

**ICANN
Transcription
Next-Gen RDS PDP Working group
Tuesday, 21 November 2017 at 17:00 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: <http://audio.icann.org/gnso/gnso-nextgen-rds-pdp-21nov17-en.mp3>

AC recording: <https://participate.icann.org/p7011hupgmm/>

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

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

Operator: Recordings have started.

Julie Bisland: Okay, great. Thank you.

Good morning, good afternoon, good evening, everyone. Welcome to the Next Generation RDS PDP Working Group Call on the 21st of November 2017.

In the interest of time, there will be no roll call. Attendance will be taken by the Adobe Connect room. If you're only on the audio bridge, could you please let yourself be known now?

Woman: (Unintelligible) on audio bridge.

Julie Bisland: Okay, thank you so much.

Okay, hearing no more names, I would like to remind also please state your name before speaking for transcription purposes and please keep your phones and microphones on mute when not speaking to avoid background noise.

And with this, I'll turn it back over to Susan Kawaguchi. Thank you.

Susan Kawaguchi: Thank you very much, Julie Bisland.

This is Susan Kawaguchi for the record and (Chek) is on vacation. He's in Florida, having fun with the family. So I'm filling in again this week. But he will return next Tuesday.

So are there any SOI updates that anybody would like to make on the call?

I'm not seeing any hands. Okay. So let's move on to - can we have today's presentation up on the screen? Thanks.

And before we start into the first part of this, Drafting Team 1 finished the work last week and submitted a final document and hopefully is ready to talk about technical resolution but I didn't receive any volunteers to present. So hopefully one of you, Alan, Greg, one of the Gregs, definitely someone will be prepared to present.

So I think everybody has control of the PowerPoint. So what we're doing today is - and we went over this last week also. Hopefully, those who were on the call then remember that we're trying to take a building block approach and deliberate on each purpose one by one. So we've heard from all of the teams at this point; DT 1 is the only one we haven't. And actually technical resolution is the one we're going to start really deliberating on.

So what we're going to do is, first, agree whether this specific purpose should be considered legitimate for collecting more registration data and why and then identify elements required to support this specific purpose, which data may already be collected for another purpose, which data may need to be collected for this purpose and then adding the data elements identified to the

set of registration data elements potentially made accessible through the RDS.

So at this point, we're focusing on collection, not access. But we will get to that, the access control issues, later on in our deliberation.

So - and just keep in mind that any agreement on legitimacy of one purpose does not preclude additional purposes be agreed as legitimate for the same or other data.

So today we're going to start with the technical issue resolution and talk about why and identify why criteria - what makes the purpose legitimate, technical issue resolution drafted by the DT 1 against criteria reached agreement on legitimate - legitimacy of this purpose and then also look at the data elements that are required to support this purpose. We're going to review all the data elements identified by the DT 1 for this purpose and maybe help - if we discover something that's not been identified, then we may add to that or take away.

Identify criteria, what makes data collection legitimate, test the technical issue resolution, data elements against the criteria and then reach agreement. And then we'll move from - once we finish technical issue resolution, then we'll move on.

So at this point, we'll move on to the other purposes.

At this point, I need a volunteer to provide an overview of your work on the technical issue resolution. So, DT 1, can someone volunteer? Or do I just have to nominate you? Greg, please go ahead.

Gregory Shatan: Thanks. Greg Shatan for the record.

I was on most recent call and I think we came to a good common understanding on that call which is presented on Slide 5 for what the purpose of the technical issue resolution or the purpose of WHOIS for technical issue resolution should be or a good definition.

Information selected to enable contact of the relevant contacts to facilitate tracing, identification and resolution of incidents related to services associated with the domain name by persons who are affected by such issues or persons tasked directly or indirectly with the resolution of such issues on their behalf.

And then our example use case, we have only one, but it's really kind of an all embracing one. It's like who you would contact to resolve problems with the Web site, with hosting, with e-mail service, any DNS related issues, any address related issues, et cetera. So these are technical issues. And so we need to focus on that and not stray into issues that are not technical and we have plenty of those. Obviously, they will have a technical aspect but this is really the one where the issue is technical in and of itself.

In our deliberations, we had some discussions where, you know, the definition in process had some references to access but as you noted in the - in your introduction to today's discussion, that is a different discussion for another day, clearly a discussion we have had and will have but right now the issue really is purpose.

So the idea here is to basically tell you where to go if you have technical issue with somebody else's domain name or any service that is associated - technical service that is associated with that domain name. And we consider that to be both the person who's directly affected who may be basically the ordinary Internet user or a slightly above average Internet user or could be a technical, a person whose job is dealing with and resolving technical issues for themselves and for others or for their company or even as a helpdesk at

some level or a person whose job it is, is to work for independent third parties resolving their technical issues.

So there's not a judgment here that there is a certain level at which things start to become technical or which certain people or entities can look for - can be considered to be looking for technical - for resolution of technical issues. It's really - again, it's kind of the focus is not on the who but on the what is the - what issue is being resolved and the sense of who is part of it, it's the who of who you contact, not the who is doing the contacting. So it's really the purpose and the person or entity or e-mail address or other contact information that you need when a technical issue is blowing up and you need to get to the bottom of it. Thanks.

Susan Kawaguchi: Are there any other DT 1 numbers that would like to add anything to the presentation?

Doesn't look like it. So thank you very much, Greg, for providing that overview.

I do have a question before we move forward on the data that's required for this purpose. Oh, Marc, go ahead. I can ask my question after you.

Marc Anderson: Thanks, Susan. This is Marc Anderson.

I have a question, maybe just a general question about the - this review team focuses on contact, you know, contacting somebody to resolve a technical issue. And I guess I'm wondering, is there a use case where you would use the RDS data itself to resolve the technical issue? And I'm not coming up with a - an example use case off the top of my head. So, you know, maybe some of the more technical people on the list can help me out. But, you know, is, you know, is contact of somebody the only use case or is there a use case where there may be some kind of issue you go to RDS and the data in RDS is sufficient to help you solve it? Thank you.

Susan Kawaguchi: Thanks, Marc. It looks like Greg Shatan.

Gregory Shatan: I'll speak only briefly since I'm not a particularly technical person by trade. But I think - I will say that at first flush, it sounds like there should be such a use case and I can imagine one where knowing the - you know, the zone file information or other - WHOIS related information without necessarily needing to contact somebody on the other side might be sufficient to solve the problem or at least block the problem from affecting you.

And I would also say that I think while we could spend - we had two tasks in DT 1. The second task has a whole list of separate use cases and we only have the one here. If I could turn back time, aside from betting on a lot of a horse races that I now know who won, I would try to develop more discrete use cases for this task of the DT 1 work. So I do think that there is probably some work that could be done to do either cut the (PID) apart into pieces, the one that we have, or find additional use cases. Thanks.

Susan Kawaguchi: Thanks, Greg. Greg Aaron?

Greg Aaron: Hi. Greg Aaron here.

Yes. Reaching out to one of the contacts is a use case. And there are cases in which that is what needs to be done.

In a lot of cases, the data in the RDS will be of assistance but it may not - a lot of these problems you can't fix yourself if you're an outside party. The data in the RDS like the delegated name server information may tell you something maybe helpful but it's not going to allow you to fix anything.

There may be use - there may be additional use cases where contact - one of the contacts is not necessary, for example, somebody has an expired domain

name or you may be able to talk to the registrar. But this is certainly a use case as written and there may be additional ones, like Greg Shatan said.

Susan Kawaguchi: Thanks, Greg. Volker, you're up.

Volker, if you're speaking, we can't hear you.

Volker Alexander Greimann: Can you hear me? Hello?

Susan Kawaguchi: Just barely.

Volker Alexander Greimann: Okay, let's try this again. Better?

Susan Kawaguchi: Better.

Volker Alexander Greimann: I just wondered, how far you have considered that this use case may also be resolved by other means rather than collection of the data into the RDS, for example, contacting the registrar who you'd always have a spare copy of the data who would then forward your request to the registrants. Have you considered that less imposing requirement would also fulfill this use case just as well or maybe just a little less useful the ability to contact the registrant through other means than having this stored in the RDS?

Susan Kawaguchi: Would one of the members at DT 1 like respond to Volker's question?

Greg Aaron: Greg Aaron has...

Gregory Shatan: This is Greg Shatan.

Greg Aaron: Greg Aaron has his hand up.

Susan Kawaguchi: Okay. Let's start with Greg Aaron. Okay. Let's start with Greg Aaron, please.

Greg Aaron: I think we explained one of these use cases at ICANN60. Let's say that the hosting is compromised but the hosting provider and the registrar are not the same. Now, what we've had some registrars tell us, for example, is they do not want to be the clearinghouse for problems that are not theirs and they often tell people "If the hosting provider is not us, we don't want to hear about it. Go contact the hosting provider."

One of the problems is when somebody is reporting a problem, say, with hosting is that hosting providers sometimes doesn't even want to hear from some third party. They want to hear from their customer who is the registrant or the tech contact.

So what we're talking about here is reaching out to a party who is responsible for the domain name and the services associated with it and has the authority to authorize changes or fixes. So that's one example where contacting the registrar is either not relevant or is not practical or useful.

Susan Kawaguchi: Thanks, Greg. Let's go on to Rod.

Rod Rasmussen: Yes, I had something similar to what Greg was saying and just the person asked, can you solve some issues without contacting people? Absolutely, in case of misconfigured name servers or an expired domain or something like that, you can make a determination that you may need to just change your name - delve your name server. For example, it's a domain name that is supporting name servers that you require has expired. You can then change name servers but maybe you can't and you need to get a hold of somebody who's running those name servers. That may or may not be a registrar and telling registrar that somebody's domain has expired to go "Yes, we know that. We're trying to get them to pay us." You know, that's interesting.

But if you're getting a service from somebody that's an infrastructure-based thing like that which is, you know, a (unintelligible) has technical issue. You probably want to get a hold of somebody running those DNS servers and that's just one very basic example of it doesn't step - I think we're outside of pure DNS technical operations to give you a core case.

So, you know, it just depends on the needs in the workflow but you can go either way even with the same use case of expired domain has name servers attached to it that you need for your domain. Thanks.

Susan Kawaguchi: Thanks, Rod. And I just want to point out that the drafting teams were asked to define the purpose, not to define an alternative system for obtaining the data for the purpose. So the drafting team followed the instructions for their task.

James Galvin, please go ahead.

James Galvin: Thank you. So James Galvin for the record.

Since we're busy talking about various kinds of use cases, it seems like an opportune time for me to press on this point a little bit here in the larger group. I was part of the Design Team 1 that put this stuff together and I didn't really point there but hearing continued discussions about various kinds of use cases, you know, all of this example use cases honestly make me really comfortable because I'm of two minds.

On the one hand, if you look at the definition that's there in the chart under "Rationale," it says quite clearly that it's about resolving technical or operational issues with the domain name. And yet, we start talking about use cases where "Oh, it's about the Web site or the e-mail service or the hosting service" and I'm just challenged by whether or not, you know, those are appropriate use cases because within ICANN's remit is about the naming and numbering system. It's not about your hosting service. It's not about your e-

mail service. And I just, you know, I just get stuck here in this mode of “Geez,” you know, “should I be able to look up the registration just because I’m having trouble with the e-mail service?” You know, operationally, I’m going to be able to look up the domain name, you know, and that’s fine. But, you know, where should I go from there? Is it ICANN’s responsibility in some sense to tell me about how to find your e-mail service provider and be able to look things, you know, back in that way? I don’t know.

And I guess I sort of bring that question out here for the whole group because I question myself on those issues and then on the other hand, you know, for the point of view of abuse or problems, yes, I can see value and for those who are in the know, there’s interesting value in being able to have ready access to contact information because then you can back trace to a lot of interesting operational issues. I worry about whether the context we’ve got here is operational or if we’re starting to think about deeper issues, you know, a host, a Web site has been hacked, well, you know, that’s interesting but is it ICANN’s responsibility to provide you with contact information to deal with that?

So I don’t know. I’m reading more of a concern and a caution that I have in all of this and I struggle with how far these use cases go. I’m not fond of adding more use cases as I believe I heard Greg Shatan start to suggest earlier. If anything, I’d like to see fewer of them or maybe a better definition of what we mean by what an operational issue is that’s covered and is a valid reason to collect this information. So thank you.

Susan Kawaguchi: Thanks, Jim. And, Andrew, please go ahead.

Andrew Sullivan: Hi there. This is Andrew Sullivan. Thank you.

So I have - I’ve put up my hand because I got a little bit concerned about some things that Volker was saying. But just in passing, there was a question earlier that I don’t think answered about whether it’s possible to

have a use where the data that's in the RDS just on its own solve a technical problem for somebody else. I can answer the question and my answer is yes and I put the details of that in the chat and I won't repeat it for the sake of remedy.

I'm more concerned, however, about this thread that Volker raised initially or suggested and that Jim Galvin was just suggesting and that was the idea that we - that these operational considerations are not one of the important motivations here, that this is being collected because it's more convenient rather than because it's necessary.

The DNS is a distributed database. It's probably the most successful distributed database in the history of the - of computing. But one of the most important parts about it is that it's distributed in two different ways. So it's distributed in the sense of the administration of the database. We have these delegation points and that's what these top level domain name registrations are. They are points at which somebody registers a domain name and then they get that space and it's under their own control.

The second way in which it's distributed is through caching. That is ICANN receive a record from an authoritative server and I'm allowed to cache it for a certain amount of time and that's governed by the time to live. The interaction of these two kinds of distributed operation turned out to be problematic under some conditions. Not every conditions are under some conditions.

And for technical operators, what's necessary is to be able to diagnose problems when those weird corner cases happen. So the ability to look up what is in the registration side of the database and potentially to be able to contact the people who are responsible for that registration side of the database in order to make things work is a critical piece of running a distributed system like this.

There's not a lot of central authority on the Internet. It's not supposed to be a central authority kind of system. It's not like the phone system with like the giant phone company in the middle. Instead, it's supposed to be operated by all of these various independent operators collaborating with one another are the best efforts basis. In order to make that kind of thing work, I need to be able to diagnose things on my network that are caused by things that you have done on your network. And that's why the WHOIS data is important, the historic WHOIS data, the ability in particular to contact the technical people, the people who registered the domain name to be able to contact the people who are responsible for the registration thing, that is the registrar, with separate problems.

And then, finally, to be able to list in the registration data and say "Well, geez, does this match the row that the DNS thinks the registration is?" It could be but it doesn't. And maybe that's got to do with the way the registry has failed or maybe it's got to do with the way the registrar has failed or maybe it's got to do with the way the registrant has failed and those are all things that ICANN diagnosed by looking at the RDS.

So I really want people to concentrate on this fact of the Internet, that it's distributed operation and it means that you're not allowed to say "Oh, maybe you could do this better by talking to this choke point over there," the registrar or the registry or something like that. That's not the way the Internet works. I need to be able to talk to the person who's offering this other network. And if I can't do that, we are putting up a barrier that wasn't in the design of the Internet. Thanks.

Susan Kawaguchi: Thanks, Andrew. That was very interesting and informative. And it looks like we have two different positions here. One, James Galvin is concerned with mission crits for ICANN and that we've gone way too broad. And I think you have really explained how this technical issue resolution provide resolution for very narrow problems and it is a function of how the Internet works. So, Greg Shatan, go ahead.

Gregory Shatan: Thanks. It's Greg Shatan for the record.

I think Andrew and you both said things that I wanted to say but I think we do start kind of losing the assignment here. In another way, besides the one you mentioned about Volker's comment, we were asked within the five use cases that are currently occurring. So for Jim Galvin to say he'd like to see yet less use cases, that's not the assignment. The assignment is to identify with reasonable specificity, not too specific but reasonably specific, what the current use cases, in fact, are given that we have one use case listed here and Jim said he'd like to see less use cases. That seems to suggest that there should be no use of the RDS to have technical issues resolved. I'm assuming that's not actually what Jim meant.

So I think the point I was making and that, you know, Andrew did and others is that there are - under this, there are, in fact, more use cases than the one mentioned and that the one mentioned is a little, you know, broad and embraces multiple factual use cases that occur. So it doesn't mean we have less use cases. It just means that we have less facts. That can't be our goal.

I think we can also go too far in winning ICANN's mission in such a narrow and crabbed way that we destroy a lot of the usefulness of what ICANN does and, ultimately, the Internet itself. So I think maybe it's something more from philosophical differences than practical or technical opinions but I think we have to be careful about what we're doing here and maybe there's some people whose goal here is just to kill WHOIS or end (unintelligible) and try to find any argument that it shouldn't exist. I hope that's not what we're leaving onshore. Other people think my view is something they would not endorse.

Lastly, it occurs to me that if we are dealing with DNS issues, I don't remember it's in our data of types of contact fields whether we have the DNS service provider, like (Dime), as a discrete set of contact information since we do have, of course, you know, at the higher levels of practice between the

registrar who may provide DNS services to the average Internet user and companies that provide DNS services to more sophisticated users. I don't know that we cover that, as I said, of identity field. So I'll put a pin in that.

But mostly I think we need to, you know, make sure that we have steep understanding what the assignment is and try to get there and also keep trying to understand what ICANN's assignment is and it can't be that we have nothing to do with what is being carried through the use of the DNS because they won't - if it's not being used at all, then there's really not a going to be a problem. So if there is a problem, it's because in some way the DNS, the number is in this. So let's try not to cut things so close to the bone that we're actually cutting into the bone. Thanks.

Susan Kawaguchi: Thanks, Greg. I'm going to cut the line at James Galvin. So we'll keep moving through the list right now and then go back to our clarification question at the bottom of Slide 7. So, Alan?

Alan Greenberg: Thank you very much. Alan Greenberg speaking.

I want to address James' question of whether it's ICANN's responsibility to provide specific information on things.

I don't think it is ICANN's responsibility to do that. But it is ICANN's responsibility to ensure that the DNS system that it oversees is functional and reliable and can be supported and can work. And that goes to Andrew's point of how the Internet works and how we need to be able to fix problems.

And so it may not be ICANN's responsibility to tell us who operates a Web site. But it is ICANN's responsibility to make sure that the DNS that it oversees is functional and usable and reliable and that comes down to these use cases which I think do apply. Thank you.

Susan Kawaguchi: Thanks, Alan. And, David Cake.

You're not here, David. Are you on mute?

So, David, we can't hear you. You want to dial out?

So while you are fixing that, David, could you - let's go to Michael Hammer first.

Michael Hammer: Thank you. Michael Hammer for the record.

I just want to add to what Andrew and Alan have said. I've been dealing with technical issues on the Internet since the 1970s. And back in the day, many of us would actually keep lists of IP addresses for critical services and infrastructure, our own as well as others, because sometimes DNS would not be available and I can think of ISP con in 1997. It was hosted in San Francisco and DNS was being provided by Microsoft and it went out just as there were major problems in San Jose pairing problems and watching all the people trying to figure out which IP addresses they needed to get at for their own infrastructure as well as to see what was going on with others was very interesting. I don't think we want to go back to those sorts of situations.

And I think it's important that we remember that many services and functionality are built on top of and depend on DNS. And so being able to gain visibility through WHOIS is very important. We don't want to throw the baby out with the bath water. And I understand the concerns of many about limiting what we collect, limiting access to what we collect. But I think we need to test that against impacts on the reliability and the availability of the Internet as a whole and services that depend on DNS and being able to look up through WHOIS who is responsible and what is the available data through WHOIS is a very important and critical functionality. Thank you.

Susan Kawaguchi: Thanks, Michael. I appreciate that. David, do you want to try again?

Did I hear something? We got a red line through your microphone. Okay.
Let's go to James.

James Galvin: Thank you. James Galvin for the record.

I want to try and clarify, maybe reframe what I was saying before a little bit based on all the discussion here. I agree with Greg Shatan that, you know, we had a responsibility in the design team to, you know, list what was happening today and the way that things work. So I don't really have an issue with what the design team produced and what's there.

I agree with Andrew. You know, it's important to be aware of, you know, what distributed really means and how it applies in the Internet. But I think the challenge that I would want to put, you know, before this group and I will raise this again in an appropriate time when we get to this more detailed discussion. There's been a little bit of chat going on here in the chat room about data minimization not being, you know, part of ICANN's remit.

I think what's interesting is if - one of the things we told ourselves is we get to start fresh. So it's interesting to be aware of what we've had before and the way things have worked but we're coming from a clean slate here. Making sure we understand what happened before is important but we have to look at what we have, what we want from here now - from here and going forward.

So just because something existed was true before does not mean it's going to necessarily be true in the future. And I think that's really my only point here. The fact that we have a set of use cases that have developed over time is interesting. I think that we probably could still support those use cases to the extent that they're only using information we already collect. If we start talking about the need to collect new information, then perhaps we're going to have a much longer conversation about whether it's within ICANN's remit to support those use cases.

Nonetheless, I still want to put the question for us to be hold in out there for future detailed discussion when we get to deciding, you know, whether or not a purpose is actually a real, legitimate purpose is, you know, is this used really within ICANN's remit, is it appropriate to support that particular use case or is the fact that we support that use case incidental to the fact that we're supporting use cases which are directly within ICANN's remit. And that distinction between a real and important and integral use case versus an incidental use case I think is important and I will, you know, press on these points more as we continue our discussions going forward. So there's a gray area in there and that's really all I'm trying to put in front of this group and I think that we need to sort out whether going forward we're going to do what we've always done or if we really are on a clean slate here, and if we are, we need some very clear definitions and that's what I'm looking for. Thank you.

Susan Kawaguchi: Thanks, James, and the chat room is very interesting. And I do appreciate the fact that you are reminding us that we did go into this with the idea that this was a clean slate and we could - you know, we didn't need to look to history to figure out what we were doing but maybe - but I do think we do need to look at how the data is currently used and then make a decision - informed decision on whether or not it needs to be available to continue to use in that way. I do appreciate that point. And we always need to keep ICANN's remit in the back of our mind.

So I think what we did is we sort of jumped forward to deliberation which is good in some ways. But let's answer this one question, are there any clarifications necessary to understand this purpose before we begin deliberating on the purpose? Some of this discussion, you know, did ask questions. And I'm going to start because I had - one of my questions was, can someone describe what the server status is? Server status has a specific information to me, in my mind, but I want to make sure that we're all on the same page on what a server status is or which server status you would be using here. So to one of the drafting team members answer that question for me?

Yes, and we are on Page 7. So, Greg Aaron, I'm going to call on you to answer that question.

Greg Aaron: Okay. I am - okay. So actually I would label this differently. This more properly should be called domain status.

In gTLDs, all the registries use a protocol called EPP. And that's the protocol that registries and registrars use to talk to each other and then some of that information is output in WHOIS right now.

Domain statuses tell us some information about what's going on with the domain. There are client statuses and server statuses. The difference is a little technical and I won't get into it. Some of the statuses can tell you what's going on with the domain name in it - in the course of its lifetime. Some statuses may tell you why a domain might be resolving or might not be resolving. For example, a hold status means that the domain is being held out of the zone and that means it won't resolve.

Another status is a transfer prohibited status. That means that the domain name cannot be transferred from one registrar to another. One other uses for that is to prevent an accidental hijacking, for example.

So that statuses, when you see them in WHOIS right now, they tell you what, in some cases, is happening with the domain's functionality and also it tells you some things about what can or can't be done with the domain name functionally at the registry.

So that's very useful technical information to have available both for registrants understand what's going on with their domain name for the registrars and the registry operator and oftentimes third parties who are exploring some problem.

Susan Kawaguchi: So you would - in the domain status, you would include the client and the server statuses for subset of domain status.

Greg Aaron: Those are - yes.

Susan Kawaguchi: Okay.

Greg Aaron: So you shouldn't call that actually server status at all.

Susan Kawaguchi: Yes. That was my confusion. To me, server status is very critical for a lot of uses but as so were the client statuses.

And, David, is that on old hand? You said something in the chat you're going to try to put - type because you couldn't talk. So, okay, it's gone.

So are there any other clarifying questions about the data elements or the sample users or the tasks that you would like to - before we get into answering questions about is this a legitimate purpose? Marc Anderson, please.

Marc Anderson: Thanks. Marc Anderson.

I'm wondering, the sample users have abuse responder reporter and, you know, as a member of the Criminal Investigation/DNS Abuse Mitigation Group, I would think, you know, abuse responder reporter would fall under that use case. You know, if a abuse responder reporter is working on a technical issue, then I think they're wearing an IT professional or Internet user hat. I think many of us wear different hats and, you know, I think, you know, it seems to me that that - those users fall under a different use case. So I guess I'm just - you know, I'm asking a clarifying question, is there a specific reason why those users are included in this use case. Thank you.

Susan Kawaguchi: All right. Someone from the drafting team?

How about Greg Shatan this time? Calling on a Greg or James Galvin.
Anybody that's on the team. (Stephanie)?

Gregory Shatan: This is Greg Shatan. I'm happy to take the first crack at that.

I think maybe some scope creep in that question I have no problem with kind of the thinking behind it, the intention of it but I think what we're looking to resolve a technical issue as compared to the list of other use cases that we had, that one seems to fit more into other use cases.

Now, I think though there are arguments that many - that certain things are, in fact, technical in nature even if they are being driven by criminality or bad intent as opposed to just, you know, a technical (unintelligible) or accident, bugs and the like. So it may be a question not only of - so I think that could be certain if - where there is an abuse issue and the abuse will be done on a technical level. DDoS, to my mind, could be used as an example of that and there, I'm sure, are others, botnets and the like are both criminal and their actions are technical as opposed to, say, spearfishing which is - had some aspects of, you know, use of the domain name but there's also aspects that really kind of, you know, are in a different level.

So I think there are perhaps certain things are in part technical and certain things that are entirely technical. So perhaps separating the concept of the intent of the person or thing creating the issue is not always, you know, the only way to look at it. So I guess the - my answer will be a definite maybe or I would say rather in certain circumstances, it could be that there is, in fact, a technical issue that needs to be resolved and it's being resolved by an abuse from abuse vector as opposed to a more neutral vector. So I wouldn't count that out as a technical problem. But I would look at some of the nontechnical issues as being under use cases to the extent that it's necessary to kind of silo the use cases or at least provide some discreteness between them.
Thank you.

Susan Kawaguchi: Thanks, Greg. Let's go to Maxim. You're up.

Maxim Alzoba: Maxim Alzoba for the record.

My thinking is if we're talking about technical issues, actually we usually see through scenarios. Thus, one is we need to inform the party. For example, something happening but not very affecting others, yes? We might want to inform the person that something bad happened with resources I guess somehow relevant with him.

And the other option is to identify person. For example, we see that something bad happened with involvement of a particular domain and then we want to understand the scale of the issue, yes? And we might need to check what also happened to the domains registered by this person, for example. And on both scenarios, we're not talking about criminal activities, just about technical issues.

We do not need to know the person on the other side. When we inform, we just send the information and we don't care who was on the other side. I underline it's purely technical issue and no criminal intentions or abuse involved. Or if we need to find the person, the (unintelligible) for the registrants - I mean, unique indicator of the registrants should be enough to grab all the domains, et cetera, et cetera. But if we go the situation where we see that something going on, on - yes, which is more relevant to criminal code than to technical aspects of DNS function and then I think we need to go to the scenario of - about criminal activities DNS abuse.

So I'm going to talk - yes. I was talking about the separation. I also support this idea. Thanks.

Susan Kawaguchi: Okay. Thanks, Maxim. So are there any other clarifying questions about the data elements or the sample users? If not, we're going to move on to

Slide 8. We've started some of our deliberation a little early but so - and the leadership team decided that technical issue resolution would probably be the first step in deciding a legitimate purpose.

So we've identified criteria there. Does it support ICANN's mission? Is it (unintelligible)? Is it explained in a way that registrants can understand? Does it explain in registrant - does it explain to registrants what their data will be used for? Is it necessary for the fulfillment of a contract? Is the use proportional? Does it strike a fair balance between all interests, concerned public or private and the data subject's rights and freedoms and then other?

So there's the resolution. And what we need to do now is, which we sort of started on here, was discuss whether or not this was a legitimate purpose and does it support ICANN's mission to start. We definitely had some comments that, you know, ICANN's mission is to make sure that the DNS is function and - functional and reliable. And so in that way, let's just start there, is this legitimate purpose. And then we need to look at the data elements and users. Would anybody like to weigh in first?

I can't believe we have no hands up. Okay, James, please go ahead.

James Galvin: Thank you. James Galvin for the record.

So pressing on the point that I had sort of pushed on a couple of times here already, the question that I would ask for all of us to think about is use of the phrase "services associated with the domain name." I have no trouble with the baseline purpose being that you collect information, okay, for incidents related to the domain name itself, related to the use of the domain name itself. So I'm questioning whether or not we really do believe that is important that we collect this information for the purposes of old services that might be associated with a domain name. I mean, that's a pretty broad usage of the information and is ICANN really responsible for all of that, you know, or should we be a little more circumspect and step back and define more

carefully what services we really think are appropriate and within ICANN's remit to provide access to information - I'm sorry, to collect information.

I'm really wondering whether it's ICANN's role to collect information for the purposes of dealing with Web site hosting and e-mail services. You know, those are interesting and important but is it really ICANN's remit and is it really in the remit of all of us, registries, registrars and others to promise to have that data available for that purpose. Thank you.

Susan Kawaguchi: Thanks, James. Let me ask you a clarifying question just to make sure I understand what you're saying. So if you - if an e-mail bounced, then you wouldn't consider that a domain name sort of - or domain name issue. If the Web site doesn't resolve, are we - are - do you propose limiting this beyond - not even to the Web site? I'm just not clear on where, you know - what service or functionality you do feel that is a legitimate purpose.

James Galvin: So to speak about the two examples that you just gave and answer them a little bit here, let's talk about e-mail services.

If I get an e-mail message that isn't delivered and it's - and I get back a failed mail message, it's going to give me some reason as to why the message was rejected, perhaps that message will be something about the domain name itself. So I wasn't able to resolve it, domain name doesn't exist, that kind of thing, as opposed to, you know, the recipients not being known.

In the case of domain name issues, I mean, sure, I ought to be able to look up in the DNS to see if the domain name is there. I might want to be able to look at contact information to see what I can find out about that domain name itself. Okay? That's different than being able to find out things about the e-mail service. So that it's kind of a fine line. But that's one distinction.

When it comes to Web site hosting, you have the same thing. You know, I go to my browser and, well, one could quibble about whether or not users

actually type in domain names. But for the purposes of this example, let's say they type in the domain name and the browser comes back and it says, "You know, gee, not able to resolve that name" or "That name doesn't exist." Well, that's a situation where I might actually want to look at registration data. I might actually want to see the domain status, as Greg Aaron called it. I like that distinction a lot. And I'm going to look up and I'm going to see, well, gee, is this name really supposed to exist? Is there really supposed to be something there or not? And I'm going to look that up and I'm going to find it.

Once I've got that information though, that's where the line ends. I'm not going to use - you know, I'm questioning whether it's a legitimate purpose to want to find contact information because I want to report abuse about the domain name. Maybe that Web site has got, you know, some Trojan horse infected in it and I think its incumbent upon me to contact the domain owner in some way and tell them about that. I'm questioning whether that's ICANN's responsibility to ensure that registration data is collected for the purpose of being able to track down Web site owners. That's the distinction I'm making. Thanks.

Does that help?

Susan Kawaguchi: Yes, that does help. Thank you.

And, Andrew Sullivan?

Andrew Sullivan: Hi, it's Andrew Sullivan here. Thank you.

So I'm wondering whether Jim would accept a friendly amendment to this text and whether it would satisfy him. That is instead of it being "Identification and resolution of incidents related to services associated with the domain name, et cetera," to say instead "Identification and resolution of incidents dependent upon the resolution of the domain name, et cetera." Or we could say the

DNS resolution of this thing in order to make the distinction between resolution of the problem and resolution of the domain name.

But my point is I think that this text is written in a way that is perhaps overbroad. And I understand what Jim is concerned about. And at the same time, I think the theoretical point that it's trying to make is that these services somehow are collectively dependent upon the domain name itself and the fact that the domain name, you know, may have a resolution problem may mean that you need to use the RDS in order to figure out what's going on there. And maybe that means deciding that the (unintelligible) and so you just abandon your query or maybe it means, oh, I see that there's some sort of problem in the registration of domain servers on the Registry versus the DNS or et cetera, et cetera.

I think Jim has sort of responded in chat saying yes, that's kind of what he's guessed. So I - it sounds to me like we're trying to talk about the ability of the name to resolve on the Internet. And I should state just because I see Greg has raised an issue here that from the point of view - that we use this term "resolution" in the DNS to just mean the connection of a name to an address or a service name like SRB records or something like that. But maybe he's trying to expand it beyond resolution to something else.

So I'll leave that and put it in the queue so that when he comes up, he can respond and I don't have to come back in. Thanks. Bye.

Susan Kawaguchi: Thanks, Andrew. That was a good clarifying point.

We don't want to get into wordsmithing this definition at this point. But we will take notes and see what we can come up with at the end of the call to get agreement on this.

So after Alan, we're going to stop and just take a quick check on who - you know, if we do have any agreement on this.

So, Volker, go ahead.

Volker Alexander Greimann: So yes, just looking at the question of whether it's 60:42 from the questions that you have here and looking at the previous slide where you have the data that we're talking about, I see that the one that worries me most is the registrant contact detail because that's a very broad term. I'm sure that for the purpose of contactability and quick contactability we will not - probably not need to post the address for example. We might not really need the name. We just need the contact address to (address a contact to). Are you still able to contact the registrant of the domain? You do not know who that is if he has provided forms of contact, for example telephone, e-mail or future message.

I think snail mail will probably be too slow for any of the purposes that we have heard today. So the registrant's contact, I think we should specify what we mean by a registrant's contact in this case and what we - which ones we actually need for this use case.

Susan Kawaguchi: So you're advocating to limit some of those contact information. So maybe check to e-mail address to be able to - or phone number to be able to contact somebody quickly?

Volker Alexander Greimann: Not necessarily. I just want to be clear on what contact we're talking about, if we are talking about this issue of technical issue resolution.

I would assume that certain contacts obviously than others are having alternatives and alternative routes available will ultimately be helpful. And we have talked about methods of communication that are currently not foreseeing the (current views) but also maybe field as well. But others that are currently (current views) that may not be as relevant. So it's just a discussion that we should be having when we should try to fill in related discussion so we know what we are talking about, what we mean, the

registrant's contact in this context because as I said, some will be more useful than others.

Susan Kawaguchi: Okay. Thank you.

And, Greg Shatan, you're up.

Gregory Shatan: Thanks. So Greg Shatan for the record.

Maybe I'm not seeing it with enough clarity. I certainly think there are a kind of a type or a sector of technical issues that relate to whether or not a server or domain name resolves, whether a mail server resolves or not. But I don't think in any way that's what we're limited to, that as long as essentially, you know, the juice is flowing, that's all that ICANN is concerned about and that we should be concerned about.

So I guess the point I'm - we certainly should if we're looking at this in a more granular fashion try to think about different purposes or different issues that might engender the need for RDS data to resolve a technical issue. But I don't think we can define technical issues as being equal only to resolution issues. I think this is corollary to my earlier point that without any use, a domain name is really highly unlikely to cause a technical issue. So there's got to be at least nickname servers, mail servers or something going on there that has ended up being carried, you know, (unintelligible) where the issue is coming up.

So saying that, for instance, DDoS or a malware or Trojan Horses or botnets and being able to try to resolve the technical issues that are part of those things, as well as just technical issues that are just failures or unanticipated consequences, I think they're all part of this.

So I think we have to avoid trying to shave everything so close. Certainly we don't want extraneous stuff creeping in, but I think this is the - kind of trying to

get like it's trying - it seems like some people like to be overly restrictive or some proposals rather, not people - we're all wonderful people. But some of the proposals seem overly restrictive.

At last, just the point to make on contacts, you know, the reason you have multiple contacts is because sometimes some work better than others. Some people are more contactable through a phone, others through an e-mail address, others via a snail mail even. And finally, at least based on a sample of one, some people do still sometimes type in domain names into the address bar.

Thank you.

Susan Kawaguchi: Thanks, Greg.

And, Alan Greenberg, please go ahead.

Alan Greenberg: Thank you very much.

Someone in the chat earlier said the world has changed since this PDP started a year and a half ago or two years ago. And it certainly changed since the Internet was designed as it were and we came up with a concept of WHOIS. At that point, we were trying to cover the situation where people make mistakes, and therefore we needed to alert them. We're now in a different world wherein people not only make mistakes, but people act maliciously and do their best to cover their tracks.

And I think that's the reality of the Internet we're working with today. And we have to make sure that the DNS can function and be usable and be trustworthy. And trustworthy implies, among other things, when you type in a name, you're not likely to get - go somewhere which is going to do its best to destroy your computer or capture your - or, you know, steal your information.

And if we find situations where that happens, we need to be able to resolve them.

So when we ask the question, is this ICANN's responsibility or not, we also have to ask the question of, if we want a functioning Internet, whose responsibility is it going to be. And we have to make sure that ultimately we do have a system that will work and can be trusted. And that's what it all comes down to in the end. Thank you.

Susan Kawaguchi: Thanks, Alan.

Greg, your hand is still up. But Rod's hand seems to be doing funny things. So I'm going to call on Rod and then we're going to take a quick check on where we all stand.

So, Rod, go ahead.

Rod Rasmussen: Okay. This is Rod Rasmussen.

So I've got like a whole bunch of things that have come up in this conversation that I love to talk about. That would take the rest of the time, I think. So I'll just make a couple of points.

One is that we are - when we're talking about resolving for any sorts of issues, we actually in EWG had proposed adding new types of contacts to take care of different kinds of service issues -- a DNS contact, the Abuse contact, there's all these different kinds of people and things you may want to get a hold of.

Those would not necessarily be required for somebody to put in. And I think that's an important distinction we need to make here, is what is actually required for somebody to make a designation of versus what is the system

actually capable of doing and what would people want to do as registration service.

So - and then this gets to my core frustration that the entire situation we're dealing with here is that people aren't thinking about how do we make something work really well going forward to solve some of the issues that have come up over the past 30 years. You know, a registry directory service is exactly the kind of thing you can use to your advantage, especially if you, say, have \$1-billion domain name and want to have people being able to get a hold of right people to solve various problems. A registry that allows you to do that efficiently is a really good thing and something that people can innovate on and registries and registrars could actually make money selling domain names instead of nothing. And that's a core frustration I have and I'll quit beating on that horse.

But the key here is that things are not necessarily required. They may be optional. And we need to be separating those things as we're deliberating this.

The capability, okay to have and people want to take advantage of it versus it's required that everybody does this. It was a huge, huge thing we need to be aware of.

The other thing is - and this whole question of within ICANN's remit or what have you, whose is it if it's not ICANN's? ICANN is responsible - has been given this responsibility for distributing the domain names, right, and the names and numbers. And as Andrew was talking about earlier, this is a distributed system. As a result, things that happen in other parts of the system will affect you. And the only way this whole Internet thing works is if we can solve the issues as they come up.

And I don't know if we can solve it magically or not. But I think that the human experience so far, I mean if you have a problem, you need to get a

hold of somebody to fix it, which means fixing these problems that are tied to domain names - oh, by the way, domain names are tied to every service that interconnects on the Internet, whether it's e-mail, time servers, chat, whatever. And there's all the kinds - any protocol the EITF is codified is a service potentially across the Internet that we need to solve. That's largely tied to a domain name because that's how these systems interact, is via the domain names.

That means that you need to resolve those problems by getting a hold of somebody, which means you need some sort of system for doing that. And if you're going to distribute these names, you need to - and you're responsible for distributing names and you're kind of responsible for distributing how to solve problems that you created through the distribution of the names in the first place.

So those are my two kind of observations on this. And I'll leave it at that.
Thanks.

Susan Kawaguchi: Thanks, Rod. I appreciate that input.

So I was hoping everybody could move forward to Slide 9 and just look at those data elements identified by the DT1. We've discussed some of these. And then I think the questions coming out of today's discussion, there's two that I would like to see where everyone lands on these.

So I'm going to read out the questions. There's two. So we're going to do, you know, one first, second one is next obviously. And maybe, (Lisa), you could put this in the chat. That's how many would agree that the tech issue resolution is a legitimate purpose for, at minimum, resolving issues with the domain name resolution?

And if you could put a green check or if you disagree, a red check.

So, Volker, we're not getting into actual data elements needed at this point. I see you're asking questions about the name or the e-mail address. It's simply do you agree that tech issue resolution is a legitimate purpose for, at minimum, resolving issues with domain name resolution? And then we're going to broaden that a little bit in the next question.

So it looks like we have lots of green checks. And I'm seeing no red.

Okay. So now if there's no red and, everyone, clear their agreement if you can. So the second question is how many people agree that tech issue resolution is a legit purpose for resolving additional issues? So that would include anything that may be dependent on that domain name.

And Maxim was saying it's too broad. Legitimate means not illegal. Correct, Volker.

Okay. So we have one simple red, is dependent on resolving additional issues. And we have one, two - so there seems to be agreement that - there in the first question that for a tech - for technical resolution of the domain name. We have a lot of agreement, those additional services, too, or dependent services.

Would anybody that put their red check want to provide additional insight that hasn't already been discussed maybe? Oh, we have some hands up.

So, Beth, go ahead? Beth Bacon?

Elizabeth Bacon: I'm sorry. Can you guys hear me okay?

Susan Kawaguchi: Yes, we can.

Elizabeth Bacon: Can you guys hear me okay? Okay. Sorry about that.

User error...

((Crosstalk))

Elizabeth Bacon: ...I have some questions. When we - this seems very broad. When we discuss the - I mean I understand if we're trying to discuss this in steps and manageable bites. But it's very difficult to define - I mean, when you're - you need to define the data elements. And if you want to use it later for different things, that's a separate purpose.

So just saying "related items" I think is much too broad. And I think James made that point also. The definition is much too open-ended. I would very much agree with that. I think that each of these purposes - if we're using purpose as the word purpose as opposed to - and we're moving on from identifying uses, then we need to be more clear, I think. Thanks.

Susan Kawaguchi: Okay. Thanks, Beth.

Maxim Alzoba: Maxim - I wanted to support what Beth said. And they should - if the items we refer to in the situation of quite broad definition, some of those items are compromised, say the purpose is not good or something, we just compromise the whole structure of logical, yes, constructions we build on the top of those definitions.

And given that in the GDPR for example, the reason should be explained in simple language. If we're trying to create loops where one reason refers to others and they refer back, it's not going to work. It should be a three-leg structure where we say clearly what we do and why and in which case.

So I'm - yes, I don't support such broad definition. Thanks.

Susan Kawaguchi: Okay. Thanks, Maxim.

And, James Galvin?

James Galvin: So, thank you. James Galvin for the record.

So just a quick sentence. Yes, I'm disagreeing with your second question because my concern is the definition is too broad. Now I will add to the discussion here something, which I haven't really said to this point, we're not actually - what's interesting is some use cases are not suggesting adding any data elements. So far, you know, all of a sudden use cases seem satisfied with the data elements that are already being collected.

So as a practical matter, this distinction that I'm pressing on here may not really be important because at some points in the future, we're going to start talking about access to data. And in that case, you know, we can have a discussion about, well, gee, you know, you've already got this data. It would be very helpful in this other case, you know. Let's talk about getting access to it for this reason. And I think that's a fine discussion to have in the future.

But for right now, we're collecting the data. I'm really questioning, you know, is it within ICANN's remit to collect the data for other than DNS resolution purposes or the slightly qualified text that I had offered in the chat room versus what's in the definition on this slide? And I really think that clarity and precision is our friend here as opposed to an overly broad, imprecise, you know, opening the door for virtually anything, which is the way I read the current wording. And so that's what I object to. Thank you.

Susan Kawaguchi: Thanks, Jim.

So let's try this again. So if everybody could clear their green, we have a slightly different wording that might satisfy Jim's point of view.

Do you agree that tech issue resolution is a legitimate purpose for resolving additional issues that are directly dependent on domain name resolution?

Let me read it one more time here.

So, again, do you agree that tech issue resolution is a legitimate purpose for resolving additional issues that are directly dependent on domain name resolution?

So it looks like we're sort of getting half and half here. Andrew is saying he likes this formulation better. And (Stephanie) is suggesting a couple of such-as cases. And as you're continuing to do that, it looks like we have more green than red. But we do have a significant amount of red.

And, Greg Shatan, please go ahead.

Gregory Shatan: Thanks. Greg Shatan for the record.

I do have some concern about the breadths of this. Or maybe another way to put this is when is the technical issue not a technical issue? In a sense, every one of our issues has - is a technical issue. But I think if we're defining technical issues as such as compared to the other use cases, we really need to, you know, look at - I'm not really sure what other issues we're talking about here. I think the at-root, the issue has to be a technical issue. I don't think resolution is, I mean, is the only technical issue, but - unless we're using technical issue as some sort of overarching concept that covers every other use case that every other design team worked on, which I hope we're not.

You say there's a kind of an element of bootstrapping in the way that the question is or the definition is put that makes me uncomfortable. Not necessarily uncomfortable with the other issues, but with trying to kind of cram them under technical issues makes me feel uneasy. Even though I have a green check there, it's kind of a green check that's there because I don't disagree for fundamentalist reasons. I disagree for definitional and clarity and elegance reasons. Thanks.

Susan Kawaguchi: Okay. Thanks, Greg.

It looks like the chat is continuing to be very vital here.

I just wanted to make - so Andrew Sullivan made a good point here. I'm just trying to find it. You guys are typing so fast; it keeps moving.

So - and everything that isn't covered possibly be - by answers from the DNS is not covered. So anything that just depends on names resolution is what's covered.

So it looks like we're coming closer. And, Greg, you have your hand up. Go ahead.

Greg Aaron: This is Greg Aaron.

So what this requires us to do is look at all of the other use cases in all of the other categories if we adopt this. Because we're trying to narrow this one, but it may then exclude things and we'd have to see if they are covered in the other categories.

Now let me give a concrete example. Somebody's Web server has been broken in two and there has been a phishing site installed on it. So this domain name is showing up on block lists because the URL of the phish has been found and it's been advertised and somebody needs to reach out and get this problem taken care of.

Now, it is a technical problem in that it has a technical solution that has to be accomplished by technical names. You have to go fix the problem on the server and get that page down. It has nothing to do with the resolution of the domain. The domain name was resolving before and it will resolve after the problem has been solved as well.

So, is that a technical problem? Yes. Does it have to do with the resolution of the domain? No. However, this problem would certainly need to be addressed under our use cases having to deal with abuse and crime. You know, let's keep in mind that some of these cases flowing into each other. And using this case as an example, I'm not finding that the limitation is being - that's being proposed is particularly helpful. And like I said, then we're going to have to go look at all these other problems. And you're trying to reduce things and it's - my concern is it's going to start edging - to start squeezing out some legitimate use cases if you're not careful. Thanks.

Susan Kawaguchi: Okay, Great. And that's noted. So we have to start somewhere. And we are running out of time here.

So, Marc, you're the last - well, okay, Alan. Just sort of two more real quick comments here and then we need to - so Marc put his hand down.

Alan, go ahead.

Alan Greenberg: Thank you.

I was going to just mention perhaps, suspiciously, that some of these problems can be resolved by stopping the domain name from resolving. But that's not really what we're trying to do. We're trying to make the Internet usable, not stop the Internet from working at all. Thank you.

Susan Kawaguchi: Okay. Thanks, Alan.

So this is a really good deliberation. I think we've made a start. We still have a lot of work. And we need to focus just on technical resolution. I understand how this may play out for other legitimate uses that we'll discuss down the way. But - so hopefully next week when (Chuck) comes back we can focus

on the data elements and how those relate and if there's agreement on those data elements.

So we would probably like to do a poll for the first question and then pull that up real quick.

Let's see. Okay. So the first question was how many people would agree that tech issue resolution is a legitimate purpose for, at a minimum, resolving issues within domain name resolution?

So we seem to get all green. We'll probably do a poll on that and just so that we can end on time since it's now end. We didn't even get to the WHOIS record that we've put up. And our next meeting is Wednesday, November 29th at 6:00 UTC. That's our late-night meeting for some; others, it's just a reasonable hour.

And so, once again, thanks for all the good discussion. And we'll end - for those celebrating Thanksgiving, Happy Thanksgiving. And we'll talk to you next Wednesday.

Man: Thanks, Susan. Good job.

Susan Kawaguchi: Thanks.

Julie Bisland: Okay. Today's meeting is adjourned. You can all disconnect your lines. And, (Princess), can you please stop the recordings?

Everyone, enjoy the rest of your day.

END