

**ICANN  
Transcription  
Next-Gen RDS PDP Working group call  
Wednesday, 20 December 2017 at 06:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <https://audio.icann.org/gnso/gnso-nextgen-rds-pdp-20dec17-en.mp3>

AC recording: <https://participate.icann.org/p6vrwtscytj/>

Attendance is located on agenda wiki page: <https://community.icann.org/x/NQByB>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

Nathalie Peregrine: Good morning, good afternoon and good evening everybody and welcome to the GNSO Next Gen RDS PDP Working Group teleconference on Wednesday, 20th of December, 2017. In the interest of time, there will be no roll call taken today. And we'll take attendance only via the Adobe Connect room. Is there anyone, therefore, on the audio bridge who hasn't joined the Adobe Connect room?

Hearing none, I would like to remind all participants to please remember to state your name before speaking for recording purposes and to keep your phones and microphones on mute to avoid any background noise. Thank you ever so much for this and over to you, Chuck.

Chuck Gomes: Thank you very much, Nathalie, and welcome, everyone especially those of you who are calling in the middle of the night or late at night, thank you for doing that for those of us doing that this week. We only have to do it once a month so my thanks to those of you who do it just about every week so that's appreciated.

Does anyone have a statement of interest update? Okay, not seeing any hands. Appreciate everyone being diligent about updating your statement of interest when there are changes so thank you for doing that.

Let's jump right into the agenda. You can see it in the Adobe room in the upper right. And the first thing we're going to do is complete deliberation on domain name management as a legitimate purpose. So let's bring up the – or well we have up the handout already, thank you, Lisa, for doing that. And if you'll – well you can see the agenda on Slide 2. And if you'll go to Slide 3 just take a quick look at the poll results from the poll for last week.

Note that we had I think it was, let's see, I don't have – where's the poll? I have it here somewhere, I think it was 24 people, was it 24 people – 22 people responded to the poll. And there were quite a few data elements for which there was 90%-100% of the responders supporting the domain name element for collection for the RDS, okay.

And that – those elements are domain name, registrant name, registrant organization, registrant email, registrar name and creation date. And we're not going to – unless somebody strenuously objects – we're not going to spend any time on those elements; we're going to accept those elements and part of a working group agreement that we'll formulate completely in the first part of this meeting today that those domain name elements that there's rough consensus in the working group to – for collecting those domain name elements for the purpose of domain name management.

If I skip down to the last bullet, sub bullet there, where there was less than 60% for registrar abuse contact, original registration data and technical contact, again, barring any significant objection by anyone on the call, we're going to not recognize any of those three data elements for – as being elements that should be collected for domain name management. So those would not be a – not be included in our rough consensus agreement.

And then we have the ones in the middle, okay, and again, the second sub bullet there we have four data elements, updated date, expiration date, name servers and domain status where there was 80%-89% support for those being elements that should be collected for the purpose for domain name management. Okay.

And again, if anybody wants to discuss any of those we can do that. Please raise your hand if you do want to make any comments there, otherwise we will just accept those as having rough consensus that they should be collected for the purpose of domain name management. And of course on all of these, we're realizing that we're not talking about giving anybody access yet or saying who should have access but just that those elements should be collected for the purpose of domain name management. And Kal, you've got your hand up, go ahead.

Kal Feher: Thanks, Chuck. I just wanted to – I don't want to bring up a topic that we did discuss last week, but just draw everyone's attention to in particular the domain name status. And I already spoke about this, but that's a derived value so it's not actually collected from the registrant. And much of our discussions center around people's attitudes to whether or not they're asking information from a registrant or collecting information from the person who's aspiring to be the registrant.

It would be useful to separate derived values in these discussions from values obtained from the registrant. I know they're intrinsic to the RDS and the, you know, going down these rabbit holes can, you know, waste a lot of time. But I do think that people's attitudes will be slightly different towards values that are derived from the registry or registrar rather than obtained from the registrant. So I don't know how we do it and I don't want to send us down that rabbit hole again but it would be great if we could separate those sorts of fields.

Chuck Gomes: Thanks, Kal. This is Chuck again. And I think you're right that will be useful to separate them especially when we get into developing policies that define how things are collected and in particular implementation of those – any policies that we recommend. But I also want to point out that I was fairly careful the way I worded it this time. I think I said, I hope I said, that these are elements that would be collected for the RDS. So in essence they really are collected, whether they're derived or collected from registrants or provided by registries or registrars, they're all collected for use in the RDS.

So I was fairly careful about my wording there but your point is well taken that as we move down the road, it probably will be helpful for us to make a distinction there and we will. Tim, go ahead.

Tim Obrien: Hello, everyone. Tim Obrien here. One comment in regards to the original registration date, we've talked before in regards to from a security perspective how that can be useful. Also from someone who's come into a new organization and trying out what domains we have and when they were registered and that sort of thing, a lot of the information gets lost just as the passage of time within companies, within organizations. It's been very helpful having that within Whois, getting that understanding of how our domains got purchased and when and that sort of (unintelligible).

So in some ways when we look at these sort of things, it's not just about who else might be using it, it might be the domain owner themselves needing that information just because their predecessors never shared it, never saved it and that's been lost through time. Thank you.

Chuck Gomes: Thanks, Tim. And with regard to the original registration date, I want to point out that we actually deliberated on that, I don't know, a couple months ago at least and came to a rough consensus decision that it would not be collected for the RDS. And we're not going to redo that discussion but it's perfectly – I'm glad you brought it up.

I, for one, when I did the survey, I did it a little bit too quickly and I didn't even pay attention to original registration date so I put yes, it should be collected when in essence I don't believe it should based on the fact that we already had a tentative conclusion in the working group that it would not be collected. So – and there were lots of people in our previous discussion on this that pointed out some value. I would point out, though, and I think probably, Tim, you're aware of this that the original registration date isn't in the Whois today, okay, unless it happens to be the first time a domain name was ever registered by the individual registrant.

So it's not something that's there today. I don't discount the possible value of it but we did reach a rough consensus discussion in the working group a couple months ago that it would not be included and if I had it to do over I probably wouldn't have included that in the survey or at least tried to talk the rest of the leaders against that. The elements that were in the survey were taken straight from the drafting team, okay, the ones that were in their element so that's where that came from. But thanks for the comment, Tim.

Susan, go ahead.

Susan Kawaguchi: Thanks, Chuck. Susan Kawaguchi for the record. So I think this is more of a matter of semantics than, you know, just how we use vocabulary. You know, I led that drafting team and we weren't talking about the historical creation date, so that's the way I would refer to that, you know, if a domain name has been registered, deleted, created again, registered, you know, registered, deleted, created again, you know, you could have several creation dates. But the creation date that we were referencing in the drafting team is the creation date for that specific registration, it's not a historical one where you would have to go back to the registry to get that information.

So I think your answer, yes, that creation date should be included, it would have been correct in my opinion and so hopefully not too many people were confused by the vocabulary we used in the document.

Chuck Gomes: Thanks, Susan. This is Chuck again. Did you have something else? Okay.

Susan Kawaguchi: No.

Chuck Gomes: Good. All right, let's take a look at the 79%-70% category – unless, is that a new hand, Tim? I don't want to cut you off. Okay, thanks. So there were some good comments especially on administrative contact in the poll results, in fact, and if you scroll down you can see them on Slide 4 but they're probably even easier to read on Slide 5. And I'll let you know – I'll point out which people commented. Let's see, it was Rod and, let's see real quickly, I need to get that. So it was Rod and Tomslin and Maxim and David all commented on administrative contact.

And I thought the comments were pretty helpful and reasonable as well. So if any of those people want to share their comments I welcome them to do so. Let's see, Tomslin and David are on the call. And Maxim is on the call. So if any of you would like to just share your thoughts on administrative contact – the administrative contact, you're welcome to do so. You don't have to but I'll give you opportunity right now. Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba for the record. My thinking is that in situation where domain is used, I mean, where IP address or some server added and not just registry because my thinking is that registration just registration of name where you have no name servers attached and thus you actually cannot use it. And if you cannot use it the administrator and technical contact are not so important at that point of time because nothing can go wrong beyond the wrong trademark registration. But you already have information about registrant who most probably has something to do with this kind of registration.

And if name server added it can lead to situation where some technical error created maybe because of intentional or unintentional addition of wrong name server. And at the same time, it could be something to be resolved via

administration contact because someone has to, yes, approve changes if they're too serious. It's my thinking. Thanks.

Chuck Gomes: Thanks, Maxim, that's appreciated. Tomslin, go ahead.

Tomslin Samme-Nlar: Hi, Chuck. This is Tomslin for the record. So my thinking was if a registrant chooses to opt out of being the primary contact for the domain name registration, they should be able to choose someone and that would be the administrative contact.

Chuck Gomes: Thanks, Tomslin. And that's kind of similar to what Rod Rasmussen said in his comment in that sometimes it's the – at least historically now whether that's true going forward we'll find out, but historically – and similar to what Tomslin said, and I think even Maxim said it a little bit, sometimes it's the admin contact that actually controls a domain name or certainly has a lot of influence there that the registrant may delegate it to the admin contact. So those comments I think were all – including David's – were all I thought useful and constructive comments.

Now, in the case of the registrant postal address and registrant phone, you know, there was – they're still in the 70%-79% support category which is pretty strong on average at least 3/4 of the respondents. And because there were – because no one gave a rationale either for or against the registrant postal address or the registrant phone, the leadership team suggests again, assuming there's no strong objections, that we include those as elements that should be collected in – for the RDS for the purpose of domain name management.

Is there any discussion on that? Okay, so that covers the poll results, unless anybody has anything else, we'll watch to see what Lisa is typing there in the chat. The – so if you go to Slide 6, and that's what Lisa was going to point us to, so based on what we just covered and the results of the survey, the

possible working group agreement we could have from this survey is the domain name elements here.

Now on these, we didn't include postal address of the registrant and registrant phone. I'm curious what the sense of the group on the call today is, should we add those? They are in the 70%-79% category. Like I said, there were no – there was no rationale given not to include them, nor was there any to include them but there were again, about 3/4 of the people responding did support those as well. So in the list you see on Slide 6 it includes administrative contact but it doesn't include postal address or registrant phone. Any comments on that?

Daniel Nanghaka: Daniel for the record. Can I have just...

((Crosstalk))

Chuck Gomes: Go ahead, Daniel.

Daniel Nanghaka: Daniel for the record. I voted to include both the postal address and the phone contact because they play very important (unintelligible) when it comes to validation of the data. That's my opinion. Thank you.

Chuck Gomes: Thank you. Appreciate that, Daniel. How many of you would agree with Daniel's assessment there? If you do, would you put a green checkmark in Adobe please? In other words, that postal – registrant postal address and registrant phone should be collected for the purpose of domain name management for the RDS. Okay, we got a couple people that clearly agree. David disagrees. And Kal disagrees. Okay so we've got mixed results there. And some of you don't feel strongly one way or the other and that's okay.

Based on that, my suggestion – so we've got kind of a split at least in those who responded and other people don't feel strongly. My suggestion that we – is that we would be – leave it as it is right now unless somebody wants to

give a rationale for adding either of those to maybe convince those that put red Xs. And we have a couple more hands up. So Tim, go ahead.

Tim O'Brien: Hello. Tim O'Brien for the record. Having these other contacts have come into being very helpful in past situations where let's say the abuse contact was unresponsive or the Website contacts didn't exist anymore. (Unintelligible) one just a few months ago that it was a Website was supposedly owned by a small microbrewery down in the Carolinas here in the United States. The (unintelligible) didn't exist anymore and it was spewing malware. By being able to connect out to the administrative contact we actually was able to get in touch with a live person to explain the background and details. We were able to help them with their hosting provider stop the malicious activity that was coming from it.

Chuck Gomes: Thanks, Tim.

((Crosstalk))

Chuck Gomes: And notice that the tentative agreement we have on the screen on Slide 6 does include administrative contact. So that is included in the rough consensus agreement that's being proposed so that is there. And Maxim, did you – okay, you took your hand down. Did you still want to say anything or did we cover it?

Maxim Alzoba: Maxim Alzoba for the record. I – did we talk about the contact itself or the postal address part of it?

Chuck Gomes: Well what we're talking about right now is should we add to what's on Slide 6, should we add the postal address for the registrant and/or the phone number of the registrant? They're not included in the proposed agreement right now and what I took the poll on is how many people would support adding those to what you see on the screen or if you were opposed to that, and there were a couple people opposed to adding those, so that's what we're talking about

right now. But we've got administrative contact in there, okay? Any other thoughts on that?

Maxim Alzoba: Yes. Actually...

Chuck Gomes: Go ahead.

Maxim Alzoba: ...as I understand for the purpose – we need a purpose for adding the postal address.

Chuck Gomes: Well, the purpose we're talking about...

((Crosstalk))

Chuck Gomes: Let me interrupt you because the purpose we're – only purpose we're talking about right now is domain name management. So the question is, should the postal address of the registrant and/or the phone number of the registrant be collected for the purpose of domain name management? Keep in mind we may decide later – and in some cases we may have already decided that those elements should be collected for the RDS for a different purpose, okay. But what we're talking about right now is just for the purpose of domain name management.

Maxim Alzoba: Okay, I think that if in domain name management postal, yes, ground mail is not used for sending confirmation etcetera, it wouldn't be required. But as I understand sometimes could be used for transfer...

Chuck Gomes: Okay.

Maxim Alzoba: ...for obtaining yes, acceptance from the – from the parties of the domain name transfer.

Chuck Gomes: Okay. So, Maxim, and I heard you say two things that I think are conflicting but it may just be my understanding, okay? Because transfer – transferring a domain name is part of domain name management so if the postal address is used sometimes for transfers, then it would be used for domain name management. And so on the one hand I think you said it's helpful for transfers, well that means it's helpful for domain name management; but then I think you started by saying you didn't think that the postal address was needed for domain name management. Which position do you take? Go ahead, Maxim.

Maxim Alzoba: Maxim Alzoba for the record. Actually I was thinking the process and because transfer is part of management, and it might require postal address it means the domain name management require the address. Thanks.

Chuck Gomes: Okay. So let's take the two elements by themselves and do a quick survey. Bear with me, please, I'm trying to cover this adequately. So Maxim has made a point that he thinks that the postal address is sometimes useful when a domain name transfer occurs. And so then the position would be that it would be – it should be added to this list and should be collected for the purpose of domain name management. Now keep in mind any of these things that are collected doesn't mean they're always going to be used, but Maxim thinks that that the postal address is used sometimes.

So I'm going to survey you just on postal address right now unless somebody wants to make a comment first to counter or support Maxim's suggestion here. So how many of you would support adding postal address to this rough consensus agreement that's being proposed? Put a green check in there please – in the Adobe - just postal address, not phone. Okay. Don't the rest of you have any feelings about this? So it's about four of those who responded – four to one. Kal, why wouldn't you add postal address? I'm going to put you on the spot.

Kal Feher: Kal Feher for the record. It's not required. I think there's a lot of information that could be considered useful in lots of management occasions, but if we're keeping things to the barest minimum of information you can certainly achieve most management tasks, if not all of them, without an address.

Chuck Gomes: Okay.

Kal Feher: I think it might come in convenient on occasions but it's certainly not required.

Chuck Gomes: Okay. Thanks, Kal. Alex.

Alex Deacon: Thanks, Chuck. This is Alex for the record. So just to be clear, we are – we're talking about the registrant postal address. We've included the administrative contact which I assume, and maybe I would like (unintelligible) contains postal address also that could be used in the event sending mail by the post is required. Would that be correct?

Chuck Gomes: That's a very good question, Alex. This is Chuck. We haven't gone – haven't broken down the administrative contact and even technical contact into that level of detail. But if we follow the precedent of existing Whois, which we don't have to do I think everybody understands that by now, I think that would be the case. Anybody else want to comment on that?

Now of course we'll have the opportunity and we'll have to, depending on what recommendations we make, be more specific in terms of what contact information would be included in administrative contact, so we could actually control that later on. Anybody – great question. We haven't defined it to that level of detail. But that's certainly a possibility, okay? Andrew, go ahead. Are you on mute, Andrew?

((Crosstalk))

Andrew Sullivan: Hi, this is Andrew Sullivan, can you hear me?

Chuck Gomes: Oh there you go.

Andrew Sullivan: I'm using a new phone so I don't know if this works.

Chuck Gomes: You're coming through a little bit low but we can hear you.

((Crosstalk))

Andrew Sullivan: Thanks. This is Andrew Sullivan. Is that – so the problem with distinguishing between these different kinds of contacts in terms of collection is that in the registration system, in the EPP system, there's no way to know what kind of contact you have when you create it. So the contacts are separate objects and they all have addresses or not so you can't actually make a rule about collecting addresses for one kind of contact and not for another kind of contact because the contact object is made with or without the address and then it's associated with a given domain name in a role. So either you got to collect addresses and phone numbers and so on, or not. Thanks.

Chuck Gomes: Now, Andrew, a question for you, just for all of our benefits, so in RDAP then it is possible to leave some of the contact fields blank, for example, we collect email and phone but don't collect postal address for an administrative contact or a – the registrant contact. Again, I understand that policy will affect that but is that possible from a technical point of view?

Andrew Sullivan: So RDAP has nothing to say about collection. It's a publication mechanism. It's a way of getting the data out of the database once it's already in there. But from the point of view of collection, the collection side is literally the SRS, that's the registration side of the house. And so when you say are we collecting this data? The collection happens via EPP and the point is that the contact data – you can suppress any field you like in terms of publication when you put it – when you respond to an RDAP query, there's lots of, you know, you can have all kinds of granularity there. But in terms of what data

you've collected it has to do with the – really it's the SRS that determines what you've collected.

Chuck Gomes: Correct, thank you. Okay, Rod, your turn.

Rod Rasmussen: Yes, sorry I was late so I missed out on the – whatever led up to this particular part of the conversation. But Andrew brought up is an interesting technical limitation (unintelligible) I guess you could call it limitation, you can work around it, it's ugly but you could create two different contact objects, one that has the data that you need for one type of contact and one that you have that, you know, may suppress something that you don't want to collect.

So you could do that. As I said, it's ugly and you would – excuse me – I'm not sure if you could connect those two different contact objects together with some sort of point between the two of them but, yes, there is a technical way around that and the technical limitation shouldn't – should not limit our conversation around policy. But it is a good thing to keep in mind that, you know, when you have these contact objects there's a point to having them in the first place, which is to create this kind of information that you then use in the way it was designed to pull that – whatever information you need for whatever the particular task you're doing or whatever the regime you're working under allows from a display and transfer basis.

So but it is possible, technically to deal with this kind of an issue where you have different requirements around collection, if you absolutely had to but it does get really ugly. Thanks.

Chuck Gomes: Thanks, Rod. Kal.

Kal Feher: This is Kal Feher for the record. I just wanted to add to that conversation and say that it's actually not anywhere near as complex as most people might imagine it to be. You can still have contact objects that do or do not contain the relative information so long as they meet the basic requirements of the

protocol. And then if policy decides to have certain requirements of those contact objects like having a field completed, then you would prevent those contacts from being assigned that role.

That doesn't make them any less valid and happens reasonably commonly in policy-based TLDs. So it's not that challenging to implement and shouldn't require duplication of contacts or anything like that. Ultimately it's up to this group to decide what each contact role requires and the systems will catch up.

Chuck Gomes: Thanks, Kal. Chuck again. So the question, and Rod, I'm not sure where you came in because I wasn't watching Adobe to see when people joined, but what we have in front of us on Slide 6, if you're looking at Slide 6, is a potential rough consensus agreement that we would add to our list of agreements in our ongoing document. And on this particular list it doesn't include the registrant postal address or the registrant phone number.

Okay, so the question I had asked, should we add either or both of those? And we've had kind of mixed results, a little bit more support for postal address but a lot of people don't feel strongly one way or the other based on lack of response. It was more evenly divided with regard to phone number. So unless somebody wants to argue differently, I think it's probably safest to just leave this possible working group agreement as it is on Slide 6 for now and if we decide that that isn't sufficient later on we can always come back and change it.

So if anybody opposes – anybody opposes the possible working group agreement on Slide 6 and Daniel, it looks like you're now in Adobe so you should be able to see Slide 6 I hope, if there's anybody that's not in Adobe at the moment speak up and I'll read the agreement, otherwise I'll just let you look at it on the slide. And keep in mind as the note says at the bottom of the slide, that we will deliberate later on data access and users for the domain name management purpose, so we're not talking about that now.

Okay, and as Lisa points out in the chat, there was a little more support in the poll, I think maybe one more person or maybe two, for postal address than phone but they were both in the 70% range. So okay, Rod, go ahead.

Rod Rasmussen: Yes, I'm sorry if you covered this already, Chuck. This is Rod Rasmussen again. So on the domain name management purpose did this cover or did you discuss the need for registrar, for example, to collect those two fields as part of the credit card verification process for creating a brand new domain name?

Because we do need to collect that data typically in order to enable most modern antifraud systems around credit card usage for, you know, online purchases, you know, for validation of address and phone number as part of that process, so I don't know if you – now that's for the purchasing aspect of it but then the registrar would need to collect it and that doesn't necessarily mean you need to put it into an RDS but it would need to be collected by somebody in order for that domain to be purchased, which I thought we had as part of the domain name control or overall...

Chuck Gomes: I think that was for...

((Crosstalk))

Chuck Gomes: Bear with me a second, down at the bottom I think is – and I'm scrolling too fast here. There's a slide that – yes, talks about the different possible purposes. And one of them – bear with me – it was – was there a domain name – I guess it was the domain name management where that would come under.

So what you're suggesting, Rod, I was thinking that that might be – what you were saying was part of another purpose but I think it was in the domain name management purpose. Is that true...

((Crosstalk))

Rod Rasmussen: That was my recollection.

Chuck Gomes: Yes, I think you're right. Susan, is that correct, that what Rod is talking about for – in other words, for domain name management and including registration of a domain name...

Susan Kawaguchi: Yes. Yes.

((Crosstalk))

Chuck Gomes: So now again, realizing that we're not saying that that means everybody has to be given access to that, should we add both phone number and registrant address then? Does that kind of change people's views? Let me go back to Kal, based on what was just said, does that change your view in terms of it being necessary to – for domain name management in particular with regard to creating the domain name, that registrant address and phone should be collected for domain name management at least for that subset? And, Kal, I'm – if you could respond I'd appreciate it.

Kal Feher: If you could just quickly repeat the subset...

Chuck Gomes: Sure.

Kal Feher: Are we referring to credit card purchases?

Chuck Gomes: Well...

Rod Rasmussen: Yes.

Chuck Gomes: Yes, I think that's what Rod is referring to, yes.

Kal Feher: Yes, I have a strong feeling that that should be out of scope of any RDS.

Chuck Gomes: What should be out of scope?

Kal Feher: The business practice of the registrar in selling the domain name and who they sell that to whether that is the registrant or not.

Chuck Gomes: Oh yes...

((Crosstalk))

Chuck Gomes: No, no, I think you're right on that but that's not really what we're – what we're talking about here because the registrant – and, Rod, you can correct me if I don't do this correctly, and I hope you will, but – and this is Chuck speaking. In the case of a registration of a domain name, should the registrant address and phone number be collected regardless of whether it's for a credit card purchase or not. And are you still hold the position that it's not necessary?

Kal Feher: Yes, my position is still the same, that...

Chuck Gomes: Okay.

Kal Feher: ...it's not strictly required. It's certainly convenient under certain circumstances but it's definitely not required.

Chuck Gomes: Okay. Thanks. So we still have mixed views on that. Rather than spend any more time on this, because I really want us to handle the next topic on the agenda because we have a two week break coming up, let's leave the tentative agreement and – as-is on Slide 6 for now, all of you will have a chance to – we're going to do a poll, we're going to give you more time for the poll, although I'm going to encourage people to do it right away because with the holidays it'd be really easy to just forget it.

The – we'll leave it as it is on Slide 6 for now and feel free to comment and express your views in the poll that comes out by tomorrow or probably on Wednesday for all of us, okay. It'd be tomorrow for people like me. Okay.

All right, let's go then – let's go on so we'll record this as a tentative agreement that will be tested via a poll. Okay? That there were – and we'll note in the poll that there were those who thought that postal address should be added and some thought that phone number, at least in the poll itself, thought that the phone number should be added.

Other, going then to Slide 7, we're going to start deliberation on domain certification. Slide 7 then just goes back to our building block approach. And I'm not going to reread that again, we've been talking about that for several weeks now and using it for each purpose that we cover. You can look at Slide 7 if you want to review that. And Slide 8 we have a domain name certification. And I'm going to turn it over to David and/or Alex, for that matter, anybody else that was on that drafting team, Drafting Team 3, to just give us a quick recap.

We've gone over the – this a few weeks ago, but if you give us a quick recap of the domain certification purpose, first of all just to make sure everybody understands the purpose and then we'll start talking about whether or not any information should be collected for this purpose. Don't go there yet, let's – first let David and Alex and anybody else from that drafting team do a – give us a quick recap of what they covered and that'll cover several slides here, so I'll let you guys direct the slides. David, did you want to start? Did you want Alex to start?

David Cake: Yes, I can start.

Chuck Gomes: Go ahead.

David Cake: Okay, so the domain name – we made a few – the drafting team looked in some detail at – particularly at the rules for the certificate authority form which are the rules followed by the (unintelligible) majority of certificate authorities or so the commercial ones. The purpose – we defined – it's interesting it's information collected by a certificate authority to enable contact between the registrant or – basically to – it's notable this purpose is about information collected by a certificate authority. So that's a slightly different wording to other purposes.

And that becomes relevant later. And to assist in verifying the identity of the certificate applicant is the same as the entity that controls the domain name. So essentially the whole purpose of this is, as I'm sure most people are familiar, to say that you have this certificate, (unintelligible) signed certificate and to say that this certificate is definitely owned by the domain name that you are looking at and thus the certificate cannot just cryptographically encode information but also provide the certificate authority provides some guarantee that the cryptographic information – encrypted information you were looking at is that that originated with the domain name owner and there is no sort of man in the middle attack or anything like that occurring.

We looked at this process – there are basically three levels of certificate that we were looking at and then obviously in the world there are self-signed certificates and such but that was not part of this purpose. The three levels of certificate we looked at are essentially domain validation – domain name validation certificates, organizational certificates and extended validation certificates.

The first level of certificate – no, certainly Kal and Alex, jump in at any point if you think I'm misrepresenting anything we say...

((Crosstalk))

Chuck Gomes: And let me jump in too, this is Chuck, David, just a second. So he's on the Slide 9 at the top there, you'll see those three types of certificates, so just let them know what slide you're on so that they can follow along. Thanks. Go ahead, sorry for interrupting.

David Cake: Yes, thank you. So domain validation certificates, we – our conclusion of the drafting team was that in fact no information for the RDS was required for domain validation because the purpose of domain validation it literally says nothing – the domain validation certificate literally says nothing about the domain owner other than this certificate belongs to a particular domain. So this can be accomplished purely within the domain name system, it needs no information about the registrant other than this registrant controls the domain name and, you know, and thus has caused this – caused this certificate to be issued.

So this would – this includes – certainly a number of – many certificate authorities offer this service but particularly this includes things like let's encrypt which can provide you with a certificate that links the domain name and the certificate that – absolutely does nothing else. There are of course plenty of reasons for these certificates to exist and we had basically decided it was out of scope for us to talk about the validity of particular – and utility of particular certificate scams, but for domain name validation they use – majority of domain name validation certificates require only the DNS, not the RDS at all.

(Unintelligible) organizational and extended validation certificates, what we found is that while initially it looks as if information in the RDS is relevant, perhaps, the rules of the – of issuing these certificates as defined by the – survey forum, actually said that the – to issue the certificate the certificate authority must not rely on any information in the RDS and in fact all – the information must always be verified by means outside the RDS at the domain name system entirely, must be verified by other channels.

So while you could issue in theory issue a (unintelligible) certificate with very minimal to no use of the RDS, you have to rely on names outside, so thought the case that the domain name certification required collection of any data at all – any data elements at all was quite weak considering that any data element that was collected would have to be by the rules of the forum verified by a means outside the RDS.

So essentially our conclusion was that while the – that while information in the RDS could assist in the process and make the process more, you know, might assist in the process and make it more reliable or quicker that it was not in any way essential for the domain name certification and so probably would not be a ground – a requirement for collection. I'll leave it there and let Alex or Kal or – clarify and see if there's any questions.

Chuck Gomes: Alex, or Kal, do you have anything to add?

Alex Deacon: No, Chuck. This is Alex. That sounds good to me.

Chuck Gomes: Okay, Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba for the record. I have a question. Formerly the – yes, issuing of (unintelligible) it's a process finalizing the check process where all things checked about this particular potential certificate, if the owner is the same which is shown etcetera, etcetera, etcetera. And I have question, will not signed the postal copy of a registrant contract be enough because actually it's – it has all this information and actually has more, it has confirmation of legal rights to manage the domain and for that reason – for that reason we don't need RDS, actually. It could be obtained via registrant or registrar. Thanks.

Chuck Gomes: Thanks, Maxim. And I think that that question was already asked or answered, but David, Alex, you want to respond, either one of you? Go ahead, Alex.

Alex Deacon: Yes, it's Alex for the record. Yes, I think I do remember having this conversation and I think at least my response was that it's not relevant. Our goal was to document how the RDS is used by the certificate authority. We weren't trying to reinvent or improve or change the way they do business, so while there may be CAs that exist in the world where you could do what Maxim suggests, I don't think it's relevant for this discussion. Thanks.

Chuck Gomes: Thanks, Alex. Okay, so if you look at – and again if there are more questions on the purpose itself of domain name certification, please ask them, okay. Kal, go ahead.

Kal Feher: Kal Feher for the record. The only thing I wanted to add here is that it's important to realize that domain name certification proves control of domain names, not ownership. And in the purpose that we're talking about I guess that's appropriate but it's important to remember that we're not proving that the person is seeking the certificate does in fact own the domain name, we're simply proving that they can control it and therefore can effectively use the certificate.

Chuck Gomes: Thanks, Kal. Maxim, go ahead.

Maxim Alzoba: Yes, Maxim Alzoba for the record. I have a question to Kal. Does it mean that for certification purpose administrative contact, physical address required if such administrative contact is different from registrant? Thanks.

Kal Feher: Thanks, Maxim. I did actually try to explain this in the chat earlier. There are 10 equivalent methods of proving domain name control, not any one of them is more acceptable or less acceptable than any of the others. It's just purely up to the convenience or the desires of the CA to choose one or multiple. Of those, the first four might make use of RDS information in which case the postal address of the admin contact if it were present it would certainly be acceptable.

The remaining six are alternative methods where you might modify the contents of the design file or you might modify the contents of a Website and that sort of thing. So – and I think we tried to stress this and maybe we didn't make this clear, if this information was already in the RDS, if any of the information for the first four methods was already present in the RDS, it's certainly an acceptable use of that information for a certificate authority to use it for this kind of validation. But it's not strictly required because there are six alternative methods that they can use to prove domain control.

So hopefully that answers the question.

Chuck Gomes: And, Kal, thanks. This is Chuck. That's a really good segue to Slide 12, if everyone will take a look at Slide 12. Now at the top of the first three bullets really are kind of an introduction to it with the criteria repeated for what makes a purpose legitimate for collecting data for the RDS and so forth. But look at the bottom, it's orange on my screen, a possible working group agreement that this drafting team supports is contained there. And I'll read it out, "Domain name certification is not a legitimate purpose for collecting registration data." And this last part is what Kal just said, I think, "but may be a legitimate purpose for using some data collected for other purposes."

Keeping in mind that access requirements will be deliberated on later. Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba for the record. I have a question. Do we have in mind something like conditional fields? I mean, in some situation like domain name created no address, hypothetically, physical (unintelligible). But then when the owner wants to, yes, obtain certificate he has to file data about his postal address, etcetera. So the field is – might be empty if not required but the – it could be added later or could be filled with information later. Thanks.

Chuck Gomes: Thanks, Maxim. David, go ahead.

David Cake: I just wanted to make a point of clarification which I think addresses some of Maxim's questions, which is to say that some of the issues do depend on the type of certificate so extended validation does look into issues such as the precise sort of legal relationship between the entity applying for the certificate and the control of the domain name, it doesn't simply ask you to, you know, demonstrate control pragmatically.

But the – but that essentially – but that is – those details are still essentially irrelevant to – or outside our scope in that it isn't our – as Alex – well, it's not our business to tell the certificate authorities how to run their business, but looking at their rules what we are really interested in is do they use the RDS and their rules say they cannot rely on it, so that's all we really need to know, these questions about whether a, you know, a document – you know, a notarized contract and so on will differ according to the type of certificate but the type –rules...

((Crosstalk))

Chuck Gomes: Thanks. Go ahead. I guess you were finished? It looks like you're on mute now. Okay. Alex, okay, that's fine, okay. So let's take a look at that possible working group agreement. So in contrast to the two purposes we've covered so far, domain name management we finished earlier in this meeting and the first one we covered where we did identify data elements that should be collected for the purposes, okay.

In this case the proposed working group agreement is that there's not a – this is not a legitimate purpose, domain name certification, for collecting any particular data elements but it may be a legitimate purpose for using some data collected for other purposes and that will come up when we start talking about access to data elements that are collected for other purposes later on.

So is there anybody that disagrees or objects to, however you want to phrase it, this possible working group agreement that's in orange on Slide 12. And Lisa's answer to Andrew was really important if you haven't looked at that. And, Andrew, you did say that, I think is what we're saying here, okay although we haven't decided yet that it's a legitimate purpose for access for some people. Rod, go ahead.

Rod Rasmussen: So (unintelligible) the EWG suggested we create a CA contact object, right, so that you could actually, as a registrant, or as somebody who has a domain name say I'm going to create this contact and it's to be used as certificate authorities and that is the – so for that – validation purposes for whatever purposes they have. If we come out and say that's a good idea, and you know, or at least an allowable idea, then you would have to collect the data to populate that field.

So put that as a caveat to my agreement that we don't need to collect data to do – with agreeing with what the statement in orange is that, you know, you can use data already collected to do your CA type validation, with the exception that if we decide that, you know, if we want to create a certificate authority contact just to handle this particular use case, then you do have to collect that data in order to put it in there. So it's a – it depends on that we come up with as a final contact list but if we do have that then we need to collect it. Thanks.

Chuck Gomes: So, Rod, thanks. And Chuck again. And I want to ask a follow up question. Do you think that it's within ICANN's mission, going back to the first criteria listed at the top of Slide 12; do you think it's within ICANN's mission to support certificates?

Rod Rasmussen: So that would – that helps with this – certainly the security of the Internet, so it falls within the – just the general mission of – and the liability as far as (unintelligible) communications and certificates are designed to handle – or to

directly address those particular issues which are in ICANN's charter, so I could easily argue that.

((Crosstalk))

Chuck Gomes: Yes.

Rod Rasmussen: So I could – we can argue that. Now so here's the question, right, and this gets back to the deeper issue of is the RDS simply the set of minimum things or is it the set of allowed things that people might want to use and thus we support as a potential field. And, you know, it's not everything under the sun but certainly something like this would make things more convenient for this particular type of thing that is widely used and widely implemented.

So but I don't want to get into that argument, I just wanted to put that caveat in therefore this particular – to try and get just, you know, asterisk this agreement on this say, you know, we don't need to collect anything, unless we specifically say we're going to create this concept of a CA contact, that's all I'm trying to get at without...

((Crosstalk))

Chuck Gomes: No and that's good. I'm not questioning the fact that you brought that up, I think it's good that you brought that up. I'm going to have one more follow up question before I go to Andrew though, does – did the Expert Working Group talk about a CA contact?

Rod Rasmussen: Yes. And...

((Crosstalk))

Chuck Gomes: ...conclusions did you guys reach?

Rod Rasmussen: If I remember right we added that as a potential additional contact type which would be obviously the optional and you wouldn't have – would be required to submit one if you didn't have a CA or just want to rely on your other contact information or we have, but it would certainly...

Chuck Gomes: Okay.

Rod Rasmussen: ...it would make it useful for people who are doing large scale, you know, domain portfolio managements and have a particular person within their security department that is tasked with managing their CAs or their certificates, I'm sorry, their certificates. Thanks.

Chuck Gomes: Thank you, Rod. Chuck again. And because I'm sure Lisa is going to talk from the Expert Working Group perspective, go ahead, Lisa. Lisa, are you on mute? We're not hearing anything.

Lisa Phifer: Sorry, Chuck. This is Lisa Phifer. I lost audio I guess for a moment there.

Chuck Gomes: Okay.

Lisa Phifer: What did you say?

Chuck Gomes: Oh my question was did you want to follow up on the Expert Working Group, what coverage of –possible CA contact?

Lisa Phifer: Yes, I did. And Rod, I think you may be misremembering the EWG report a little bit. We talked about role-based contacts in the report and I don't think that we had an exhaustive list in there, but I'm pretty sure for domain name certification we actually had the administrative contact being the point of contact for this purpose.

Chuck Gomes: Thanks, Lisa.

Rod Rasmussen: I'll have to reread the final.

Chuck Gomes: Okay.

Rod Rasmussen: I know we talked about this as a particular one though within the group so...

Chuck Gomes: Yes, you certainly covered it so that's good to know. Okay, let's go to Andrew. Sorry for putting you off, Andrew, it's your turn.

Andrew Sullivan: No worries, thank you. I don't know if this is coming through at all. What concerns me about the way that this is being worded is that it says that this is not a legitimate use for this collection. But as I understand the definition of legitimate use and collection, if the registrant wants to use a certificate authority that uses the RDS for this validation, that is it uses one of those four methods, then it's a legitimate use for the collection.

It's not a legitimate thing to require, that is it's not a legitimate thing to require in the policy in order to support this use, but it is still a legitimate reason for the collection of this data. That's what I understand the collection rules to be.

Chuck Gomes: This is Chuck. I think that's what this is supposed to say. But if you have a suggestion for...

((Crosstalk))

Andrew Sullivan: No, but that's not what it says...

Chuck Gomes: ...improving the wording, it's welcome. So...

((Crosstalk))

Chuck Gomes: Go ahead, Andrew.

Andrew Sullivan: The point I'm trying to make is that it is – it is a legitimate use. It is a legitimate use. It's just not a legitimate requirement. We have been treating – we've been very careless about this distinction between the policy requiring collection for certain kinds of purposes and the legitimate use or that use being legitimate for the collection. And what we're saying here is well you could collect it for some other reason, and then you could use it for this. But that's not what – that's not what we're trying to talk about here. What we're trying to talk about is whether it's legitimate to collect it for this purpose.

And I'm surprised to find myself in the position of channeling Stephanie on the distinction between these two things. But it seems to me that this is the point that she's tried to make on several occasions that there's a distinction to be made between requiring collection for a given purpose when somebody does not exceed to the correctness of that purpose, and permitting collection for that purpose.

And then whether you permit the use for a given purpose is a different question. They're just completely separate questions. So this is a case where it is legitimate to collect this data for the purposes of supporting a CA but it would not be okay to make that a requirement for the reasons that certificate authorities do not necessarily need this data, they only may use it. And so it's okay to collect it for these purposes, because the registrant, for instance, might say oh I want to use a CA that requires this and so I have to give my data through this other channel in order to have it in the system, that's a legitimate use for collection. It's just not legitimate to require that the data be collected in order to support that use.

Chuck Gomes: So this is Chuck. Let me propose an edit, see if this works, okay? Because I think that was what the intent of this possible working group agreement is, but let me insert one word, okay, see if it works. So, "Domain name certification is not a legitimate purpose for requiring collection of registration data, but may be a legitimate purpose for using some data collected for other purposes." Does that work?

Andrew Sullivan: Yes, that's exactly the point I was trying to make, thank you, that was a great edit.

Chuck Gomes: Okay, anybody opposed that – those actually I changed more – I only made one major word – I added the word “requiring” okay, and then I just changed the form of – I think I used “registration” instead of “registrant” – “registering” or something. So anyway Rod, you want to comment again?

Rod Rasmussen: Oh I'm sorry, that was an old hand. But I totally agree with what Andrew just said there. And this is – it's kind of what I've been trying to say is there's things you have to – you require collection for and there's things that are optional to allow collecting for.ad we have to – we really need to be careful in labeling them as such.

Chuck Gomes: Okay.

Rod Rasmussen: Andrew put it far better than I have so far.

Chuck Gomes: Thanks, Rod. Alex, go ahead.

Alex Deacon: Thanks, Chuck. It's Alex. So do we need to be clearer here and add language stating that there may be optional collection of some data or is that being overly specific? It seems like we – I mean, I think I agree with where this agreement is going but it seems that we may be missing a piece here that could be important.

Chuck Gomes: Alex, are you okay with the edited version of the working group agreement? Do we have that in the notes yet or in the chat? Lisa? Lisa is typing so she's probably going to put it in. Yes, and note what Lisa is saying, we are focusing on required data to be collected right now and that is accurate. So that doesn't mean that we've already identified in some of our work over the last

few months some optional fields, so those are still there. But we're talking about data that would be required to be collected. Rod, go ahead.

Rod Rasmussen: Yes, my hand's not clearing, sorry about that. I'm not trying to say anything.

Chuck Gomes: Okay.

Rod Rasmussen: There we go. Sorry.

Chuck Gomes: So there it goes, it's gone. Okay, I was wondering if it was still the same hand. Okay. So do we have – okay and notice the possible working group agreement has been changed in the notes. So if you look at the notes over on the right it has been changed with the edits I suggested. Does anybody have any additional edits or does anybody have any objections to that as a possible working group agreement? Notice she just called it a revised possible working group agreement. Any objections to that? Thanks, Alex, for your confirmation there.

Okay, because the plan will be then to do a poll to allow all of you to confirm that we've got it right and voice whether you support this possible working group agreement or not. And of course there will be opportunity for comments. And then of course those who are not on the call to do the same. And the plan will be to allow up until December 30, understanding that some people might be traveling this week for holidays and vacations and stuff like that, but for those who are aware of it, and you may be traveling more next week, I certainly encourage you to do the poll as soon as you can so that it doesn't fall by the wayside over the holidays. That would be very helpful.

So that when we come back on January 9, which will be our next meeting at our regular time, we'll be able to hopefully close out the domain name certification purpose and our plan is to go to the abuse purpose next, that's not the full title we use but focus on that – start focusing on that on January 9 after we close out the domain name certification purpose.

Okay, any other comments on domain name certification for now? Okay. So our action items, going to Slide 13 in our agenda, which is Agenda Item 4, the – you can see the next call is already indicated as Tuesday, January 9 at our regular time, 1700 UTC. Yes, thanks Maxim, that's fine, prevention of abuse but that – it is a purpose for prevention of abuse, okay, we are talking about purposes right now.

So going on then to Slide 14, I think Slide 14 on are all just supporting slides so I don't think we need to go through those. We have a list of all the purposes and ICANN's mission and also a part of the appendix to the ICANN Bylaws that's relevant to our work. So those are just there for reference if we need them. So our action items are staff and the leadership team will complete the poll and get it out as soon as possible. And then we ask everybody to respond as soon as possible but certainly not later than December 30 so you'll have a lot more time, you'll have almost a week and a half, not quite to do that.

And are there any other action items we have? We've already confirmed the next meeting so we can – I want to wish everybody hopefully some time off, good celebrations for Christmas or whatever holidays you may be celebrating, and hopefully some rest time too. We will not have a working group meeting the next two weeks, that's why the next date is the 9th so enjoy the time off, come back refreshed and hopefully we can make lots of good progress on the rest of the purposes in the month of January and early February.

Anything I've missed or anything else we need to cover? Okay. Talk to you all in the new year and we'll hear from you on the poll before the new year. Thanks for the good participation today and the progress we made. With that I will adjourn the call and the recording can stop. Bye.

END