

**ICANN Transcription
Next-Gen RDS PDP Working Group
Wednesday, 17 May 2017 at 05:00 UTC**

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Attendance may be found at: <https://community.icann.org/x/HMPRAw>
Audio may be found at: <http://audio.icann.org/gnso/gnso-nextgen-rds-pdp-17may17-en.mp3> AND
<https://participate.icann.org/p1vpciiph1u/>

Michelle DeSmyter: Great. thank you May. Good morning, good afternoon and good evening to all. Welcome to the Next Gen RDS PDP Working Group call on the 17th of May, 2017. In the interest of time today there will be no roll call, attendance will be taken via the Adobe Connect room, so if you're only on the audio bridge would you let yourself be known now? And, Daniel, we do have you noted.

Okay, hearing no further names I would also like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I will hand it back over to Chuck Gomes.

Chuck Gomes: Thanks, Michelle, and welcome, everyone, to our working group call for this week. Does anyone have a statement of interest update, please raise your hand in Adobe or in the case of Daniel, speak up.

Okay, let's move on in our agenda then. And go to Item Number 2 and the newcomer tutorial plans. Thanks for those of you who responded to the poll that was sent out on that. And let me turn it over to Lisa to describe what the plan is.

Lisa Phifer: Thanks, Chuck. This is Lisa Phifer for the record. And thanks to everyone who participated in the little survey that we did on a needs assessment for a newcomer tutorial. We did have a fair number of people participate both newcomers and long-time regulars. And based on results of that survey, we think that there is interest in having a tutorial so we've scheduled for one for next week immediately following the regularly scheduled meeting, so that will be Tuesday the 23rd at 1730. If you plan on joining next week's meeting you can stay on after the meeting and follow directly into the tutorial if you wish.

Everyone will be receiving an invitation for the newcomer tutorial. If you're interested in attending, and only if you're interested in attending, please rsvp and that will give us an opportunity to see how many people plan to attend. There was interest in two dates, both Monday and Tuesday, but the results were split so we're going to go ahead with a Tuesday session and then we can always reassess actually repeating the tutorial live again in the future. But a recording of the Tuesday session will be available for those who want to replay it on their own schedule, which a fair number of people did - indicate interest in doing that.

With that I'll turn it back to you, Chuck.

Chuck Gomes: And, Lisa, this is Chuck. Thanks for that update. Will it be - you probably already said this, but if you did I missed it - will that be recorded so that people can view and listen to it afterwards if they can't make that time?

Lisa Phifer: Yes, Chuck. We'll give the tutorial once live next Tuesday immediately after the working group session, but we will record it both the presentation and the

question and answer session so that people can replay it on their own schedule. And if there is sufficient interest in repeating another live tutorial we can do that as well. But it will be recorded about (unintelligible) people participating in the survey indicated they'd like to listen to the tutorial on their own time so we'll be making a recording available.

Chuck Gomes: Thank you very much. This is Chuck again. So are there any questions about that? Okay, and Maxim asks whether the slide deck will be shared in advance. Can you - would you please respond to that, Lisa?

Lisa Phifer: We can post the slide deck a day in advance along with the other materials for our regularly scheduled call. The outline of the tutorial itself will post with the announcement of the tutorial so watch for that in the next day.

Chuck Gomes: Thank you. Okay, let's go on then to Agenda Item 2B, ICANN meeting plans - and I forgot to ask who's going to lead this. I don't see Marika on the call but Lisa, go ahead.

Lisa Phifer: Thanks, Chuck. We'll be having two scheduled sessions for the RDS Working Group at ICANN 59. The first will actually be the cross community session that you may recall we briefly discussed a couple of weeks ago that we would request a three-hour cross community session to discuss with the community our rough consensus agreements thus far and get feedback. That'll be on Monday the 26th in the afternoon.

And then on Tuesday the 27th we will have our regular four-hour face to face working group session. So those are two sessions you should plan for when planning to attend ICANN 59. And of course there will be a remote participation option for those of you who can't come in person.

Chuck Gomes: Thank you very much, Lisa. Any questions? All right, this is Chuck continuing. Let's go to Agenda Item 3, and as I think all of you are aware, for several weeks now, we've had a small group working on the word "authoritative" and

variations of it. And some of that discussion the last few weeks has been on the full working group list. Just oh I don't know, I saw it less than an hour before this started, but it was probably sent way before then, if you were online you probably saw it, but David sent around his recommendations for that issue.

And I'm going to turn it over to David to talk through that. Notice that you have scrolling capability so you can - if you haven't had time to read it yet, you can read through it right now. And, David, it's all yours.

David Cake: Hello. Can everyone hear me?

Chuck Gomes: Sounds good.

David Cake: Good. Yes, so the issue was essentially that while we - that we could not - the small group tasked to come up with a definition of the term "authoritative" for use in the working group essentially came to the conclusion that it was impossible to find a definition - well the term was intrinsically quite confusing and regardless of how we - what sort of definition we settled on it was likely to continue to be confusing because of the multiple senses of the word both sort of legal and technical.

And it in particular almost certainly the term would be taken in a way beyond the original intent of the particular purpose statement that we referenced it in. So we said that a few weeks ago, but what we actually proceed from here. So the issue was that we looked at - so I looked at the - how to proceed. And essentially we only used the term "authoritative" in one place within our deliberation so far and that's within a purpose statement that we've been talking about for quite a while, we discussed it quite a bit in Copenhagen and so forth so we've been under active discussion for a bit.

We attempted to try and find - our last attempt to try and find consensus wording was back on the - with our poll on the 28th of March and of that we

had relative agreement, but not quite consensus on the statement - a purpose of RDS is to facilitate dissemination of authoritatively sourced gTLD registration data such as domain names and their domain contacts and name servers in accordance with applicable policy.

Now, we seemed to - so that met with relative agreement. So we wanted to make the minimum possible change to that while still removing the reference to the idea of authoritative. The general discussion seemed to have settled on the idea that the term "data of record" best approached the sort of data theoretic sense in which we wanted - which we - in which I think that purpose statement was intended.

So the minimum possible change essentially take out that term "authoritatively sourced gTLD registration data" and replace that with the term "gTLD registration data of record." Now, that sort of means we needed to come up with - we needed to define "data of record." There's a definition from - that Andrew Sullivan provided which has the advantage it's relatively self-contained and doesn't approach any - doesn't use any of these other terms like source of record and so forth. And it simply means the best data we have about - the best data we have at that moment essentially in the system.

Specifically, the data set at a given time relevant to a given registration object that expresses the data provided in the then-current registration for that object. But important things to note about that, that it does specify the current time so it is a meaningful definition, it's important to say that we are wanting to get at the actual data regardless of caching and other technologies that might interfere with that. And - but that it doesn't say anything about the source of the data.

And I don't think this is the - this wording it neatly avoids that - it makes the minimum possible change to our current most supported wording while still removing that reference to the term "authoritative" so hopefully we can agree on that purpose statement fairly quickly and move on.

But a - important thing to note is I'm not trying to say here, I mean, I think inappropriate is - I mean, we're stepping in as leadership to kind untangle a snarl here and let us move on, but we're not - I'm not trying to say that the idea of source of record or authoritative, you know, reference to a specific authority of data should not be a specification, that in Phase 1 or at any other point, simply to separate it from the sort of more internal data centric issues around data of record.

So probably if those that are very concerned about issues around authority or source of record could - we will hopefully later move onto consider a statement that tries to get the working group consensus around those issues. But it's separate to this statement about the data of record.

Chuck Gomes: Thank you very much, David. This is Chuck. And let me thank Andrew Sullivan, Mike Palage and David for the work they did. And then also thank several of you in the working group who have participated actively in the discussion on this over the last few weeks. That's much appreciated. And, Sam Lanfranco in particular I think is the one who suggested the data of record terminology so much appreciation to Sam for that. And the good discussion that's happened around that.

Now, I'm going to open it up to questions and comments in just a moment. I just want to call your attention, for those that didn't see it, but the fifth paragraph, the last sentence there, has in quotes there, the suggested change or the statement that we had agreed to previously on the 28th of March with the new replacement in there instead of authoritatively sourced gTLD registration data.

So focus on that wording there. And we'll also talk about the definition of data of record that Andrew suggested there. So are there any questions or comments on this recommendation both for the reworded requirement and the definition of data of record. And I'm going to pause for a minute or so just

to give you a chance to focus so bear with the silence for just a little bit. And notice that Lisa has put the revised requirement in the chat. Not seeing any questions or hearing anyone, let's do a quick meeting poll, and we'll do that by using the red Xs if you - and let's focus on the reworded statement that Lisa put in the chat first and then we'll come back to the definition of data of record.

If you support the reworded requirement, put a green check, if you don't, put a red check. Okay, so I'm seeing pretty good support. We'll pause just a little bit, give more people a chance. If you don't put anything in the chat I'll assume that you don't care one way or the other but you don't oppose it. Okay, so we don't have any opposition to it. I think we will - and Lisa, correct me if you think this is the wrong approach, but I think we should - because we only have 18 people on this call, and obviously a lot more people in the working group, that we should confirm the results on that in a poll this week.

So all right, if you would remove your green checkmarks, thanks for the good participation in that. And let's talk - let's focus on the definition of data of record. And that definition is in the next paragraph, I believe, so it's there. And Lisa, if you could put that one in the chat too, that would be - oh it's there, you're way ahead of me, as I should have figured. Again, there are a couple - Stephanie and Jim - thanks, Jim, for removing your green checkmark, and Stephanie, if you'd do the same so that we can start over and focus on the definition.

And again, keep in mind like David said, we're not focusing on the source of the data of record at this point in time, sometime in the future we probably will focus on that. But let's not worry about that at this point in time.

Okay, the - so if you are comfortable with the definition of data of record, that has been proposed by Andrew and actually by David too, please put a green checkmark, a red X if you have some problems with it. And I think while you're thinking about it and responding in Adobe, I think probably what we

would do - we talked about this a little bit as a - in the leadership team that we would in the statement put a footnote for data of record that would contain the definition in it. Don't have to do it that way but that seems like a pretty straightforward way to include that.

Okay, once again looks like we have a lot of green checkmarks and no red Xs, so I think it's reasonable to conclude that we have rough consensus on that definition. And we will test that as well in a poll this week, although before maybe I conclude that too much, let me call on - oh Maxim, you just wanted - if you - first I saw a hand go up but if you do have something to say you may say it now.

Okay, any other comments or discussion on Agenda Item 3? Thanks again to those - everyone who contributed, including those of you who are participating in the online poll right now, that's much appreciated and sets a good basis for a couple poll questions for this coming week. You may remove your checkmarks now in there.

And let's go to Agenda Item 4 and continue our deliberation on what steps should be taken to control thin data access. And in doing that, we will talk about whether thin data access authentication should be required or allowed and we had a poll in regards to that so we're going to look at the poll. You can see that the - you can see in the slides up right now that we have information from the results. And again you have scrolling capability.

We had a total of 33 people participate in the poll this week, keeping in mind that we're limiting our discussion right now to thin data elements, which are defined on the first page on the document that's up there. And then you'll see the results for Question 2 are shown there. Now what we found - and we're not going to - unless somebody needs us to do so, and I'll call on you in just a second, Maxim, unless somebody needs us to do so we're not going to go through all the comments. We did, as leaders, go through all the comments.

And but you can see if you look at the results there, that 15 people out of the 33 had choice E as their preference, and other 16, so a total of 31 out of 33, the other 16 could live with that. So the strongest response in this particular poll was choice E. Now the poll wasn't designed to end up with a conclusion, we're going to see if we can come to a tentative conclusion and get rough consensus on this in our meeting today.

Maxim, please, it's your turn. Are you on mute? We're not hearing anything.

Maxim Alzoba: Hello, everyone. It's Maxim Alzoba. Do you hear me?

Chuck Gomes: Yes.

Maxim Alzoba: My idea about identification was that in all legally binding documents the - usually identifications refers to persons, humans. And the more and more we are going to see situations where the nonhuman, yes, items are requesting things like service and things like that so I think we need some description of a process rather than the description of who is going to access it. So I suggest we have something like the process of identification is not required rather than it could identify themselves because it's more like itself is going to be most useful for machine readable things I think. Thank you.

Chuck Gomes: Thanks, Maxim. This is Chuck. So you're going back really to the statement that we already had rough consensus on that the gTLD - and it's part of Question 2 there, gTLD registration thin data should be accessible without requiring inquirers to identify themselves or state their purpose. So do you think we need a different work than "inquirers" to accommodate your point? Or could inquirers be thought of to be generic enough to be a machine if it was a machine? And you're welcome to respond...

((Crosstalk))

Chuck Gomes: Go ahead.

Maxim Alzoba: I think the change might be needed is quite minimal. It's wording without - to identify the change without identification.

Chuck Gomes: Oh so...

((Crosstalk))

Maxim Alzoba: ...themselves.

Chuck Gomes: Oh I see what you're saying.

Maxim Alzoba: That's it.

Chuck Gomes: So it would be should be accessible without requiring inquirers - inquirer identification, or stating the purpose. And we'd probably say "the" purpose instead of "their" purpose. Is that right?

Maxim Alzoba: Yes, so we do not limit it to the - yes, human persons.

Chuck Gomes: Yes, I get you.

Maxim Alzoba: But I think we might need to add something later saying that in case of the inquiry from, yes, like nonhumans or computers or they need to be controlled by someone. And...

Chuck Gomes: Okay.

Maxim Alzoba: ...should be identified. So if we say that identification is just the process without reference to the - yes, actor, we - right - then we need to add wording that the actor - the end user actually should be identified at some stage if the identification in place. Thanks.

Chuck Gomes: Okay. So lots of comments going on in the chat. Stephanie was a little more specific in her suggestion but let's test what Maxim has suggested. And on your wording that you put there, which was a good effort at capturing I think what Maxim suggested, I would just make a little edit, gTLD registration thin data should be accessible without inquirer identification rather than without inquirers requiring - just a little simpler I think. Let's see if we can capture - and let's see. And of course the "or stating purpose" let's get rid of the word "their" so again to avoid the implication.

Now Stephanie, a quick question for you would that wording suffice - you suggested a little alternative approach, I think they accomplish the same thing. If that works you can just put a green checkmark. If you'd like to comment you're welcome to.

Maxim Alzoba: Chuck, it's Maxim again. If I may?

Chuck Gomes: Sure.

Maxim Alzoba: The reason for my suggestion is that it's going to be - whatever we decide is going to be in some policy. But policies are legally binding (unintelligible) the policies are legally binding in us when the mentioned in contract. And we have contracts with persons. And if someone for example demands something, then the registrar or registry might say we do not have contract with some unnamed server. Yes, something like that.

((Crosstalk))

Chuck Gomes: It makes sense to me, Maxim, so is there anybody that disagrees or has a concern with the suggestions by Maxim? Please either raise your hand and express it or put a red X if you disagree with the approach we're taking. I don't think it changes any of the intent of the statement that we had already rough consensus on so I see some green - a couple green checkmarks,

including Maxim. And thanks, Stephanie, for responding to my question, I appreciate that.

So if there is no disagreement again to involve those not on the call, and because we had previously reached this conclusion, I think we ought to test it in a poll question with the rewording. And let's see, and you're correct, Lisa, that's why I think we need to test it. Again, my opinion as chair is that it doesn't make any significant changes to what we intended in the other statement, it just removes the possible implication of associating it with person or persons. And let's see what Lisa has to say in the chat there. Maybe she's just typing it in.

It might make sense to combine it with Option E. But for now, let's come back to that, okay? Let's talk about Option E and see if there's rough consensus on that statement and then we can combine it if we like. In fact Lisa suggested the combination there in the chat, in other words so adding the word "without authentication" so maybe we can just jump to that unless people - good question, Greg. Did it change from - I don't know that anything was intended.

This is Chuck speaking. Requestor to inquirer, I don't think we need to make that change unless somebody thinks there's a reason for doing that. I'm the same way as Andrew, I don't care which one you use, but we had inquirer before so let's keep that, keep the changes to a minimum.

What about - Lisa has taken that then. Identificating - I don't think that's a word. We can of course create words but probably shouldn't too often anyway. So the wording - look at - focus on Lisa's wording. Does anybody - is there anybody that cares whether it's requestor or inquirer? I don't think we're violating our charter if we use "inquirer" instead of "requester" I think that's a minimal issue unless somebody identifies some reason. Don't want to create new problems, Stephanie? I can't imagine why not. I'm with you all the way.

Oh identifying - so let's take a look just at the statement where we combine E in this past week's poll with the statement that we modified per Maxim's suggestions and let's look at that. I'm sorry for laughing but I'm just reading what Greg wrote. So thanks, Greg, this time night for me I appreciate that.

All right, so Greg suggested sticking with "requesters" which is in the charter. Anybody opposed to that? Like Andrew and I said, we could go either way. I don't see anybody opposed. Okay, I do appreciate the humor in the chat, it's making it easier for me to deal with a meeting late at night for me so that's good.

I'm seeing several people saying requester and I didn't see any objection, so let's see what we have now. GTLD registration thin data - oops, maybe let's put it in the notes so it doesn't - so people can still chat because a lot of people are having fun with the chat right now. And that's good - that's fine, I'm comfortable with that. In fact I like it, as you can tell.

So the - Lisa's typing it in the chat. Let's get it - excuse me, in the notes. GTLD registration thin data should be accessible without requester identification, authentication and the - or stating purpose. That's the statement we're going to focus on right now. And we can discuss it first if you like.

Now I'm going to call attention to some email discussion that happened in particular between Greg and I and a few other people with regard to authentication. As you could tell by my comments and email the last few days, I was associating authentication just with the requester authenticating the requester and as Greg explained, there could be other forms of authentication possibly used by a registrar or registry. So hopefully you saw that discussion.

So what we're looking at right now is the statement that - at the end of the notes on the right there, any questions about that statement or comments before we do a meeting poll?

So, Jim, are you suggesting putting stated purpose? It sounds like you're suggesting or stated purpose instead of or stating purpose. And that probably is a little bit cleaner grammatically. Oh, good point, Lisa. Another thing - another issue before we poll on this one is - and there was quite a bit of discussion on the list this week about must and should and definitions and so forth. Does anybody object to changing the word "should" to "must"? And Tapani, thanks for your comment there. I would tend to agree with you but let's see - I think you're right, Stephanie, that we had agreed on that.

Does anybody object to changing "should" to "must"? Put a red X in the chat or raise your hand if you'd like to talk to it. Now, yes, point well taken, Jim. I don't know if we changed it in the wording yet, yes, no it's been changed, good. Thanks, Jim. Appreciate you keeping us straight on that.

Now the only other issue that came up, and Greg is not on the call, but he - and told us he was not going to be able to make it - was this issue of anonymity. Is that covered enough in the wording here? Or do we need to discuss that as well? And unfortunately Greg can't jump into the discussion but maybe some of the rest of you that saw his comments can talk about that. I'm talking about Greg Aaron and not Greg Shatan, okay.

So the notice in the notes there the proposed answer based on poll Question 2 comment 9 access to thin registration data must be provided to anonymous requesters. And of course we'll come back to whether or not we need to define anonymous and authentication. There was some material, and I think - I don't remember if it's in this, I think it's in this handout that's on the screen right now - yes, if you scroll down if you haven't already done it, there's some possible definitions for anonymous and authentication. I don't think we'll try

and agree on those in our meeting, but we may seek two or three volunteers who could come back with a recommendation for the group on that.

But is there anybody that thinks we need to specifically talk about anonymity in this statement that we're focusing on or separately if it should be done separately, does that question need to be answered or does the wording we have right now cover it sufficiently? Thanks, Alex, for your response to that in the chat. And or was it Maxim? I think it was Maxim that did that. But yours also, Alex, thanks. And there seems to be some agreement.

And you're right, David, we might have to get into that later. Notice that Stephanie's thinking that we may not need to define anonymous. Now we'll come back to that in a minute. So understanding that we're going to talk about...

((Crosstalk))

Chuck Gomes: ...whether or not we need to define anonymous and authentication, should we talk about that before I poll the group on the statement as we have it now? If somebody thinks that I'll hold off doing a poll. But, Jim, let me let you speak.

Jim Galvin: Thanks, Chuck. Jim Gavin for the record. I started to say something similar and then I think that Andrew Sullivan said it quite clearly in the chat room, and I want to read it out and emphasize it here partly because Andrew commented he wouldn't be speaking because of his location here.

But he makes a comment about - I made a comment that anonymous is a red herring and even trying to define it, you know, it gets us into that place. And Andrew Sullivan made the statement that what's important here in the current proposal is that it says what the requester does not have to give rather than trying to create an attribute of the requester. And I think that's important. The reason why I say anonymous is a red herring is because in this world of, you

know, big data, we're setting ourselves up to have requirements that we can't meet anyway.

I mean, giving an IP address and, you know, enough big data correlation, I question whether anonymity even exists at all anymore. We might get close to it but, you know, let's be realistic here. And I think that the best we can do is talk about what you don't have to do and hopefully that will allow you to achieve anonymity if you want it. But let's not set up a requirement for that. I just think that that gets us into a bad place. And I'll repeat this as necessary as we go forward with this. But I wanted to emphasize Andrew's comment. Thanks.

Chuck Gomes: Thank you, Jim. And as chair, I assure you, I don't like red herrings. Is there anybody in the group that does? You don't have to confess to that if you do, but the point's well taken, there seems to be in the chat quite a bit of agreement on that. Is there anybody on this call that thinks we need to address anonymity directly other than the indirect way that we've kind of dealt with it in the wording we have now? Raise your hand and tell us why or - okay, there's certainly a lot of people that are not thinking we should go down that path.

Let's see what Rod has to say in the chat. And then maybe - is there anything else we need to discuss on this before I get the sense of the room in terms of the wording we have now? Okay, do we need to define authentication? I'd like to find out the sense of the room in that regard. Do we need to define authentication?

Now I'm going to pause for a little bit because there are a couple people typing, certainly if you'd like to speak to that just raise your hand. Okay, is there anybody that thinks - if you think we need to define authentication would you put a green checkmark in the chat or speak up in the case of Daniel?

Okay, David, go ahead.

David Cake: I don't think we need to define authentication for this statement when we're simply saying what it isn't. When we're simply saying not to use it. I think later on if we arrive at statements that do require authentication be used we are going to have to define it. And the issue will essentially be things like authentication that authenticates against, say, a persistent pseudonym or, you know, a credential that might be shared and so on versus something that provides direct identification and - I know several points around that that we will need to clarify eventually but not for - not at this point when we're simply saying not to use authentication.

Chuck Gomes: Thanks, David. That makes a lot of sense to me. Anybody want to add anything to that or disagree? Okay. If my assessment is correct, and this is Chuck speaking, then I think we're ready to poll to get the sense of the room in terms of the statement we have. And I'm looking over in the notes, where is that now? Is it possible to highlight in Adobe? Probably not. I'm just trying to see in the notes where that statement is now. Oh access to - no, that's different. It may be up further in the notes. Scroll up.

Okay, so if you scroll up just a little bit, the last bullet above proposed working group agreement to test with the poll is, I believe, the statement we've seem to have agreement on and we'll test it now. So it reads, "gTLD registration thin data must be accessible without requester identification, authentication or stated purpose." Any more discussion on that before I poll the room? Actually I'm polling you guys, not the room.

So okay, if you support that wording, put a green checkmark. If you don't or still have some concerns, put a red X. And we'll let Marc go ahead. Oh it's a checkmark, okay good. All right. And again, feel free to put a red X if you have any concerns about that statement. And we will follow this up with a poll question. We'll be able to actually probably reduce - actually the authentication poll question will be combined with the rewording of the

statement we started with so - and then of course we'll poll the data of record definition separately on that. So I got a few. I'm going to pause so bear with me while we have some silence for people to think about it.

So about half the people so far clearly agree. I don't see anybody opposing it. Those of you that are not putting a green check, are there still concerns? Okay, we got over the halfway mark. I'm going to assume without taking any more time that the rest of you are okay with it. You certainly don't object to it but you're not ready to - oh I'm not - I could have put a green check myself, I see I'm one of the people not responding. But I'm fine with the wording the way it is, but it doesn't matter what I think so much as truly the sense of the rest of the working group that's participating that I'm really looking for here.

Okay, so an action item will be to - at least have two poll questions, this rewording that we just focused on, and then separately from that talking about the definition of data of record which would probably end up being a footnote to - with data of record when we use that. And I probably said that wrong. Andrew, go ahead. Okay I guess okay hand went down. All right. Good.

Lisa, and Amr, are we okay - we have enough to develop the poll, is that correct? If not, I'll come back to you in a minute, let me see what Marc has to say. Go ahead, Marc. Oh you're on mute it looks like in Adobe you've got the red mark. And you took your hand down, okay, that's fine.

Marc Anderson: It was just a sloppy hand. Sorry. I was trying to clear my check box.

Chuck Gomes: That's all right, I understand it I've done it many times myself. Okay, and Lisa and Amr, are we pretty clear on - we can work out the details of the poll after this meeting and not take meeting time, but as long as the two of you are comfortable and Susan and David if you're not let me know. So that we can spend more time on clarifying, okay. Good okay you can remove your green checkmarks. And we're making good progress.

Okay, we've covered Agenda Items 4A and 4B and 4C. We don't need to define anonymous because it's not - we're not using it and we've decided we don't need to define authentication at this point in time. Greg Shatan, go ahead.

Greg Shatan: Thanks. It's Greg Shatan for the record. Just responding to something I see in the chat, Stephanie said that since we said early according to policy, that policy may remove data elements from the thin data, and my comment was just that I'm not reading into these questions as if they are implicitly ending with "according to applicable policy" you know, just as some people like to read every fortune cookie with "in bed" at the end for amusement's sake.

But it does change the meaning. And here again that would change the meaning. So I think the question of policy is a kind of a separate question, the idea that somehow we're - there is some sort of implied limitation without discussing it, I'm not comfortable with implications at least and I think we need to deal with it explicitly if at all. Thanks.

Chuck Gomes: So, Greg, this is Chuck. Let me get clarification. Did you just say that you don't think we need to add "according to policy" - approved policy or do we think we need to add it?

Greg Shatan: No, I said - I said the opposite which is that I think we shouldn't add it.

Chuck Gomes: Oh okay.

Greg Shatan: And that we shouldn't consider it to be there by implication because that's - I don't think we've come to the conclusion that it's implicitly part of every policy in a sense or what according to applicable policy really means. It seems to be kind of an attempt to kind of create a little bit of a U-turn or undercut certain aspects of what we're doing so I think that according to policy either means nothing in which case we shouldn't have it or it means something in which

case we need to know what it is. But in no case can we just assume that it's there and has a meaning. Thanks.

Chuck Gomes: Thank you, Greg. I'll comment on that after I give Stephanie a chance to comment. Stephanie, you're on mute. There you go.

Stephanie Perrin: There. Thanks very much. Stephanie Perrin. As you know, I usually put a caveat with everything I say saying we haven't got to data elements yet. This is assuming the agreement on the data elements and of course I put that caveat on the poll I think. But the fact is we have thin data in quotes not just because it's funny word, thin data, but we haven't agreed on what the thin data elements are. We are saying "such as" so we did put the policy item in earlier. I don't want to have to be arguing this later by saying that we agreed that we must give access to elements that are grandfathered because we hadn't dealt with the elements at this point in our deliberation. So yes, we better clarify if that's what Greg's asking for.

Chuck Gomes: And I think - thanks, Stephanie, this is Chuck. And I think we're getting close to the point, maybe even our next meeting, although I haven't discussed this with the other leaders, to actually taking a look at the thin data elements and trying to reach agreement on those. So thanks for reminding us of that. We haven't forgotten that. And like I said, I think it'll be coming up shortly.

Greg, back to you - Greg Shatan, coming back to you, I mean, I'm in agreement with your comment. First of all, with regard to "according to policy" the second phase of our work is really a critical phase and that's where we actually do develop policy. But I think you're right that that assumption goes with everything we're saying. So all right, any other discussion on the Item - now I think we're ready to go onto the second question in our poll this week which is Question 3, Question 1 is always your name as I think everybody knows.

Just okay with the definitions whereas - is Question 3 not on this document that's up there? I thought it was but I'm...

Lisa Phifer: It is, Chuck. You want to be on slide - or Page 7.

Chuck Gomes: Seven, okay thanks. I'm jumping around like crazy on this. Oh I'm way too far. Oh. Way too fast for me. Slide 7, okay thank you. So should policies allow or prevent application of operational controls? Slide 7, okay. And we have some wording there, and we did a poll and there was lots of good responses here, certainly some concerns expressed with regard to the use of these two things. And that's what the provided statement at the end is meant to deal with, and of course we have to - we get into definitions of unreasonably restrict so there may be some needs for definition there.

So 75% on this - had rough consensus of about 75% of those who took the poll and answered Question 3 with the red wording that you see on the screen. Let me open it up for discussion on that. Any comments, questions - better scroll down in my chat I see I'm way behind on the chat. Andrew had to go to an airplane before I do. I have to get up early in the morning to catch an airplane so. Thanks, Andrew, for your contributions.

Captcha recognition operator. Okay, not hearing any discussion. Putting aside for a moment that we may need to better define what "reasonable" is and what "legitimate" is, I'm not sure we need to define legitimate access. I think that will be defined by the policies we develop and the requirements we develop, but I could be wrong on that and I'm open to discussion on that. But reasonable obviously is pretty vague. David, your turn.

David Cake: Hello.

Chuck Gomes: Yes.

David Cake: So I think the - one of the issues here about - I mean, obviously some people want rate limiting just to prevent load-on services and so on. But one of the reasons for rate limiting and captcha and so on is so that you can't scrape the data and make a private copy. And one of the reasons you might want to scrape the data and make a private copy is because it can then provide access to it in ways that we may not consider legitimate.

And it's - now this doesn't really apply to thin data I guess, because we effectively said - I don't think we've defined any circumstances that would be not legitimate. But there is a concern that, for example, providing access to historical data is something we may - that may potentially be, you know, regarded as problematic in some circumstances.

Maybe we do need to at least have a brief look at legitimate and see if there are any circumstances that we regard as not legitimate.

Chuck Gomes: Okay.

David Cake: Thanks.

Chuck Gomes: Thanks, David. Jim, your turn.

Jim Galvin: Thanks, Chuck. Jim Gavin for the record. I have to say that while I happen to agree with the, you know, text in red, I do think that that's important from an operator's point of view, my comment about this is I'm wondering whether we really need to say this at all quite honestly. I'm just thinking about all the rest of the services that we provide, you know, are there explicit statements like this? I mean, there aren't explicit statements like this about other kinds of services that we offer. And there's no comments in policies about this.

I think it's an ordinary business practice to need to protect your infrastructure. Making this statement is really just inviting us to create other policies or not create other policies. And I'm thinking you know, if we want those other

policies let's just have them. If we need a bulk access policy list just have them. To get to David Cake's comment, I mean, yes, I've heard that comment about, you know, historically people put rate limiting on because they don't want you scraping.

You know what, if we're going down the path if the data is public, you know, scraping is kind of a nonissue anymore. Now you're just creating it - it's another one of those red herring kinds of things. If the data is public, the data is public. If somebody scrapes it, they scrape it. And if they offer it up in a different way, they offer it up in a different way. There's nothing you're going to do about that and having this interesting policy to say don't do that simply is not going to help if the data is going to be public. I mean, logically such a thing just makes no sense.

You know, I apologize a little bit here, I don't really want to ramble. My primary comment is just that while I support this statement, I wonder whether we really need to say something like this. It just doesn't logically follow in my mind. So I just put that comment out there for, you know, thought purposes on the table. Thank you.

Chuck Gomes: Thanks, Jim. I think it's a good question to ask. So appreciate you raising it. Rod, go ahead.

Rod Rasmussen: Thanks. Rod Rasmussen. So I agree with Jim on the - from that perspective on what he just brought up on do we even need this from a perspective of we've got all these other services well beyond registration data. The thing - the reality we have seen on the ground, and I brought this up before, and reiterate on it, is that we have people using rate limiting in a way to limit access that is not really anything to do with control, it's more of a gaming thing.

So I - and that may apply to other services, right? It may not just be a Whois/RDS kind of thing. There may be other things in the ICANN sphere

that would be - you could take a look at from that perspective, right, where you have for some definition of reasonable right, and for some types of purposes different registrars or registries acting differently that is counter to the goals.

And it behooves us to be thinking about this from a policy perspective as to what we want. The actual implementation details obviously are more of an operational concern. But we probably want to make it fairly clear because if you don't what ends up happening is somebody in the contracting process writes something down and then it gets negotiated back and forth and somebody really clever on one side or the other does something to put some language in there that makes it really easy to do some goal counter to the overall intent of the policy.

So I'd like not - I'd like to talk to it but without getting so, you know, so in the weeds that you start getting into the operational side of it. And I'm not sure what - where that balancing line is but I don't think we can ignore it. Thanks.

Chuck Gomes: So, Rod, this is Chuck. I need a little clarification. I think I heard you disagree with Jim that you think we need something along this line. Did I get that right?

Rod Rasmussen: Yes, I guess so. I mean, I'm with him on the aspect of thinking of it from a purely operational perspective, that we don't really need to talk to it that much. However, I also know that the reality is, and, you know, 20 plus years of doing this is that there's gaming going on that is, you know, kind of registrar-specific in particular, can be registry-specific as well. In fact ccTLDs are really notoriously bad at this, which we don't have remit over. But it's - you end up with contracts and kind of the compliance and, you know, kind of complaint driven process where we could kind of nip it in the bud by addressing it with policy up front.

But, you know, so I want to talk to it but from a different angle than Jim was talking about. I fully agree that from the perspective he was bringing up that

we shouldn't have to put language in it because we don't really want to get in the way of people doing good operations. At the same time, we want to limit gaming and how people might use these things that were, you know, designed to provide technical protections for systems to withhold information they should be providing in some form or fashion. Does that help?

Chuck Gomes: Yes, yes, no thanks. I appreciate that. This is Chuck. Stephanie, go ahead.

Stephanie Perrin: Stephanie Perrin for the record. Heaven forbid that I should drag us back to the last question, but if we remain silent on the issue of rate limiting, for lack of a better word, does it imply that thin data must be accessible that any efforts on the part of a registrar for instance, to control scraping would then be a violation of that requirement? Just a question.

((Crosstalk))

Stephanie Perrin: In other words I like the idea of begin silent but I'm just worried that it can be construed as permission to create the entire known universe of thin data.

Chuck Gomes: And this is Chuck. And I think I've seen comments from several people, they may not be on this call, over the last couple weeks, maybe even to the extent that they don't think rate limiting should be allowed. Let alone just putting the qualification we put on it, maybe I'm wrong on that but I got the sense that there's some people that think it's abused. And maybe even Rod was talking about that a little bit. So I think we have to be careful and remember some of those thoughts that have been shared. Notice that Lisa has put something in the chat. Let's pause a minute and take a look at what she said. In fact, Lisa, why don't you just talk to that for all of us?

Lisa Phifer: Sure. This is Lisa Phifer for the record. Just noting that the 2013 RAA does have a clause that doesn't explicitly talk about rate limiting but does talk about being - does address high volume automated electronic processes, inquiries at a high rate. And so that - while the RAA is of course not itself a

policy and it is techniques used to address this, our - part of our current RAA contractual requirements. Thank you, Lisa.

I'm going to share an example that is not at all related to Whois but it was an operational issue that we experienced in the early - I think it was still 2000s, it was the 2000s with regard to registration of domain names to illustrate, for those that are fairly new to the industry.

We as a registry, and all registries that use registrars have this requirement I think, and that is that we have to give equal access to all the registrars. And we got to a point because deleted names became very much in demand and people wanted those and there was a particular time of the day that those became available and our systems were overwhelmed with requests to the extent that we couldn't give equal access because there weren't enough pipes to allow for it.

So we actually had to shut down registrations for a few days of deleted names until we could put a system in place that allowed us to provide the equal access and not favor some registrars over others. I don't bring that up because it would happen with Whois or RDS, but to illustrate that there are situations that happen where you have to take some actions to comply with other requirements, otherwise you're in violation of those.

But again, this is not a Whois - that was not a Whois issue, it was a registration issue. But we literally did have to close things down. So we have to be careful not to tie the hands of registries and registrars to deal with real issues. And so what we're going to have to do is decide okay, do we need to say something about this or should we leave it alone? How many of you think that we're going to have to say something about this? Put a green checkmark in the Adobe. Okay.

Okay and the red X probably isn't very good for this but just so we can keep the marks in there, put a red X if you essentially agree with Jim's comment

that maybe we don't even need to say anything about this. One red X. And I assume Jim probably feels that way. Marc, okay. So we've kind of got a three and three right now.

And now Jim said that he could live with this statement. He doesn't really think it's totally necessary but he wasn't opposed to the statement. So let's clear the checkmarks and Xs for now because I'm going to ask a different question.

Okay, how many object to this statement that's in there right now? Anybody couldn't support it so if we kind of use the approach we did on the third poll question is how many could live with this? And what I'm saying is how many couldn't live with it, you oppose this particular statement. Okay. Nobody so far. I'll get on pause a little bit because you may need to think about it.

Yes, how do we do a cage match in Adobe? Okay. I need some help here. I mean, do - is there enough - there's no opposition on this. So at the same time some people don't even think we need to deal with it. Good, Rod, help me out here.

Rod Rasmussen: Sorry, my phone wouldn't unlock. So the thing - we're talking about the statement in red here, right, the...

Chuck Gomes: Yes.

Rod Rasmussen: ...there must be no RDS policy? Okay. And I think the bullet point below that actually captures it. What are the - what does reasonable and legitimate mean? Right? I mean, that's my, you know, I agree with the concept that you can't tell people they can't protect their infrastructure, totally agree with that. It's the interpretation of that is where we run into problems. And we have run into these problems before.

And in the current systems, right, we have an example where we have a registrar, a very large one, that doesn't provide access to full data on Port 43 and requires you to go to a Website to get data. That's not - that's kind of against the way - the intent of having Port 43 access was in the first place.

So you've got that issue today. And so the policies as we've had them in the past have failed to address that problem, right? So it's not as though we don't know that there will be issues if you're silent on what we mean by this. And I think Jim said something about an SLA. And there might be something here. But I think that if we don't - and again we don't really need to get into the weeds but we may want to give some guidance even if it isn't official policy around the intent here.

It's kind of like giving an executive order or some sort of legal policy where you codify the actual text but then you also provide guidance, I mean, we may want to do something like that. But basically capture this idea so that when contracts are negotiated around policy you don't end up in a situation where people are doing things that are counter to the intent of what we're trying to do here for providing reasonable access while allowing people to protect their systems. And I'll shut up now.

Chuck Gomes: No, thanks for your contribution. What I'm thinking is is maybe the next step on this one is to get a few volunteers, two or three volunteers, more if people are really interested, to develop some definitions of reasonable and legitimate or unreasonable and legitimate. Is that maybe the best way to proceed on this, in other words, not try and finalize it until we agree on the understanding of what we mean by those two terms. And we have - VA volunteered. Do we have some - and, Rod, are you volunteering or just supporting the approach? You can speak up if you want.

Rod Rasmussen: Both.

Chuck Gomes: Both, good thanks. Okay so we have a couple volunteers. And does anybody else want to join VA and Rod? Now they're in very different time zones but that's the advantage of email and stuff like that. So yes, very different geographies, I understand. Well they wouldn't be developing policy but rather definitions I think Lisa, but maybe I'm not getting your - yes, I think you have it correct the way you worded it. And VA is being very generous and willing to commit to your time zone, Rod.

But again, if you do it via email that eliminates some of that even though the responsiveness may not be real timely, but anybody else want to join those two or should we just let those two take a crack at it and come back to the working group?

Yes, Stephanie, I think it is unreasonably restrict is what we're really talking about, you're correct, it's not just the definition of unreasonable. Correct. Okay, well I'm fine with a couple people doing it. Lisa and Amr, let's reach out to the working group to see if anybody wants to join them. And VA and Rod, can I assume that you have a pretty good handle on what needs to be done? Or do you need more clarification? Okay. All right, so I think we're just about out of time. I think we covered all of Item 4 as far as we can go in this meeting.

So let's see if Lisa and Amr can quickly summarize our action items. It looks like there's some in the notes there. There's one - the one we just agreed to. We obviously - the leadership team will come up with the poll for this week. And you'll have a little bit shorter turnaround time, it'll still end of the day on Saturday wherever that is for you. And it may take us - because it's middle of - it's going to be middle of the night for some of us on the leadership team, most of us I guess, except for David probably,

And so we may not get the poll out until late in the day tomorrow. I know I'm traveling, I get to get up in about four hours from now to travel myself, so I

may not be able to get to the - respond to the poll as early as I can sometimes. Lisa, go ahead.

Lisa Phifer: Lisa Phifer for the record. Chuck, I'm not clear - I know that we have two working group agreements to test in the poll. The one covering the data of record update and the other covering the outcome of Question 2. What I'm not clear on is what we're doing with the statement in red, we've just been discussing on operational controls.

Chuck Gomes: Okay so...

Lisa Phifer: Are we polling on that at this point? Are we putting it on the...

Chuck Gomes: No.

Lisa Phifer: ...back burner until Rod and VA come back with suggested definition?

Chuck Gomes: Correct. We're going to wait until we get definitions before we come back and discuss it and then poll on it.

Lisa Phifer: Great.

Chuck Gomes: Okay? Thanks for asking that. That's critical. So and then of course the other thing we're polling on is the actual definition of data of record which is really a subset of the first one. But we - however we structure that I think we do need - since we got no objections to the definition on this call let's confirm it with - in the poll specifically and that'll become part of the - you know, a footnote to - assuming there's agreement to the wording on the data of record statement there.

Okay, anything - Lisa, you have more?

Lisa Phifer: No.

Chuck Gomes: Okay. So the next meeting date will be at our regular time on Tuesday the 23rd, 1600 UTC. Is there anything else we need to cover? Lisa.

Lisa Phifer: Just one reminder, that particularly for the newcomers to the working group that you'll be getting an invitation to next week's newcomer tutorial session. And if you would please rsvp so that we have a sense of what the attendance is going to be like that would be an action item for you all.

Chuck Gomes: Thanks, Lisa. I think we're pretty close, maybe just a minute or two over to our 90-minute meeting. So thanks, everybody. I'm real pleased with the progress we made today. And let's see if we can get confirmation from the rest of the working group members in our poll next week. Again, encourage all of you to participate in the poll. It'll probably be easier for you than other people since you went through the thinking and discussion tonight or tonight for me, morning for some of you, early morning for some of you, middle of the night for some of you. Thanks again for those who participated at very inconvenient times. That's much appreciated.

So with that let me adjourn the meeting. The recording can stop. And have a good rest of the day however much of it you have left. Thanks. And good-bye.

END