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Next-Gen RDS PDP Working group
Part II
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Chuck Gomes: Okay we're going to resume the meeting now so please take your seats. As you can see we've moved on to the next proposed purpose individual Internet user. And Andrew Sullivan is going to present on this. We'll follow the same pattern here. Again let me ask you when we get to the discussion part of it to focus on understanding this purpose not to share opinions on whether you think this is a legitimate purpose or not. Andrew, go ahead.

Andrew Sullivan: Hi there. This is Andrew Sullivan. So this is pretty easy. The idea here is that, you know, if you're a user on the Internet you want to interact with some domain name and so you want to know who is behind it. And so you, you know, you look in the RDS and you figure out who is behind it. And you can contact them or, you know, make some kind of evaluation of whether they're legitimate - if they're really the person you want to interact with or anything like that. And it isn't actually clear in this case that the individual is going to contact that domain holder. They might. But I think the main thing is that there are people who want to identify that domain holder or, you know, sort of be able to evaluate who it is. I think that's about all there is to say about this.

Chuck Gomes: Thanks Andrew, anybody else from Drafting Team 2 that would like to add anything on this? Okay does anyone have a question or think you may be aware of something that maybe isn't in this report this deliverable that Drafting Team 2 did? I haven't just yet while you're thinking about it but I want

to thank the members of the leadership team who coordinated all of these Drafting Team exercises over the last couple weeks. If it was anything like what it took me it took the coordinators a lot more time than it did probably most of you that were part of the teams but thanks to them in doing that. All right so this is a really easy – oh Lisa go ahead.

Lisa Phifer: Thanks, Lisa Phifer for the record. Andrew I wonder you said the primary focus of this one is identification and not contact. But in the case where let's say there's a potential fraud wouldn't the Internet user want to be able to contact someone at the domain name and if so is there an expectation that they would get a response?

Andrew Sullivan: This is Andrew again. I - so yes. I mean somebody might want to contact them. But of course if you think that somebody is operating a name fraudulently then contacting them to ask them are you committing fraud is probably not going to help you. So I mean the chances are that you're not going to get a useful response there. What you might do though in the other case is, you know, if somebody is running something and you've got already some channel open and you identify them this way you might contact them through that and say is – are you the same person that I've got over there?

That's not a real good protocol right? Your better bet would be to contact them through the existing channel you already have and say are you this other person because you've already got trust on the one side. But I mean I think that this is speaking only personally I'm not totally convinced that this is something that, you know, ordinary humans really do. I think there are, you know, some of us maybe here who do this but I doubt very much that my mother for instance would do this.

Chuck Gomes: Thanks any other comments or questions on this purpose? Michele.

Michele Neylon: Thanks Michele for the record. I mean I tend to agree with Andrew. I think, you know, we might with those of us who work in the Internet industry as a

whole, you know, we've tried to educate people to look for things like for like four trust anchors I mean, you know, SSLs are on Web sites, tangible contact details. In Ireland for example, you know, a company is required to publish certain information on their Web site. So those kinds of things make a lot of sense. I can't imagine that the - a lot of average users are going to go off and do Whois lookups because I mean they don't know what that is. Thanks.

Chuck Gomes: Stephanie, go ahead.

Stephanie Perrin: Thanks Stephanie Perrin for the record, just choking down a bit of donut here. I know I've said this in this group many, many, many times but I think given the state of play in terms of the current compliance model for GDPR and are rushing to come up with purposes it has to be said that encouraging end users average consumers I identify with Michele's mother here searching through Whois to determine whether I should trust my money on a Web site is utterly nonsense. It's stupid.

And we should not be encouraging consumers who are already plagued with a criminal laden Internet to do this. We should be coming up with better mechanisms. I believe that countries should smarten up and regulate e-commerce themselves as the European Union has done and make it mandatory. If you're going to be doing commerce in our jurisdiction and of course it's very complex and our jurisdiction in Canada you would have to be at a provincial level it's a nightmare. But it should be mandatory to have the identification on the Web site.

We're talking about Web sites here not domain name systems. To send people off on a wild goose chase to check the domain name system to find out whether they're dealing with a fraudster is nonsense. So I think that it is counter to the security and stability of the Internet to persist with this folly. And I find it really ridiculous when I see people who know better who deal with fraud and crime on a daily basis not accepting that this is truth because putting all this data out there exposes people to harassment and doxing and

attention that they do not need from criminal elements. And I've even got something I can send you from my spam folder. So for heaven's sake grow up and do something serious about fighting this kind of abuse and stop hiding behind consumer protection as a reason for knowledgeable parties to have free and open access to the data that they want for other purposes. Thank you.

Chuck Gomes: Andrew.

Andrew Sullivan: This is Andrew Sullivan pretending to be Chuck I think. The point of exposing this right now is not to decide whether it is a legitimate purpose but simply to understand the use case. And I may or may not agree with you about whether this is a useful use case but understanding it is I think all that we were trying to do.

Chuck Gomes: Thank you Andrew. How did he do? Did he...

Woman: Great job.

Man: Yes.

Chuck Gomes: Okay. I did okay? Okay Thanks. Any other questions or comments?

Michele Neylon: There's a couple of them in the queue.

Chuck Gomes: Yes we have three in the queue. I'll get to those now. Okay Greg Shatan.

Greg Shatan: Thank you Greg Shatan for the record. Since we're not debating whether this is a good use case for the future or to encourage or discourage I'll just say that I - whatever Stephanie said flip it on its head and I would agree with that instead. And the rest I would just take as long - to long that we need to take so I'll just state that for the record.

And I think the other thing is that we're hypothesizing about what the average user does. And we can hypothesize about the average user who doesn't use Whois. I can equally hypothesize about average users who do know what Whois and who do go and check it. And at least in the US we have no impress them law. You don't have to say where you are and who you are.

So, you know, Whois, is valuable. And trying to do something else would have to be at a national law basis unless we are going to come up with a policy about identification on the Web site which would raise all sorts of other eyebrows among maybe even the same people who don't want this. So I think the basic point is until you have something better this is good. And until it doesn't happen in fact and not just in the imaginations and the friend of the friend scenario it is a real use case. Thank you.

Michele Neylon: Greg, it's Michele just responding. I have to disagree with you. It's not hypothetical. As a hosting provider and domain name registrar we get hundreds if not thousands of support tickets and customer service interactions with our clients who are small businesses who actually do register domain names and I can assure you it is not hypothetical and it is not some kind of an inventive thing to say that a lot of them do not understand Whois nor do they use it?

Greg Shatan: If I could just respond briefly I'm not saying that a lot of them don't – they are both – the question is, is there one case where nobody really uses it or understands it or - and there's certainly not a case where everybody uses it or understands it I acknowledge it. But the hypothetical, you know, dumb not dumb the hypothetical ignorant user is a valid case and the hypothetical reasonably knowledgeable user also is a valid case.

Chuck Gomes: Thanks Greg. Let's – (James) I'm going to get to you but there's a couple of people that have been in the queue in Adobe for a little bit. So let's go to (Vicki) next.

(Vicki): Thank you. I just wanted to point out that in my experience with my daughter she's a high school student in public school in Arlington County and she has a class where she's learning about Whois and how to use it. So it's out there.

Chuck Gomes: Thanks (Vicki). That's interesting. I had no idea. That's really good. And then before I go to (James), (Alex).

(Alex): Yes. I just wanted to make a comment on the - on something Andrew said. So I agree that, you know, my mother or grandmother is not going to use Whois. And whether we should encourage them or not is a different topic. But when issues do arrive – arise and as we know it happens quite often people like my mother and grandmother will reach out to experts whether it's me or someone with more technical knowledge that are there to help them kind of navigate through the morass of issues that happen on the Internet. And in that case Whois, is a useful resource to kind of determine what's going on and why, you know, what the right course of action is whether they should click on a link or ignore an email, et cetera. So I think that's an important distinction.

Chuck Gomes: (James), your turn.

(James): Thanks Chuck. (James) speaking. Registrar and alumnus's victim casualty whatever of the 2011 2012 Whois Review Team RT4 along with I think some other folks (Susan), (Kathy) and perhaps some folks that are participating on this group and I just wanted to remind this group that this question was part of a - bit of a research experiment that was done. As part of that group we actually had some very entertaining -- well entertaining for this crowd -- video of folks being asked how would you contact someone if you wanted to reach the operator of this Web site and put in front of a computer and then they were recorded as they kind of thought through that problem.

And the – I would say, you know, the majority of them went to Google or they went to the Web site and looked for about us contact us whatever. Most, you

know, I think to say that Whois came up little if not at all I think. Anyway it's out there. Maybe staff can dust off that report, dust off some of those data maybe even dig up those videos and make them available to this working group because I think it's exactly this question was wrestled with almost seven years ago and it's an interesting experiment. And we all paid for it so let's use it.

Chuck Gomes: Thanks (James), (Rubens).

(Rubens): (Rubens) (unintelligible). I'd just like to comment that content can be curated for the last knowledgeable user. So although the average user doesn't know how to look up whether a site is fraudulent or not most of the browsers users - used today are able to retrieve at least a fraudulent Web site and that can be signaled to them. So sometimes we have to think indirectly on who is creating that content for the average end user.

So if all of the sudden Google Chrome start having a button who owns this Web site that all it would take for everyone to be able to look up Whois record. So we can't assume like the current state of affairs how content could be created or knowledgeable user. So I believe it's dangerous to assume that today that's my point. Thank you.

Chuck Gomes: Thank you (Rubens). Yes.

Timothy Chen: Timothy Chen for the record speaking as an Internet user. I - so I also obviously use (unintelligible) a lot for this purpose. But when I think about the perspective of the Internet user which is what we're trying to talk about specifically now every time that you look up a - navigate to a Web site you're entering into a transaction online. And I think it's extremely reasonable when anyone any human being is doing a transaction with another organization human they want to know what they can about the other organization. I think that's extremely relevant and extremely legitimate.

And whether or not it's an imperfect mechanism for doing that fine but to try and rob an Internet user of one way that they can try and get some context on something which can be created for \$10 in about 15 minutes online you have absolutely no idea anything about it Web site when you go for the first time to me is ludicrous. And while we're trying to fight the ability to give someone yet another tool to try to get some context it's surprising to me. To me this seems extremely straightforward that if someone can get some context through having some data online and they want to do that they should certainly have that right.

Chuck Gomes: Thanks. Thanks Tim and I know you'll do this. So I don't really need to say it but for the sake of anybody please bring that up when we start deliberating on this one that'll be very relevant at that point. That said if there are no more comments or questions on understanding this particular purpose we'll move to the next one. And so if we could move the slide please to domain name certification? As Michele pointed out that the beginning of the meeting today David Cake ended up not being able to be here and he was a coordinator for this one. And we'll - and (Alex) is going to fill in and give us an overview of this particular purpose.

(Alex): Thanks Chuck. It's (Alex) for the record. So I just wanted to start off by just reading the definition. So for domain name certification information collected by a certificate authority to enable contact between the registrants or a technical or admin representative of the registrant to assist in verifying that the identity of the certificate applicants is the same as the entity that controls the domain name. So that kind of sets up what we are - what we're talking about here use case wise.

So the drafting team at which Chuck mentioned I was not a part of but I'm going to do my best to represent their work here. As to the question one who associated with a domain name registration needs to be identified a contact - contacted really as I - as is alluded to in the definition it's the person who is able to demonstrate ownership or control of the domain name. And the

objective here is to ensure that the certificate is granted only to an entity that is able to demonstrate ownership or control over the domain name. This increases the trustworthiness that's associated with these certificates.

And then with regard to what might be expected of that entity is that I mean again there - a purpose - their use here is to prove control or ownership of the domain name before a certificate is created by the certificate authority. And there's lots of ways to do that. And I'm not going to get into a lot of details here but I think it's important to just highlight that these methods are described in various best practice documents in the CA browser forum. For example that's one.

And this particular baseline requirement best practice document specifies three methods that use the RDS which include, you know, using various contact information that is provided in the RDS including things like email, address, fax, SMS postal email, et cetera. And even via the phone is yet another method. And RDS is used in some cases not in all but in some cases to allow for this authentication and verification and to ensure the binding is correct.

We've also discussed in the working group that there's different flavors of certificates or varying levels of authentication and verification. The highest quote unquote level of these certificates is called Extended Validation. And they actually go ahead and define roles needed to validate these certificates. They've defined in their best practices roles such as certificate requester, authorized certificate approver, authorize contract signer and authorized applicant representative. And these are the folks that have express authority to represent the applicant for that role.

And again the ultimate purpose of these various individuals or people who will be contacted for this purpose is to ensure that the certificate – that the legal identity in the certificate is the same or is at least in control of the person that actually owns the domain name and thus the Web site. And let me see if I've

captured everything. Yes I think I'll leave it there. So, you know, we – this was the last use case we were discussing in the working group so it should be fresh and a lot of working group members minds but I guess that's it. Thanks.

Chuck Gomes: Thanks (Alice) – (Alex) I appreciate you filling in here. I'm going to open up for anybody on the Drafting Team that would like to add any comments first and then we'll open it up to everyone here in the room and online. But as (Alex) just said this is one of the purposes that we started deliberation on with regard to whether it's a legitimate purpose for any sort of processing of RDS information. And we basically came to a point where we certainly had well over a simple majority thinking it was a legitimate purpose for some sort of processing without defining what that processing might be.

But we didn't have quite strong enough that we were willing to declare rough consensus and a tentative working group agreement like we did with domain name management and as you will see shortly technical issue resolution as proposed purposes. So that's where we're at. We actually spent a few weeks on that. And then we – that's when we decided to form – reform these drafting teams because they existed in the last year and try and see if we could on all of the purposes improve our understanding to make our deliberation a little more fruitful.

So thanks (Alex). Anybody from the drafting team want to add anything here? Are there any questions or comments from anyone in the room with regard to this proposed purpose of domain name certification? Okay we have a remote input. (Kaitlyn).

(Kaitlyn): This is a question from (Gigi Lavine). And the question is in this scenario who is the certifying agent?

(Alex): Hi. This is (Alex). I'll try to answer that. I think in the scenario the certifying agent is the certificate authority itself. Its job is to authenticate, and verify and validate the individual or the organization requesting the certificate is in fact

who they say they are prior to issuance. And again there's details just left of varying levels of authentication there. But I think the answer to that question is the certificate authority is the certifying agent.

Chuck Gomes: Thanks (Alex). And just add a little bit of that -- this is Chuck speaking -- keep in mind that down the road here in the next few weeks we're going to need to make some sort of a decision if we can whether or not we might give certificate authorities some access so that they can do that okay. I haven't decided that yet. We're not going to discuss that today but that's where we're headed. And so again - and understanding this. Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba, I think these processes are only relevant to those registrants who want to have such case. And it doesn't mean that it should - the data should be open to everyone and they (unintelligible) method of delivering yes one time or multiple times access to the (unintelligible) authority granted by some kind of token by the chosen registrant so they can check if the information is correct.

And it doesn't lead to full disclosure. And the other thing is like in the current Whois the data is just snapshot of what the registrant provided by the time of registration of the last update to the record. And with such case it's as I understand is the same because if the next day is the domain is sold to some other company and it's not reported to see must probably (unintelligible) go into work.

Chuck Gomes: Thank you Maxim, Chuck again. And I want to point out that what Maxim just brought up it is an issue that we actually talked about in the working group when we were deliberating on this proposed purpose. And so the idea -- and this isn't the first time it's come up in the working group -- is when we talk about what kind of processing might be done with some data elements one possibility is that we will look at further is making it optional for the registrant to make their to opt in to access.

If they know they're going to want to get a certificate and would like the certificate authority to be able to access. So we're not just – so a couple options with regard to access that we'll get to later is mandatory access, you know, for certain parties or could the registrant actually opt in to access in cases where they know they're going to want a certificate? Again we do need to talk about that here but because you brought that up which I think is very good it would be – we will look at that further as we deliberate on this purpose.

Michele Neylon: You've got remote, a remote comment.

Chuck Gomes: Oh a remote comment. Thank you.

Woman Comment from (Hadrian Huets), apologies if I miss pronounced your name. The second example I'm thinking of ICP in China and SSL in both cases having public email makes it much easier. We faced difficulties with.co.uk to get SSL validation because email is not available in Whois by design.

Chuck Gomes: So thanks for that input. And of course this is an area I'm going to maybe it's digressing a little bit but as probably everybody in this room knows in at least one jurisdiction it's actually lots of jurisdictions but the one that everybody attention on right now is Europe. And with the GDPR of course that's a place where there's – there are regulations laws that are already in place that will be enforced shortly where, you know, we're going to have to evaluate okay in the case of that jurisdiction can we display an email? It depends whether it's personal information. Right now we're not going - we don't need to get into that now. And our goal is not to deal specifically with GDPR. But the GDPR provides a very good testing base for us in the working group.

And so we certainly understand that the email might be important. Now one of the working group agreements that we reached quite a long time ago was that there should be at least one email contact that is provided, that is collected. Now would we give access to certificate authorities? Haven't gotten

there yet and we will. So I hope that's a little bit helpful. But it is good input that I think for everybody here in terms of the use of them. (Alex), go ahead.

(Alex): And just to (Hadrian)'s point I think you're right. I think in the scenarios where an email address does exist, you know, things can be easier for those that are applying for some sort of certificate. There are other methods available to allow that authentication and the verification of varying levels of difficulty. And it may require actually updating resource records in the DNS server which may involve a third party, it may involve the creation of MX records and the ability to receive mail at various email addresses at the domain which increases the difficulty. So I think – I agree with the comment that having an email address makes life easier it doesn't make it impossible however to get a certificate.

Michele Neylon: Yes thanks Michele for the record. As a registrar of all of the ccTLDs that don't have email publicly displayed there's no issue with issuing a (unintelligible). We do it for our clients all the time. And as (Alex) points out there's more than one way of skinning a cat, There are plenty of other ways for validating it that you have control of the domain.

Chuck Gomes: Thanks Michele, Chuck again. And I think that's an old hand right (Alex)? Okay so all right. So let's move on. Thanks for the input here and the work of the Drafting Team. Let's go on to the next proposed purpose if you can bring that slide up which is technical issue resolution. And okay so on this one Alan is - Alan Woods is going to present here. We have a dead microphone over there if the technical support people don't know. Go ahead Alan.

Alan Woods: Good morning everyone. This is Alan Woods for the record. So from the outset I think I'm a member of DT-1. And I should say that due to a few reasons DD-1 didn't get to do an awful lot of work in this document. So it is I think I do need to point out that it probably isn't representative of the entire group if we were talk about it properly. So I am acting as a presenter today as opposed to any other thing. But I will take you through it anyway because

luckily the first one is probably one of those ones that's slightly easier because as I pointed out the last ICANN meeting...

Hello again. Yes okay. No usually I would be very happy for the interruption when talking about these things. Okay so the first one then is obviously the technical issue resolution. And to preface that it is in my mind the original and purpose and reason for which Whois was created way back in times of yore. So the agreement of the – or within the working group that we came up and the definition of that it's information collected to enable contact of the relevant - contact of the relevant context of facility tracing, identification and resolution of incidents related to issues associated with the domain name resolution by persons who are affected by such issues or persons tasked directly or indirectly with the resolution of such issues on their behalf.

So again the core element is that something on the domain name is no longer working and you wish to contact somebody in order to either – or to give notice of or to get that issue rectified. So in the document that we have – we put together we are basically saying who is associated – who needs to be identified and contacted in this one? And we put together a list of five. So the first one is the current owner of the domain name itself you would raise it to the current owner of the domain name. There is another element that was put into this saying that perhaps the current owner is not necessarily the current user. And you would use that in order to get in contact with a person who is ultimately the user of that domain name if not the current registrant.

Another one is the party designated by the registrant who is tasked with the resolution of a technical issue themselves so again a third party technical person who you're trying to get in contact with was again many domain name registrants are not necessarily the correct person to fix those domains if they do not have that technical understanding. So there might be a third party whom you like to get in contact with. Another clear and obvious one I suppose is the registrar. If the registrant is for some whatever reason unable

to help or again does not know the registrar may be in a position to help deal with a technical issue or the resolution of a technical issue.

And also it was pointed out that there is potential within the Whois information as it is currently that you might be able to identify who is the hosting company. And again there could be a technical issue with the hosting element of it and by information currently available there is potential that you could figure out who the hosting provider is. So that's by things such as name servers I suppose in my mind I'm of limited technical ability but in my mind that would be the one that would jump out at me.

So I mean the objective of that is rather straightforward. I think one of the questions which we need to probably talk about a bit more as well is what is expected of the entity in this instance? And I think in this one and in the next one I will talk about the expected outcome is that the issue the technical issue resolution is - there is a mitigation of that issue that is fixed however we cannot say that, that is a necessity for a – for the – or for the owner the registrant of that domain.

So that's one of those areas that I think we need to discuss. A person can do absolutely nothing. If I have a domain name and it's not resolving for some reason or there's some technical issue with it unless there is a specific legal reason or a legal understanding of that I mean I don't have to do anything as a domain name registrant I can ignore it simply and that. So that's just is one of those key - when you're reading to the document I would say that it's very key is that yes it might be an expected outcome but it's not a necessary outcome of that.

So to move on so one of the things that was raised in this document and again something which I think we can possibly discuss a little bit more and it's probably – it's not moving in further but there is a bleed into things such as abuse management. And I do not really think that they're necessary in the same category. I think a technical resolution versus an abuse resolution there

is some overlap but I think there is another team who is dealing specifically with abuse. And I think this is one of those areas that we should be a little bit more streamlined and saying technical issue resolution unless of course the abuse is directly related to the technical resolution of the DNS or the technical issue of the DNS. So that was just one little caveat I would put in there as well. But again looking at the end the expected use of this and while you were sending that initial communication or looking for the information in order to deal with it is to resolve an issue with the technical resolution of the DNS so that's the first one I hope.

Chuck Gomes: Yes and we'll come back on the other one after we discuss this one. Michele is in the queue.

Michele Neylon: Yes thanks Chuck. Michele for the record. As Alan mentioned in his intro this is unfortunately we didn't have a kind of group think and group interaction much around this. So what we're seeing here is kind of what's one person going to provide input on? As a registrar I don't want people coming to me in the first instance to resolve technical issues. I don't – we're not the best place to go. I have no issue with us being contacted at some point but it makes a lot more sense that you go to the hosting provider. And the hosting provider will have access to things the registrar may not. As a registrar I have a very, very limited capacity in what I can do.

So for example if say and again as Alan points out this does bleed into abuse if a domain name is being used in some shape or form in some form of I don't know phishing attack or whatever as the registrar if I don't host the domain name I can only turn the damn thing off. I have no way of taking a scalpel to that problem. I can kill the domain completely or I can ignore you. I can't kill the part of the domain name that is causing the issue whereas if the Web host is in a much, much better position to take a scalpel to it and to, you know, remove or disable access to a part of a domain or whatever. So I just find this thing just pushing on the registrar is inappropriate and I don't think it's not something that we should - that I'm comfortable with at all. I have no

issue with a registrar being in the chain don't get me wrong but being that the first protocol for every single problem with a domain name to me to my mind is just plain stupid.

Chuck Gomes: Thanks Michele. I guess I have a follow-up question for you. So in cases where the registrar may be the hosting provider is that an exception to what you're saying?

Michele Neylon: Well yes but you've just said exactly what I said which is they're the hosting provider so yes of course. That's not the issue. (Unintelligible) that's perfectly fine. I mean the case of say in the case of our company like to say 40% of the domain names registered through us are not hosted by us. They might be using our name servers but they're pointing at somebody else's infrastructure.

And I - you saying going on name servers alone is not helpful because that's a DNS resolution. So I can create a DNS record. I can disable a DNS record. I can modify a DNS record. But if I do not control that technical infrastructure I can't do anything else with it. I think that the more kind of technical people in the room understand what I'm getting at. For the non-technical people it's sledgehammer and to crack a nut type thing because ultimately I can kill the domain.

And by killing the domain I can kill every single service associated with it which may not be what you want. In some cases it is what you want and I totally agree. But not if let's say for example choose a very, very large domain name that has millions and millions of hosts, and users and everything else. As the registrar I can only kill the entire domain. If I'm the hosting provider I may have a much better access to specific things. Thanks.

Chuck Gomes: Thanks Michele. Chuck again. And I have like three people in the queue. Let's start with Maxim. And then we'll go to Greg Shatan and then Andrew.

Maxim Alzoba: Maxim Alzoba short notice. Even if it's the same company like the same company is registered and hosting provider its different departments even different support teams. So it's still yes like not a single point of entry.

Chuck Gomes: Thanks Maxim. Greg.

Greg Shatan: Thanks. Greg Shatan for the record. I think this is another case where not everybody has the same grandmother by which I mean that there are registrars whose business model includes serving as the technical contact and the, you know, first port of call that's something they choose to do. It's something they charge for. And certainly, you know, it's not the business model for every registrar, you know, a lot of it depends on who your clientele is and what services you want to offer and all sorts of other things but we're not talking about universal use cases in any of these cases we're talking about whether they exist.

And certainly exists that there are registrars who want to offer that service. They may have clients who just to don't want to be bothered or who are technically nincompoops and they want somebody there even if it's just to play traffic cop and get it to the right place. Not saying that person at the registrar has all, you know, tools at their disposals. And, you know, Michele points out there only a very limited number of tools actually at the registrar's disposal but in this case they're offering a value add service of being the technical contact and seeking to resolve technical concerns on behalf of their clients. Thanks.

Chuck Gomes: Thanks Greg. Andrew.

Andrew Sullivan: Hi. This is Andrew Sullivan. Just to try to make maybe a little more concrete an example of what Michele was talking about. The DNS OARC the Operation and Analysis Research Center I think had a meeting here the last couple of days. And there was a nice example provided by a large US-based ISP that happens to do DNS validation. So they do DNS SEC validation

which means that from time to time somebody makes a mistake in their DNS SEC signing and then, you know, for instance NASA's Web site goes off the air for anybody who is – for anybody who happens to be using that ISP.

That doesn't mean right that, that ISP should attempt to get nasa.gov removed from the DNS. What it means is that they need to contact the operators of that in order to tell them look you are down for our thing was this a legitimate mistake, or are you under attack or what's going on? And that's the kind of use that we're talking about here where you need to get hold of somebody.

And it doesn't really matter to the point that Greg was just making it doesn't really matter whether the person who is doing that happens also to be the registrar, or happens to be a DNS hosting company or happens to be a guy who's working at the, you know, for the entity in question. The point is that you're contacting somebody qua domain name operator rather than qua domain name registration. And that's the point that I think this is trying to make.

Chuck Gomes: Thanks Andrew. By the way the issue – this is Chuck speaking. The issue of the hosting provider came up also and (Griffin) will probably share this later when we get to Drafting Team 6. And we had quite a good discussion on the Drafting Team 6 list in the last couple of weeks with regard to that. And again well I won't go further than that because we'll - it'll probably come up. And as most of you know that's not something that ICANN has a relationship with necessarily unless it happens to be a registrar. And that's not because of their domain hosting role but the fact that they're a registrar so just wanted to call that connection. Stephanie, go ahead.

Stephanie Perrin: Thanks very much, Stephanie Perrin for the record. I don't want to go down this route since you think that we're going to be dealing with it later Chuck but I would just like to note that in many of these use cases the complexity of the actual market and ecosystem is not necessarily apparent to the end user. So

for instance resellers and what services are resellers actually offering? And how that links through to the actual sponsoring registrar of record is getting pretty opaque for a lot of the big companies.

And I think we have to bear that in mind when we examine these cases because it all stops if you can't really figure out who the individual has been dealing with. And I am indebted to this group for causing me to go back and research where my actual registrar of record – the chain to the reseller that I purchase from. And no wonder my domains got blocked a couple of years ago when they did the accuracy check because without making reference to the particular Caribbean island that they're operating from I couldn't follow how to follow that.

And although Andrew is correct I don't know how this system works yet I'm learning. I think this is, you know, we just gloss over this fact that for most people it's opaque. And I think that in terms of the GDPR this is – I think I brought it up in my comments that the requirements under the GDPR to inform the registrant of their rights and who they're dealing with and all of this the chain is – the chain of command in terms of their data have not been complied with under the existing contract. So that's just one of many reasons why we need to focus - keep this in the back of our heads among the other 53 parameters that we're keeping in the back of our heads.

Chuck Gomes: Thanks Stephanie. And (Rubens) if you'll bear with me a second I think Andrew may have wanted to respond directly to Stephanie. Go ahead - and you may too but I didn't know that. So...

Andrew Sullivan: Yes so this is directly in response to that. The – I'm trying to keep us focused just on understanding this thing. So the key point that I was trying to make before is that it doesn't matter if everybody understands this use case right? When you go to your mechanic and take your car in you don't need to know like whether, you know, Bosch or Hitachi made on this or that component in your engine but your mechanic needs to know it. Your mechanic needs to

understand that. And that's what this use case is about right? The mechanics of the Internet need to be able to contact people this way but that's – those are the only people who need this use case as far as I can tell.

Chuck Gomes: Thanks Andrew. (Rubens).

(Rubens): (Rubens) (unintelligible). I'd just like to remind the workgroup that there are two Ns at the end of ICANN one is names and the other is numbers. Every IT address has contact information provided by the member community. So if – you should not have a problem with that hosting provider you can just look up that IT address and determine who the hosting provider is. So there is no need to have that information in the domain because it's already there in the IP address. The only time where you need to contact with the domain technical provider is when DNS is not working because you won't even get to know which IP address would that domain resolve to. So that's when you need a domain contact for that but otherwise for protecting hosting providers IP addresses already provide that information. We don't need to go there.

Chuck Gomes: Thank you very much (Rubens). And again that's a similar somewhat similar discussion happened in Drafting Team 6 so thank you for - appreciate it. Okay are there any other questions or comments for anybody I didn't - we've kind of spread it around? Okay Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba small note, not necessarily information in DNS or RDS is going to be useful in case of your life scale issues because it could be just Internet protocol related issues. Somebody by mistake misconfigured their routers and suddenly all of us found some - find some yes newspaper to be redirected to some other place. And the second thing is that not necessary you will be able to understand who the hosting provider is. Some providers just offer services allowing you to hide your true provider behind those services. So it's not always the case it could be useful but it's not necessarily will help you to resolve the issue. So it's one of the methods not assuring that you will reach the issue cause. Thanks.

Chuck Gomes: Volker.

Volker Greimann: Yes Volker Greimann saying my name for the record. I think we should be very clear about two things. ICANN is only very limited in capacity when it comes to content because of what ICANN and its contracted parties actually do. So our ability to influence content is very limited. We do not. And B we do not regulate hosting. Hosting that is the function that has more abilities to do that is not something under the ICANN umbrella.

And we should realize that. I think in solving this problem solving these issues we should bear that in mind that contracted parties or people in Whois are not necessarily the right persons to address a certain issue other parties are that are not part of ICANN. And that part of the community of the Internet community not the ICANN community is not something that we can address in our policy. We can address the parts of the community that aren't on the table that we have influence on and the other parts have to be dealt with somewhere else. Leave that open.

Chuck Gomes: Thanks Volker. And again that's the point I was trying to make that ICANN in its agreements with registrars those agreements don't include anything with regard to hosting. So that is an important thing for us to keep in mind as we deliberate further here. And that said - oh remote please.

Woman: Thank you Chuck. Comment from (Hadrian Huets), contacting the domain holder can also be useful if the site is partially pirated to one owner. No need for the host to shut down the site but for the domain holder to clean its database.

Chuck Gomes: Thanks. And again here we see the overlap between this area that was referenced by Alan of the abuse category which we'll get to later. So anything else before we move to the next purpose? Lisa.

Lisa Phifer: Lisa Phifer for the transcript. I just wanted to maybe clear up one open question from our last working group call where we started talking about this particular purpose and the answers to the questions for this purpose. So during that call there was a suggestion that for this purpose all you need is the account holder and nothing more. It sounds like in the description provided here you've enumerated several different parties that might be contacted and not just the account holder. So can we answer the question no? Thank you.

Chuck Gomes: Alan or anybody else on the Drafting Team want to respond to that? Lisa, would you repeat that question please?

Lisa Phifer: So I got some nods from over there but the question that was left over from our call was is the entity you want to reach for technical issue resolution sometimes or always the account holder?

Alan Woods: This is Alan here again I'm going to have to restate that again due to a lack of discussion that we've engaged in this I don't have an answer for you on that one at the moment. I think perhaps further discussion is unfortunately necessary on that one from my point of view but maybe not from others on the team.

Chuck Gomes: So we'll need to go there when we start deliberation I think everybody understands that. No would you scroll back up to the top of this deliverable where the working group agreements are? I want to remind you that this is one area where we've had some tentative working group agreements and there are 46 and 47. And we even - that we even tentatively agreed to the context. Now notice the contact aren't real specific it says technical contact or if no technical content is provided the registrant context which should be - has been - as has been (unintelligible) could be called account holder.

So we didn't specify which technical contact or which registrant contact we would have to eventually get to that detail. And you can see name servers on

there that's come up domain status, expire date and time sponsoring registrar. So again its saying we have tentatively agreed as a working group that those data elements or categories of data elements without specifying which one should be collected. So this is processing where we specifically said collection. And this one and the domain name manager are the only ones were we have tentatively agreed to some data elements that would be collected specifically. We later quite possibly on some other purposes may decide that maybe some restricted access would be okay but we don't think ICANN should collect that information again decisions to come later.

Let's move on to the next purpose which Alan is also going to cover. And that's the academic or public interest...

Greg Shatan: Chuck, I have a hand up.

Chuck Gomes: Oh okay. Sorry didn't look. I looked a little bit ago not recently enough. Go ahead Greg.

Greg Shatan: Thanks Greg Shatan. Just, you know, briefly to respond to what part of the point I think Volker was making we're not providing only tools for those in the community to use we're dealing with use cases. We're dealing with trying to, you know, deal with the security, stability, et cetera, of the Internet and whether those are used by members of a community or by others who are solving problems related to what we're all here for, you know, is not the issue. Clearly we can't do – we're not doing everything for everybody but we are not just kind of a self-serving organization either. Thank you.

Chuck Gomes: Thanks Greg. This is Chuck. And again question number one on our charter has to do with users and purposes. We've been for quite a while now focusing on the purposes part but we'll have to drill down and focus on users a little bit more as well. Okay next deliverable please on academic public interest DNS research.

Alan Woods: There's another one.

Chuck Gomes: What's that? Is it – is Alan - is that...

Alan Woods: Yes.

Chuck Gomes: ...in the same deliverable as the technical issue resolution?

Alan Woods: It should be yes.

Chuck Gomes: So just scrolling down on that one probably. That's still keep going.

Alan Woods: Yes.

Chuck Gomes: Is there further - yes keep going please.

Alan Woods: Maybe it's in a different...

Chuck Gomes: Well there's a lot of room I don't know is it not in that one?

Alan Woods: Possibly Michele sent in two different documents and did you actually ever think about it?

Chuck Gomes: They just sent us two documents?

Man: Yes.

Alan Woods: Oh sorry that's a different document.

Man: He's blaming me.

Alan Woods: Yes absolutely.

Chuck Gomes: She found it. Okay no - bear with us please.

Alan Woods: There we go.

Chuck Gomes: Okay.

Alan Woods: Excellent thank you. So Alan once again for the record. The second one then is the information collected to enable use of registration data elements by researchers and other similar persons as a source for academic or other public interest studies or research relating either solely or in part to the use of the DNS. That was the definition that we started from. And then of course just to move straight on to the questions of, you know, who associated with the domain name registration needs to be identified in this?

And this was again I'm going to just do my preface. I think our response here needs a little bit of editing down. It's – it goes a bit too far from the purpose of these questions but I'm, you know, I'll deal with I suppose the underlying at this point in time. So when it comes to the question of who I think it really depends on and this is pointed out in the document it really depends on what is the research being undertaken because obviously you can't just say well research is obviously going to need to be the registrant. It doesn't necessarily need to be a particular data element. It depends on what the point of that research project it is in itself.

So what we put into the document set is the entities to be identified or contacted about each domain name registration depends upon the nature of the research but may include the domain names current owner, the registrant, the domain names current user again that difference between, you know, the person who is the registrant and the person who use - is using that domain name or the customer of the privacy proxy provider. The privacy proxy provider associate with the domain name or again the registrar of record associated with the domain name. So that's put in again. I'm sure Michele will talk about that one as well.

But again these are identifying, you know, data elements regarding the use of the domain not necessarily anything contentious one would hope in this instance. So why is one of those areas I think there is a bit too much detail and it goes a little bit too far in this document. But it is the, what interest is there in performing this study? So is there cybercrime research going on, is there Whois accuracy studies, is there an Internet proliferation study or is it a legal and economic analysis of the DNS and how it is being rolled out and (affected).

The expected outcome of the use for public interest or academic research is that – there is no - again in this one there is no obligation for a person who is canvassed on the basis of academic research or one of these identified data subjects in effect for the purposes of academic research to respond to that. And in fact might go to the very core of I suppose maybe I'm not going to use the data protection word but the data protection elements that, you know, just because you register a domain name does not mean that you allow a person to contact you for the purposes of academic research.

There is one flashpoint in this that I pointed out and where it was said in this particular the piece that says in some cases research subject may benefit directly for example if a prospective buyer is researching the history of a domain name. As far as I'm concerned that is not academic or public interest. So that probably shouldn't be in there. I'm sure people will disagree with me on that one but that is not the core of academic or public interest research. Do you want me to buy your domain name is - just doesn't fall into that. So that's something I would get over on that one. But if we're answering those, you know, very narrow questions that we have been asked to do it should be relatively straightforward I think.

Chuck Gomes: Thanks Alan. And again note his qualifiers that this particular - the members of this working group had a little bit more difficulty connecting and responding

to this deliverable and we only had a couple weeks to do it. So take it with that but nice job Alan. Stephanie.

Stephanie Perrin: Thanks very much, Stephanie Perrin. I apologize because I wasn't available for – to work on this and I'm supposed to be on this group. I just wanted to endorse what Alan just said. I'm really quite uncomfortable with the phrase public interest research. What exactly is it given that ICANN hasn't defined what public interest is. I mean that might be government research because they have a mandate look at the public interest. But, you know, I don't think we should just throw in more weasel words here that we can bend out of shape.

And when it comes to academic research I don't know about other institutions but I know at the University that I have – I'm just about to leave there's a really rigid protocol for doing academic research that involves individuals and personal information and I'm quite comfortable with that. If we adhere to those standards then we're fine because it's going to be in compliance with the highest standard of data protection. Thanks.

Chuck Gomes: And I'm sure you will make sure of that right Stephanie? Thanks Alan.

Alan Woods: Just one other thing that occurred to me that I had forgotten to and mentioned and that is there is a distinction in what we put down between the contacting directly of a registrant as to getting reasons for a particular registration as opposed to the aggregate use of data that is found in Whois. That was something that caused me to go 45 degree head angle while I was reading going really? Again something that needs to be very much discussed not something I think is clear cut in this particular document but definitely something I wanted to flag.

Chuck Gomes: Maxim.

Maxim Alzoba: Maxim Alzoba, quite simple question. What kinds of research like why to know the particular persons if it's not psychology or criminally seen most probably you will just know that it's someone from maybe that part of the world and maybe even without knowing the part of the world it would be good enough. Thanks.

Stephanie Perrin: Stephanie Perrin, I mean I can imagine all kinds of sociological research that might actually get right into questionnaires going out to members wondering what ethnic groups they belong to, what their socioeconomic status is who's actually registering domains on the Internet? Who is, you know, carving out their little niche on the Internet? That's a pretty interesting question which some of my colleagues and I'm in an information faculty they're really interested in that kind of research. So that opening us up to that kind of research through the access point involves all of these protocols that have to come into play.

It's a bit like health research frankly. We don't just let people get access to who all has a given disease. Let's pick on diabetes because I mentioned it earlier, you know, there has to be a research protocol in place before you hand over even if you're just a pharmacy selling glucometers, you know, you don't hand that over without a research protocol in place. I realize the domain name system appears to be nondescript data because we've made it public for all these years but that doesn't mean it was in compliance with law all these years. Thanks.

Chuck Gomes: Thanks Stephanie. Lisa.

Lisa Phifer: Thanks Lisa Phifer for the transcript. Maxim, I'll give you a couple of real-life examples. So sponsored by the GNSO there were a series of Whois studies that were done. Carnegie Mellon University did apply a very rigid protocol to the Whois misuse study. The Whois misuse study included some use of aggregated data as collected from registrars and registries I believe. But it also included actual outreach to individual registrants. And so in that case the

Whois information for individual registrants was used to send them a survey. And the survey asked has your Whois data been used to impact you negatively in any way? So that's an example of a study that does use individual data extensively for our benefit here in creating new policies that would reduce that kind of misuse of Whois information.

There was another study done by NORC on Whois data accuracy again to inform policy development. And that also used the actual contact information of individual registrants and their contacts in order to assess whether phone numbers that were provided actually went through to a real living party for example. So those are just two examples of studies that do use Whois data for actual individuals in order to try to provide some results that could benefit all of us.

Chuck Gomes: Thanks Lisa. Andrew.

Andrew Sullivan: This is Andrew Sullivan. And again I think we're trying to see whether we understand the use case. So in the interest of narrowing this topic since there was this idea of public interest, but it says public interest DNS research right? Like this is research on the DNS. It's not a sociological study or an epidemiological or whatever. I think the idea here is that we're just studying, you know, things that are directly related to the domain name system or maybe its support things like Whois. So I guess maybe to ask the people who were pressing on, you know, what this means. Is that not clear from this text and if it isn't I don't know if the people on the Design Team want to adjust the text to narrow it a little bit but it's pretty clear to me what - I mean this is a case where I think I understand the text.

Chuck Gomes: Thanks Andrew. Alan.

Alan Woods: Alan Woods, I just I agree on that one probably a little bit of discussion still needed on that one. What I would say however is that even research on the DNS and the use of the DNS can have in its own right a sociological impact

and benefit. Yes I think that there – you can read from the use of the DNS some sort of and I'm speaking outside of my area of expertise but I think there is potentially a link without going too far. Anyway I'm totally speaking beyond myself on that one.

But what I was going to say is this is one of those areas as well and I apologize to Chuck for this that and it was very interesting to hear Stephanie talking about these protocols that must be in place. If we're just looking at the data that is within Whois that may be used for DNS research and that's what we're talking about what potentially could be in a next generation Whois that could potentially be used as a use case for DNS research.

And we're now talking about the next step which of course is whether or not we can provide access to people on that. And I think the talk about having, you know, were such a certification or in other forms at the moment and how will we certify people to access that data that is a very important that is completely separate of what we're talking in the moment I think. It is very important to just point out that in order to be provided with that data and to get past the gate or whatever that, you know, things like very well-established access protocols will need to be established. I think we're just on what is currently in there that could be potentially used in an academic or a public interest research stance.

Chuck Gomes: Thanks Alan. This is Chuck again. And as you can tell on this one and some of the other purposes that we've talked about today we're going to have some lively discussion and there's a lot of issues to cover. One of the general things that I just want to throw out we don't need to talk about it right now and it's come up somewhat in different discussions over many months in the working group and that is depending on what agreement we have on ICANN's mission which we've already determined is hard to agree on in terms of interpretation we may in some cases like for example just use this example and please understand what I'm saying is not proposing any

particular position right now but I think some way to help us put all this into context.

We could decide because I think probably all of us would agree ICANN's not an academic research – it's not an academic organization, it's not a research organization although it can authorize research studies like Lisa pointed out. I remember being a big proponent of those way back in 2010 I think it was. But there could be some value. So in other words maybe we would agree as a working group that ICANN shouldn't specifically collect data for this purpose but it might make sense to provide some restricted access -- if we can control that that's a whole another issue -- to research that will benefit us in the domain name world okay? So that's the kind of decisions we'll have to make going forward.

Now that said we're coming to a close and there's another meeting 15 minutes after ours ends here today so we're going to wrap it up now. Now what Lisa has done is to put up the – we're back on the main slide deck. So we've covered this one. Let's go down so that on Wednesday what we're going to do is pick up here. And I apologize for those who are here that were going to present. I sure hope you can be here on Wednesday if you can't please let us know on the leadership team.

I also appreciate ICANN Compliance being here today because when we get to the ICANN contractual enforcement which is one of the ones under for Drafting Team 5 we're going to seek their input on some things that the drafting team, some questions the drafting team raised and discussed. So on Wednesday we're going to continue this understanding discussion covering regulatory enforcement, ICANN contractual enforcement you can see down below and you can scroll a little bit Lisa. Drafting Team 6 will cover legal actions. I made reference to that with some of the things that have already been covered. And we'll also cover Drafting Team 7 criminal - the proposed purpose of criminal investigation, DNS abuse mitigation which includes investigation notification and reputation.

And then if we could very quickly go down to the agenda for Wednesday. I don't know if we'll have time to cover like go down let's see so let's look at that slide. Okay so we'll do some introductory things which will be very brief. And that meeting is at 3:15 on Wednesday. Okay we won't have as much time as we had on this one. And so we will finish off the one - the presentation that I just went over.

And then hopefully we'll see whether we have time or not but the next step after we finish that is to go to the resume deliberations. And the first ones we're going to cover if we have time on Wednesday if not we'll do it on our next teleconference meeting will be the two that we have some agreement on just to see if there's any further deliberation we need maybe talking about users and everything we'll decide that later but that would be domain name management and technical issue resolution. Then we'll get into the ones that we haven't finished deliberation on in the case of certificate authorities but some that we haven't even started deliberation on.

So that's where we were heading. I was going to ask (Kaitlyn) to talk a little bit about the summary of what we accomplished today. I'm not sure there's much - do you have anything to add in that? Why don't you tell - (Kaitlyn) tell them what we're going to be doing in terms of capturing this information the table concept that we did okay?

(Kaitlyn): Thank you Chuck. So with some of the discussions that have been going on today the leadership team will be capturing the discussion into a table so that we can see what possible agreements there were and then they'll be sending that out to the group.

Chuck Gomes: Thanks (Kaitlyn). And a couple of you who have mentioned well maybe the draft team can go back and refine some things and most of the document's good. I'm speaking strictly individually right here I haven't discussed this with the leadership team. We didn't talk about this with our - in our breakfast

meeting today but I'll at least throw it out and they can disagree with me. In fact, you know, Michele hasn't disagreed once today and so this is to give him a chance.

Okay the – but we're not necessarily at this point unless the leadership team overrules me and that happens all the time the - asking the draft teams to go back and do more work on this. But hopefully in the work that's going to be done to create this table of what came out of this discussion we'll have the opportunity to capture. We'll see if we need the drafting team to go back and do some more thought on it we'll let you know but don't necessarily assume that you need to go back and continue working on this. We know that you're all very busy and so forth. But we will be relying on the drafting team members to help us as we look at that table of summary from today's and Wednesday's efforts.

And then of course when we get into deliberation is where – is what all of this was about to help our understanding we'll want. And that'll be opportunity for drafting team members that maybe didn't have a chance to have much input to have more input than as well as everyone else. Are there any questions about where we're going or – today? Any comments on today's session or questions anything from anyone in the room this is your opportunity before we adjourned today's meeting?

I do want to want you to take a look. You can see on Slide 33 there the sessions that are coming up. I think there's also a resource slide. Is there a resource slide? I maybe not remembering correctly. So anyway there are some links there again. This presentation including the one for Wednesday will be – is accessible on the wiki. And it will be I'm sure accessible on the ICANN meeting site. Lisa.

Lisa Phifer: Yes I was just going to point out on this slide that's displayed here you can see where you can find sort of background information about this PDP. If you phone today confusing there is in fact a basic tutorial on our wiki page that

you might help find helpful in catching up on how we got to where we are. We also talked about a couple of working group agreements today. And all of the working group agreements that we've gathered so far are also on our wiki page as well under Phase 1 Documents. And then finally some people did pick up copies of our newsletter but that is also available at the link shown in the slide deck.

Chuck Gomes: Oh thanks Lisa. And again for those who may have come in quite late at the end of the table on my right over here are some copies of our latest newsletter which really gives a lot more detail in terms of where we're at, what we've done over the last several weeks and then where we're headed. So that's available. I want to express sincere thanks for all the - for participation from lots of people in the audience, from working group members from observers. I certainly want to thank the leadership team. They spend a lot of time preparing for all of our meetings and I for one as chair greatly depend on their advice and input.

And as you know we have and as was pointed out by Michele we have a representative from each stakeholder group in the GNSO on the leadership team. And that's really important because on the leadership team just like in the working group we want representatives from as broad a perspective and we want different perspectives so that not just in the full working group but in our leadership team we have that diversity of opinion as we try to lead. And we know we absolutely are sure we're not perfect. We're not even close but we try to provide the guidance that'll help us make progress. And we hope in the months to come between now and the Panama meeting that we can make enough progress to be able to start our initial report on the first five questions in our charter by that time.

Anything else anyone else have anything to add before I and the recording and adjourn the meeting? I should look at - okay I don't see any hands. Well thank you very much. Have a good week of meetings and I'll see you around

and hope to see all of you on Wednesday afternoon at 3:15. Meeting
adjourned. The recording can stop.

END