or maybe there's a different way to say it so that that's more clear.

I mean, I really was thinking that, you know, we should consider what it means right from the user to the entry, you know, at a registrar or at least the registration page if that exists, I mean, through an EPP transaction or whatever other transaction is there into the registry database and then, you know, out to the, you know, directory service itself.

So, you know, I really was intending it to be general so that it would encompass and include everything. Others may think differently. I'm open for suggestions, I mean, if there's a different way to say, you know, quote, everything, unquote, I'm good with that too.

Steve Sheng: Thank you, Jim, for that clarification. What do others think?

Dave Piscitello: This is Dave. I think data flow is appropriate. And I think Jim's perspective is one I share, you know.

Steve Sheng: Thank you, Dave. Any other thoughts? So it seems what I'm hearing is we keep it this way; is that correct? Did I hear it right?

Jim Galvin: Yes so this is Jim. I guess from my point of view being vague, you know, the fact that Sarmad asked the question is a good thing but I think the response is we're intentionally being vague so that we're not over-constraining.

Steve Sheng: Thank you. Okay so...

Dave Piscitello: I actually think we're not being vague but we're being sweeping in our description.

Jim Galvin: Thank you, Dave, I'll go with that.

Steve Sheng: Okay so let's move onto Recommendation 3. So Sarmad's second comment is okay we call out (conceptual) work with the community. So here Sarmad said should this include explicit reference to IETF? Questions, thoughts? I guess the rationale of his comments is IETF is the body entity that is responsible for developing protocols. So I guess what do others think? Jim.

Jim Galvin: Yes, so this is Jim. I guess I don't feel too strongly about it. I mean, from my point of view, you know, I - the problem is we would have to define the relationship. I mean, I think that the ICANN community to be specific has a role to play in specifying the requirements of what they need that the IETF community would then, you know, go and work on.

The other side of it is the IETF community is, you know, part of the ICANN community; ICANN community is not intended to be exclusive in any way. I'm not sure. I mean, I'm comfortable with what it says but since he asked the question does anyone else have a different point of view?

Edmon Chung: This is Edmon. I think I feel somewhat strongly that we shouldn't explicitly reference IETF on this particular recommendation. The reason for saying that is because in my view IETF defines protocol; they don't, you know, this is, you know, we're applying this certain protocol.

You know, if we have a request whereby, you know, we need a new protocol to be created then we can pass that task to IETF. But rather, you know, this recommendation is trying to identify whether there are protocol or assess the protocols that would satisfy this need.

And if not we would create some, you know, requirements that then gets passed to IETF. That's sort of how I see it. So I think what we have currently with community, which includes IETF and ICANN and especially the operators, the registry operators whether gTLDs or ccTLDs that's probably more appropriate for what we're talking about here. That's sort of my view.

Steve Sheng: Thank you. So I hear - what I see is no strong desire to add IETF in there. Any other thoughts? Okay so hearing none in the interest of time I'll just leave this recommendation as it is here but noting that if you have any additional thoughts please feel free to raise it during the course of the conference call.

Okay moving on so the - okay there's - Liz sent an email sometime last week suggests some alternative text for Recommendation 2. Liz, could you provide some rationale? Thanks.

Liz Gasster: Sure. Thanks Steve. Hi everyone. Basically the change I'm proposing to Recommendation 2 rather than recommending that the GNSO and SSAC move directly to an issue report on the elements that are listed there I recommend instead that some additional fact finding be done prior to requesting an issue report.

And my concern specifically is that the things that you're asking for an issue report to be written on I think would be very, very difficult for staff to do without more information from the public.

I basically want to make sure that if staff is asked to do an issue report which is a formal request leading generally to a policy development process, although not always, that we have sufficient data and foundation to write the report.

And I'm just a little concerned specifically, you know, especially when you start talking about who should bear the burden and who's in the best position to address these issues that would be very difficult for staff to opine or try to answer in the absence of more information.

So I just want to make sure that, you know, when we do request an issue report of staff that it's something that staff actually has the tools to answer and respond to; that there's some ways to fill in those gaps beforehand to make sure that the request to staff is actually doable.

Steve Sheng: Thank you, Liz.

Steve Metalitz: This is Steve Metalitz. Could I ask a question here?

Steve Sheng: Go ahead.

Steve Metalitz: Yes, Liz, who would - this is all written in the passive voice kind of the GNSO Council - I'm not sure - GNSO Council and SSAC should coordinate the planning of a series of fact finding steps. Who would do this fact finding? Wouldn't the staff be doing this? And isn't that something similar to what they would do in preparation of an issues report?

Liz Gasster: So I think when we do the fact finding it assumes that there's information available in the public domain on the points. And if you look at the - I don't

know if you've been following, Steve, the new PDP that's now - actually the draft is now moved to the GNSO Council for consideration.

But one of the key changes to the new policy development process as distinct from the way we've always done it before is that an issue report that there is fact finding before most issues reports so that we don't have a situation where we're trying to write an issue report without any foundation.

And I'll give you a really good example. When I did the Fast-flux issue report it was just following on the SSAC advisory on Fast-flux. And the SSAC advisory was the only document in the public that existed really about Fast-flux.

If you Googled Fast-flux, you know, you would not get a huge, you know, discussion or depth of, you know, information about it. So when I wrote the report - the issue report I pretty much only had the SSAC's research and - as a foundation for writing the issue report which was extremely constraining.

And, you know, I couldn't really opine very much beyond what had already been determined. And so here you're talking about, I mean, how would staff actually figure out who should bear the burden and who is in the best position to address those issues?

I mean, like if you had the pen and you were staff how would you go about doing that? And what I want to avoid is a situation where, you know, we get an assignment that just is sort of undoable.

You know, if this community has discussed in detail who should bear the burden and debated, you know, robustly who's in the best position to address these issues I think we would have an easier time summarizing and drawing conclusions from basically the, you know, evidence that's been offered.

But in this case I don't think, you know, I'll be honest it feels a little bit like you're punting to staff because these are tough questions. And there definitely are tough questions. But if they are they really need to be answered in a community effort and not just hoping that staff has, you know, the magic ability to, you know, uncover the key determinant or algorithm for who's in the best position to address these issues.

Steve Metalitz: Well this is Steve Metalitz. If I can respond? I sympathize with your viewpoint here because I think we are - this whole - in either form, to or the alternative we're punting. We asked these questions of the public a year or more ago.

We had those four alternatives and - for translation and transliteration and who should, you know, really they were who should bear the burden, should it be the registrant, the registrar? It wasn't totally systematic but it basically surfaced all those questions. And we got very little input from the public. We got some.

And so I've raised this before; I think this is the job - this Recommendation 2 whether we say there should be an issues report or fact finding we're actually punting the job that we were given two years ago. And I don't think we've really advanced it all that far.

But I don't understand, I mean, my conception of an issues report is very different from what you've described. You made it sound as though an issues report is something where the staff recommends what the outcome should be. And I thought an issue, you know, in other words recommends who should bear the burden.

And I thought the purpose of an issues report really was to frame the issues and then assuming that the relevant bodies agreed it would go to a working group that would actually make a recommendation on who should bear the burden.

Liz Gasster: Well if I can respond...

Steve Metalitz: Am I wrong about that?

Steve Sheng: Go ahead, Liz.

Liz Gasster: Is it okay to respond?

Steve Sheng: Yes, go ahead.

Liz Gasster: Yes, so, Steve, that's a really good point. And I think I probably wasn't clear in saying determine the outcome. What we have to do in the issue report as staff is, you know, make a recommendation about whether there should be a PDP or not, you know, whether it's in scope for policy and whether there should be a PDP or not.

So that's really an important distinction and I misspoke if I implied that we were, you know, evaluating what the outcome of the answer should be. And really - so this is really the heart of it, right. We would have to use whatever information is available to try to decide based on what the SSAC GNSO - your report has and anything else in the public domain certainly in scope for GNSO policymaking.

But whether a PDP should be launched or not that's really the big determination in an issue report for staff. That would be very...

Steve Metalitz: Okay I'm not - okay I appreciate that clarification. I'm still not clear if your alternative were adopted who would do these - this fact finding? Would the staff do it? Would you expect the GNSO Council and the SSAC to do it or...

((Crosstalk))

Liz Gasster: My idea - and again we can definitely (add) more specificity to what we instruct in Recommendation 2 and, you know, detail it. But my - what I was envisioning was, you know, maybe even a drafting team that gets formed or a continuation, you know, of community with staff to say okay let's set up some fact finding activities and decide what those fact finding activities should be.

Like almost, you know, pre-issue report activity so it might be an RFI, you know, as I mentioned in the email where, you know, more granular information is requested of the community and we try to think through together what we're really trying to ask and, you know, what specific information we really need in order to decide whether a policy development is appropriate here or a workshop that tries to do the same thing.

I really - I mean, I think how we would do it is one thing. The information we hope to gain I think is pretty hard. This is a hard nut, right?

Edmon Chung: This is Edmon. If I may add to this? I appreciate, Liz, that you mentioned that the changes with the GNSO. And - but I think, you know, when we started down this path with this work and as Steve just mentioned, you know, about two or so years ago my feeling is that the fact finding steps have, you know, have pretty much been done.

You know, even though we didn't receive a whole lot of, you know, comments back the critical issue is, you know, comes back down to whether, you know, a PDP should be started. And precisely it is because where the burden needs to be placed.

And that is, you know, that's - I don't want to, you know, present anything but that seems to be the place where this group got somewhat stuck. And therefore we're saying, you know, let's put an issues report together and recommend whether a PDP should be started to resolve this.

I think, you know, on this particular issue we have already, you know, gotten quite a number of - we have already done quite a number of fact finding, you know, through this group, through staff working with this group, whether - with the existing ccTLDs, existing gTLD practices, some of the addressing, you know, contact information, different types of formats.

I really think, you know, we're a little bit beyond the, you know, the very initial fact finding steps. And we should be, you know, entering into issues report. And, you know, again I guess, you know, in some ways I would like to feel that this group has done some work.

Even though, yes, I think, you know, we all agree that this is - I wouldn't totally say punting but I think, you know, it's positioning it in the right hands and allowing this to go forward.

So that's sort of my feeling. So I don't know, you know, on this particular issue perhaps Steve Shang can, you know, and Dave can add to it because I think we've done quite a number of fact finding up to now already so...

Liz Gasster: So it's Liz. Can I just...

Jim Galvin: So, this is Jim...

((Crosstalk))

Jim Galvin: I need to jump in here and speak on this too. I - in principal I'm 100% behind what Liz wants to do here. However from my point of view speaking personally the reason why this recommendation asks for an issues report is because there was a phone call - one of our meeting here where we were having a discussion and it was my understanding you need an issues report in order to launch a PDP.

From my point of view a PDP is a foregone conclusion. And the purpose of the PDP is to speak to precisely this question of where translation or transliteration is to occur. And we are not - this working group is not the right community to answer that question because you need more registrars and other representation in particular as part of answer that question.

And as I understood this process, speaking personally, an issues report has to be created and it has to recommend that PDP in order for a PDP to come into existence. Because I agree with Edmon that the work has been done; this report is the work.

It may be that we just need to characterize it or frame it differently so that we can make the recommendation to do a PDP to go answer this question because the GNSO and the ccNSO will have the right set of people that need to be involved in answer that question.

And that question, you know, is not going to get answered by us; it needs to be answered by the community that's going to have to abide by the results of the PDP.

So I'm a little concerned - although I agree in principal with what you want to do, Liz, I guess I'm concerned that we're putting ourselves - and we're taking steps back by doing what you're proposing here.

So let me stop there and see who wants to respond to process here and where we are? Maybe Julie or Liz?

Liz Gasster: So I have an alternative suggestion.

Jim Galvin: Please.

Liz Gasster: So I get what you're saying totally. And I don't mean to cut off other people but if I could just make this alternative and then we could open it up again. I

think, Jim, what you just said and actually Edmon too, the words you used if we could be a little more precise in the proposal about what the issue report should cover that would make me a lot more comfortable.

So like you said very specifically use something like, you know, where in the transliteration - where in the process should the transliteration occur or something like that. You know, which is who should bear the burden but it's not as opaque.

So the issue report to the degree it could ask specific questions, you know, direct staff to write issue report that asks or that, you know, tries to answer this, this and this. That would be helpful.

And I think Steve had a couple edits - I'm not sure they're at his fingertips - that would also add just a little more granularity to what staff should do I could live with that. And I respect everything that you all were saying about this.

Dave Piscitello: This is Dave. I had one additional comment. I think it's very important to recognize perhaps even in the language of the recommendation that there are - there's information that is required to actually accomplish, you know, this, you know, this task that is privy to a very small set of people.

And some of it is perhaps proprietary; some of it is information that they want to be very prudent in sharing. When you're talking to companies that range in size from Go Daddy as a registrar to a very small registrar understanding what the notion of a burden is for providing a service is going to get you very, very different results.

And if you get away from the discussion of small margins and all the rest of that what's important is to get to the - get to the - what I would call the hard core engineers or the hard core developers who are pushing out the Web services that these people develop and managing servers and understanding

what it is that they actually have to do to implement what we want, you know, what we want to accomplish.

There's going to be some burden on a registrar no matter what we choose. There's going to be some burden on a registry no matter what we choose. So they have to be in the room to a much greater extent than is present in this working group.

And I think that part of what we need to say in the recommendation is you've got to come to the table and help us understand how do - how to essentially quantify the - what is perceived as the burden so that we can understand how that burden could be shared or distributed or offset.

Jim Galvin: Okay so speaking as a co chair here let me look to Steve. Steve, the only thing that you had distributed was Liz's proposed replacement for Recommendation 2. Liz just made reference to the fact that she thought maybe you had some alternate suggestions. Do you actually have an alternate suggestion for how to reword this or not?

Steve Sheng: Originally I had some suggestion to scope the - to further scope the issues report. I'm trying to recall that.

Edmon Chung: This is Edmon. Steve, as you look for it just a quick comment I guess. Looking at the time and we want to get this out today I don't think we're going to come up with the perfect sentence there to scope everything out.

I wonder if we add something like - in parentheses saying such as this, this, this, this, you know, and Steve can dig up the parts where we would scope it out with more concrete items and leave it somewhat open so that, you know, this goes out to public comments, we can come back and consider finally the exact wording. That might be more fruitful for us is my suggestion.

Jim Galvin: So let me ask a process question here. As far as I can tell we're all in agreement that the recommendation at least in concept we're fine with. So all we're really trying to do here is to editorialize it so that we don't leave any ambiguity about what we're trying to do.

And, you know, Liz is comfortable that the staff knows what they need to go off and do. So let me just pause and ask does anyone object to that, what I just said?

Okay so with that question is it - would it be possible in the interest of expediency here to leave this as-is? We recognize that we have an issue but can we simply take as an action here in order to go forward that we're going to revisit the wording of this, you know, at the end of the public comment period.

And we know we're going to fix this and to tighten this up so that there's no confusion or ambiguity about what we're doing. Is that a possible way to proceed at this point? Somebody.

Steve Metalitz: This is Steve Metalitz. I think that sounds like a good plan given the time.

Jim Galvin: Well I'm concerned about process so I was looking for Liz or Julie to - or, you know, Steve to say whether or not process permits that.

Liz Gasster: By the deadline you mean? Still trying to work...

Jim Galvin: Yes.

Liz Gasster: ...on this deadline? So what I would propose - it's Liz - is that Steve, Julie and I huddle quickly to come up with more precise language. Jim and Steve if either of you have language to - or Edmon, anyone, has language to propose, you know, just to make this crisp and, you know, more of a clear direction not just go, you know, respond to the report that'd be helpful.

I'd just like to have a very clear assignment if we can that is doable. And then we'll...

Edmon Chung: This is Edmon...

Liz Gasster: ...distribute it on the list like later today and see if everyone's comfortable with it. How about that?

Edmon Chung: This is Edmon just a quick - I think, Liz, what Jim and I are saying is that we'll probably, you know, we're doubtful that we can come up with exact wording that everyone would agree to in this timeframe. And we were wondering if this could be left until after the public comments to...

Liz Gasster: Oh sure.

Edmon Chung: ...finalize that wording.

Liz Gasster: Right, of course. And in fact we could even put in a public comment about it.

Edmon Chung: So - okay. Right that's - well that's certainly one of them - one of the possibilities. And - but my suggestion is perhaps to add something in parentheses that would indicate that, you know, this is, you know, we would - we could potentially, you know, refine it for the more and this highlights it for public comments.

Liz Gasster: Could it be - yes, could it be a public comment then...

((Crosstalk))

Liz Gasster: ...just say, you know, we're also seeking comment on how the community thinks the instructions for the issue report should read?

Edmon Chung: Yes, we can explicitly say that in the notice out for public comments, right, that - I don't know whether, you know, how to add what you just suggested in this document but...

Liz Gasster: Right, no I hear you. We could do it in parentheses or, you know, as an...

Edmon Chung: Yes that's what I mean, like a footnote...

Liz Gasster: Sure.

Edmon Chung: ...or parentheses or something that indicates that, you know, there's, you know, we want input and we also think we would refine this a little bit more for staff before we...

Liz Gasster: That sounds great, Edmon. I'm sorry, I didn't understand that last part.

Edmon Chung: Okay.

Liz Gasster: So, sure, I think we could just come up with a parenthetical right now and enable...

((Crosstalk))

Edmon Chung: And then we can circulate it and then, you know, circulate it for the remainder of the day and we can, you know, we can...

Jim Galvin: I'm, you know, Edmon I think I understand where you're trying to head with this. I think we need to keep this as an editorial thing. My concern is - and now we're sort of getting into process here. My concern is if we start to circulate something that there's always that danger that we didn't allow enough time for something to be reviewed.

If we're going to open it up for review then we have to be fair and say that there's just not going to - I mean, we've got to allow enough time for anybody on the working group mailing list to potentially say something unless we can keep this as an editorial issue that Steve can then control and go forth and do.

I'm comfortable with the idea that there can an editorial comment in here that says, you know, or maybe as part of going out for public comment there is - we add the context of we are looking for specific advice on these recommendations as, you know, as to whether or not they, you know, are achievable or, you know, scoped or whatever.

Do it that way. Leave it alone as it is right now in the document. And as part of putting it out for public comment you can make a generic comment about looking for the recommendations, you know, to be - whatever you want to say about them. Does that make sense?

I mean, it has to be an editorial action. And, you know, because if we're going to open it up for review we're going to miss the deadline of today.

Jim Galvin: So, Jim, it's Liz. How about this? We won't mention anything different in the document; we'll leave it just the way it is. We'll try to make that point in the announcement. And Julie and I were working on the announcement Friday. And staff will just put a public comment in to that effect during the public comment period.

Liz Gasster: That sounds great to me. And then that at least makes sure...

((Crosstalk))

Jim Galvin: ...that the action to fix this - I mean, I think we're all in agreement that it's okay to fix this so that you know exactly what it is that you need to do; we get that. And I think we're also in agreement that what we have here we know what we

want to accomplish and we just have to find a way to get it all in words properly.

So, yes, let's do that. And if you put it in as a public comment then we obviously have some action for the working group to come back and do when the public comment period closes.

Liz Gasster: Lovely.

Jim Galvin: And it doesn't get lost.

Liz Gasster: Lovely, thanks.

Steve Sheng: Okay. Thanks. I think that point gets resolved. Any other last comment on that point? Okay I think we addressed pretty much everything in that document and then we have one - the only thing left is Edmon's email. So before we go to Edmon's email are there any last comments on this document at this moment?

Okay so let's move onto Edmon's email which was sent out earlier today. Edmon suggested four additions. Edmon, can you go ahead?

Edmon Chung: Yes. Yes why don't I through them? And I think the critical one is the fourth one and which is the one we discussed last time in addition to Section 4.2.

I pretty much just cut and pasted the - what was in the interim report back into this report with the - with, you know, explicitly saying that we feel that variance is outside the scope of this working group but what we focused on is whatever is in the DNS and that needs to be reflected in the Whois; that's the idea of the Whois service.

And therefore that whatever is - basically whatever is in the DNS should be reflected in the Whois; it's part of the recommendation that addresses the - that is relevant to the IDN variant issue.

So that was pretty much most of the wording for D, the fourth one, addition to Section 4.2 is really just adding back the text that was in the - in the interim report. So I think, you know, that's - I wonder what people think about that because, you know, I don't think we had any adverse comments on this part. And I think, you know, we should keep it in the report given that.

Steve Sheng: Thank you, Edmon. Comments? Thoughts?

Jim Galvin: So this is Jim. I have one awkward thing here. I was - I have this vague recollection of having read Edmon's note; what he was suggesting doing. But I can't find it right now in front of me.

Nonetheless the reason why we had taken that text out before was because it talks about - it talks about variants, right?

Edmon Chung: Actually I'm not sure why it was taken out before because, you know, I missed a few meetings but I, you know, we had went through this, you know, in the interim report and it went out. And, you know, at least...

Steve Sheng: This is Steve...

((Crosstalk))

Steve Sheng: I can answer...

Edmon Chung: ...at least the community feels comfortable with it. So, you know, Steve probably has a better answer to why it was initially suggested to be taken out from the final report.

Steve Sheng: I think it was taken out so it - when drafting the final report Jim circulated the outline and then worked from that outline. And it wasn't clear - it wasn't clear where to put it in that outline. So I didn't put it in the outline I put it in a separate document as text. I don't know where to put in the document.

It wasn't a intention to, you know, to not just take out completely this discussion but I just wasn't sure where to put it. And also, you know, so that's my, you know, why it was not in this current document so that's my clarification. Thanks.

Jim Galvin: Right.

Edmon Chung: Okay thank you, Steve. In that case, I mean, then the suggestion is to put it back into Section 4.2. And I think it probably fits okay there.

Jim Galvin: Well, you know, so this is Jim. I mean, the reason why we had taken out the discussion of variants was because although this group, you know, has its notion - we sort of - you're talking about the old Section 4.2 which goes on to explain what a variant is, you know, from its point of view of a definition and then it says some things about it.

John Klensin also called out in his comments that we don't say anything about variants in this text. From my point of view speaking personally that's a conscious choice.

And when I had offered up as a proposal, you know, a particular outline here and at the time that we were discussing what to include and what not to include I had expressly set on the side of not to say anything about variants.

Because right now ICANN does have all of this work going on and these variant case studies and participants there where in theory, you know, maybe we will actually come up with a definition of a variant and some kind of model and polices and procedures which go around all of that once we get to try to

bring together all the variant case study groups and what they're doing; see what sits atop it.

It just felt like discussion of variants does not add anything to what we're trying to say here. It doesn't add anything that isn't already adequately supported and stated. And if anything it simply adds yet another source of what is confusing about variants and when there is no definitive statement about what's a variant and what's not.

And so I would actually vote for keeping it out. I would prefer to continue to keep it out because I don't think that we are the source of - or authority about what is a variant and what it means.

Edmon Chung: This is Edmon. I...

Steve Sheng: Thank you, Edmon. What do others think before Edmon responds? Okay, someone think it's not very important. What do others think seriously?

Steve Metalitz: Yes, this is Steve Metalitz. I guess I would like to hear Edmon's response because this is coming in to the process - back into the process late. I understand it was in the earlier report so I guess I'd be interested in hearing his explanation of why we need to address this even though we're not the source of - main source of information about variants.

Steve Sheng: Thank you, Edmon.

Edmon Chung: Thank you. I think, you know, first of all in the VIP - in the places that I've participated and I'm still looking at the various study teams' activities this is the group that it is looking towards for this particular issue. I mean, the issue of Whois services and, you know, what the - how we should deal with IDN variants. So I somewhat disagree that this is not where it should be dealt with.

In terms of the definition of variants of course, you know, and in the initial report we have already said fairly specifically that it is outside of the scope of this working group. But what is relevant is, you know, the - basically what is in the interim report, you know.

To very quickly summarize it is that the clear finding, you know, especially when this group had the participation from more, you know, from China, from - I believe from Singapore and from Taiwan, you know, from other places.

When this discussion was held the result came out and the finding was fairly clear that in terms of the Whois what the Whois job is to do is to reflect what is in the DNS. So regardless of whether you call it a variant or whether you don't call it a variant even if it - what is relevant is that even if it's a variant and if it is in the DNS and it needs to be, you know, reflected in Whois. That's the, Jim, that's the finding that this group came up with.

And I think that's very relevant to building on the future discussion. That has nothing to do with the definition of what a variant is; it just simply specifies that if a domain is inside the DNS it should be reflected in the Whois. You know, in a way if it is - even if it is an IDN variant it needs to be in, you know, reflected in the Whois service.

That is the finding. And I think, you know, it does not - I don't think it steps on anybody else's sort of I guess, quote unquote, territory in terms of defining variants and how they work in policy. This is squarely within what we are tasked to do. And I think the finding is perfectly coherent with the group and, you know, and the expertise within this group when the discussion was held.

Jim Galvin: So - this is Jim. What I hear you saying is that the finding is that if a name is in the DNS then there needs to be a Whois entry for it. That's what I hear you saying the finding is. And my reaction to that is well yes, I mean, that's the whole point of everything but that has nothing to do with whether there's a variant present or not.

Saying anything about variant does not add to that finding in any way. So maybe you could say more about how variant is an essential part of the finding?

Edmon Chung: Because the core question is, you know, if it's an IDN variant and, you know, it should have a, you know, a Whois response or Whois entry for it as you mentioned. And, you know, that's the long and short of it.

Jim Galvin: So this is Jim. I mean, I guess I'm not understanding - I mean, I don't know if there's anyone else who feels that they can say something to perhaps expand or explain this differently. You know, I'm just trying to understand what specifically is in this text that contributes to the recommendations that we have.

And, you know, I'm not seeing anything. And I apologize, I mean, I'm just not understanding the point that you're trying to make, Edmon. I don't know if there's anyone else who can try to expand on that...

((Crosstalk))

Jim Galvin: ...a bit that would be helpful.

Steve Sheng: Jim, can I add in here?

Jim Galvin: Yes please, Steve, go ahead.

Steve Sheng: I think the - I mean, I think the variant issue is a important issue and that's why ICANN have all those six study teams, you know, working on this. And each of those in their report to ICANN would identify a section of discussion on this.

So I was wondering if the following would work: We publish this report, you know, the way it is but, you know, between now and Dakar I think the other VIP reports will be available - the variant reports will be available this week.

And then what staff can do is we can go over - go through those reports and pull out those specific sections that discuss variants in the context of Whois and then, you know, we circulate on the mailing list. And then we can have a discussion in Dakar and then there and then we decide what to do whether to include it, you know, in the actual final report.

And if we were to include it, you know, what do we include? If not why not?

Julie Hedlund: Steve, this is Julie. I would just like to point out though that those reports that will be posted are posted for public comment and not final. So any of the information in those reports is not a final version so I think we'd have to be hesitant in how we included that information.

Edmon Chung: Well this is Edmon. I, you know, let me put it this way then. I think in the final report if we completely take this out then we would have failed the community that (unintelligible) to this. I feel very strongly about this. And, you know, even if we...

Jim Galvin: I think that's my question, Edmon...

((Crosstalk))

Jim Galvin: That's my question to you, Edmon. And that's what I'm partly trying to react to. I mean, I hear you and I believe you I just - I'm not understanding how that is. It's not clear to me why we have to say something about variants. That's my question, you know, I don't see it as a failure because I don't see how adding a discussion of variants in this document adds anything to the recommendations as stated. So...

Edmon Chung: It does because, you know...

Jim Galvin: ...that's what I'm trying to understand.

Edmon Chung: ...as stated - as stated the recommendations ask for staff to build on this, you know, the findings of the final report. You know, if the final report says nothing on this topic then staff has nothing to build on. So it is very relevant.

Jim Galvin: I guess I - it's not clear to me. I'm not seeing how a discussion of variants adds anything to where we got to. I mean, we're saying the right - you obviously have to build on and one of the things you have to build on is internationalizing.

And when it comes time to talk about exactly how you're going to represent something when they get into the transcription and transliteration and translation discussion in that issues report I fully expect they're going to have to dig into what variants mean or don't mean and how to apply them.

But I don't think it changes anything else that we've said to speak about variants. You know, from our point of view this is about displaying what's been entered.

((Crosstalk))

Edmon Chung: Well, you know, how about we take it, you know, if we view it, you know, in terms of process then we, you know, even if we take it out and this group agrees we need to address why we took it out because it was in the interim report.

And, you know, there was no, you know, adverse comments on it that I can recall. So I find it, you know, in terms of process we would have failed the process to - if we, you know, would have completely omitted it.

(Jiang Kong): Hello, this is (Jiang Kong) from (Singapore). I fully agree with Edmon's points. For this - for the IRD working group we should also address the IDN variant not TLD problems. Currently in (unintelligible) China so this is a variant. If you don't know what's a variant so to China - (single) version in China and the traditional version in China there's maybe - can be regard to variants.

We should - in Whois maybe we should try to address this issue. So I agree with Edmon's point. Thank you.

Jim Galvin: Okay so this is Jim. I think, you know, speaking as co chair here it's just - going to have to say I guess we're going to have to take this to the list for right now. You know, I'm not disagreeing with Edmon; I'm just trying to understand how adding it adds anything.

I mean, I fully understand that variants are a big issue in this whole discussion about internationalization. I just don't understand how variants add anything to this report right now in the current state that it's in. And that's really the only question that I'm asking. But I guess we're going to have to take this to the mailing list at this point.

Julie Hedlund: So this is Julie...

((Crosstalk))

Jim Galvin: So the document is going to have to stay the way it is and I'm not sure what the next step is going to be. We're going to need a public comment. I mean, we already have John Klensin's comment about not talking about variants; we're going to have to get a public comment in that speaks to the fact that variants are not addressed in this document.

And that I think is the way that gets us to revisit the question, you know, term - in producing a final report.

Julie Hedlund: Right. This is Julie. I just say - I would suggest please keep in mind that this going out for public comments. And I would bet that John will come back with his comment saying where are variants in this if we don't include it at this point.

If we had to ask for a decision on this on the list today we would have to make a cutoff in just a couple of hours in order for us to get this posted.

Jim Galvin: Yes, so the question is - to Edmon in terms of process. Edmon, are you at least comfortable with, you know, putting in a public comment that speaks to the fact that we don't address variants in this document and so that in terms of process we have a way to come back to it the end of the public comment period. Does that work for you?

Edmon Chung: Unfortunately that - I don't think that works for me because, you know, that is, you know, really doing something that the group has all along, you know, a year and a half ago, had done and then, you know, in the last perhaps the last few - couple of months has been taken out.

I don't feel that represents, you know, I guess speaking also as the co chair in this case I don't think it reflects the work of the group if it's not included.

Jim Galvin: And I think my only response to that, Edmon, is in terms of process there is a whole bunch of checks that we dropped out as a result of responding to the last public comment period; all of the models and stuff. So, you know, we haven't really failed our process in any way...

Edmon Chung: This is not - this wasn't a model. This wasn't a model part. You know, if you look back at, you know, I took a look at the history of the document and also what Steve mentioned about - Steve Sheng mentioned about, you know, leaving out. I disagree that it was left out intentionally at that point.

And also Steve, I think, clarified on that matter as well it was left out because he didn't know where specifically to put it. So, you know, this text has always been there. And it, you know, if we are saying that we'll revisit the text from our initial report then we have a bigger job in front of us.

Steve Metalitz: This is Steve Metalitz. I'm going to have to drop off here in just a minute. But from what I'm hearing it sounds as though we have a pretty sharp disagreement actually between our two co chairs on this topic. And I guess I would suggest that means we're not ready to go to a final report.

(Unintelligible) contribution and I guess that means we should put this out on the list and give people a week or two to try to come up with a position on it, try to persuade each other about how it should be done.

Julie Hedlund: Just keep in mind that that means that basically the deadline for completing this document gets pushed off to the next ICANN meeting.

Steve Metalitz: Well, you know, there's nothing magic about getting - having people fly 8000 miles to have a 30 or 45 minute meeting. We can, you know, we don't have to have the discussion at an ICANN meeting in order to...

Julie Hedlund: But there does need to be public consideration of the document...

Steve Metalitz: Absolutely.

Julie Hedlund: ...at an ICANN meeting.

Jim Galvin: So in terms of process, you know, I - stepping back as chair and trying to speak in that sense - I, you know, one way to look at this - the way in which I would look at this which now feels a little bit awkward because I'm on one side of this with Edmon and there aren't really very many other people speaking.

You know, this document has been in our working group last call for I think about a month; at least three weeks, maybe four. And the approach that we've taken the last couple of meetings when issues have been brought up and we have these other two issues, the transcription issue and Avri's other issue that she had raised was that, you know, this is a - this is a last minute change and a last minute suggestion.

And so the obligation is to get working group support to put something in and to make a change. We don't make substantive changes like that at this late hour in the document.

So, I mean, in terms of process I would say that the onus and the burden really is on, you know, Edmon to get the working group to say that they want to hold this document down and get this text in there.

It's been out of this document for more than a month and no one has said anything about it until, you know, you, Edmon, just raised it here in this last hour discussion.

In terms of process I think the document goes forward. It gets to be declared done because, you know, one person and even two people saying they want text added and changed in the document is not enough.

You know, this is a process question and the process is we're done today unless there's significant support for a change. And I don't sense significant support.

I'm partly trying to defend the document as it is now and defending the process that got us to here. So from that point of view I am not at all inclined to a delay and this document is ready to go unless you can show the burden of proof on the other side that there's an issue here that needs to be addressed.

Edmon Chung: Jim, in terms of the, you know, process this has been going on for about two years as discussed. And one month out of two years I find that fairly hard, you know, hardly convincing first of all.

The other thing is that, you know, if we talk about the discussion here I think Steve Sheng has also mentioned that this was not, you know, left out intentionally. And (Jiang Kong) mentioned that he's in agreement with it and myself of course.

And really I'm hearing yourself being the one - the only one that's saying, you know, you're not certain about it - clear about it. So I think the characterization needs to be maybe put forward that way.

Jim Galvin: Let's see. So two things; so Steve's saying that it was not...

((Crosstalk))

Jim Galvin: ...left out intentionally. I think that that just might be a word-smithing kind of thing here. You know, I had proposed an outline some number of months ago and so it was left out intentionally because it just didn't fit into the outline. You know, maybe we're just quibbling with word-smithing in what Steve said.

Outside of that - that's one comment. So the second thing I would comment on the process and - is that this is not a one-month comparison versus two year's comparison. This is about two years of discussion that got us to - and having had an interim report with certain conclusions and then we continued some discussions and we evolved and came to different conclusions and produced a different document.

And so this is really a comment about the fact that we have had a final document for a period of time here. And this is a last-hour change. And, you know, you're raising it and yes we've got one other person here on this call who's raising it but, you know, we don't have working group support.

We have working group support for the document as it stands now. That's the process that we have exercised and that we have gotten to. So I am...

Edmon Chung: Okay so here's a suggestion. Here's a suggestion. Why don't we add this as a footnote and indicate that this is what is included from the interim report and leave it at that. And then we'll come back through the public comments and after the public comments deal with it.

Jim Galvin: Okay. So if you're going to add it - propose it as a footnote what are you going to footnote? And what is the purpose - I mean, I'm still stuck on the question of why we're including the text anyway...

Edmon Chung: We would, you know...

Jim Galvin: ...what is the purpose of including it?

Edmon Chung: ...we would include, you know, if you feel more comfortable we would just include the text that was in the interim report verbatim because I made some edits so that it was clearer and shorter. But if you want to include it verbatim that's fine too and just include it in the section that I sort of suggested.

And perhaps just - I guess staff can add a note in the notice out to comments that this is one of the areas that is seeking comments too. Does that work for you?

Jim Galvin: What would you footnote? The footnote has to go against something. What would you footnote?

Edmon Chung: The domain - the 4.2 - the place where I suggested in my email earlier.

Jim Galvin: Unfortunately I haven't seen that email. I have since discovered while we've been on this call that I apparently have email problems. I haven't gotten any

mail today. So you sent something which I haven't seen so I don't know what you're proposing. I'm sorry.

Edmon Chung: It's in Section 4.2 under domain names. The IRD working group recommends that Whois services should return both A label and U label representation for the given IDN domains queried. And then we'll add a footnote - a notation - and then the footnote that either contains what I suggested in my email or verbatim what was in the interim report.

Jim Galvin: I'm okay with that. I have not seen what's in your email so I can't speak to whether it should be what was in the prior report or what's in your email. But that sounds fine to me. Someone else should speak to whether it should be - the footnote is kind of long if it's the original text. If your text in your email is somewhat shorter that's probably a better choice just from the point of view of a footnote.

Edmon Chung: I guess in that case we can leave it up to Steve Sheng to make the decision. But the - I think, you know, with that clear intent, you know, direction forward I'm comfortable with it.

Steve Sheng: Okay so what do others think? Any objections of turning that into a footnote? Okay so hearing none I will take the short text that Edmon proposed in the footnote then. So I think with that then it will be out for the public comment to see whether anyone raise those issues.

And other than that I think we're done. Any questions?

Edmon Chung: Sounds good.

Steve Sheng: Thoughts, last...

((Crosstalk))

Jim Galvin: So just to be clear on the action so when you say we're done that means that the document will get published and go out for public comment in time for Dakar and so the point...

Steve Sheng: Yes.

Jim Galvin: ...of the public meeting is a - really an overview and a statement that here's the document, time to comment, you know, this is last call essentially.

Steve Sheng: Yes.

Jim Galvin: Okay, any disagreement on that point from anyone? Okay then I, you know, many thanks to those who hung in here. I know that we're way over time here. But, you know, I'm glad that we came to closure and so that's really quite valuable. And that's a good thing.

So if there's nothing else I would say that yes we're adjourned. Thanks to everyone and we'll see everyone in Dakar or at least those who will be there. Others will be online I hope.

Julie Hedlund: Thanks everyone and I'll send around information on the location and timing of the meeting in Dakar.

Edmon Chung: Thanks everyone for bearing with me. I think we had a fruitful discussion.

Julie Hedlund: Very productive. Thanks everyone.

Steve Sheng: Thank you.

Edmon Chung: Thank you.

Gisella Gruber-White: Thank you everyone.

Edmon Chung: Bye.

Liz Gasster: Bye-bye.

Julie Hedlund: Bye-bye.

Jim Galvin: Bye.

(Jiang Kong): Bye-bye.

Gisella Gruber-White: Thank you, (Tonya).

END