

**ICANN
Transcription
Next-Gen RDS PDP Working group call
Tuesday, 27 February 2018 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: <https://audio.icann.org/gnso/gnso-nextgen-rds-pdp-27feb18-en.mp3>

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Coordinator: Recordings have started.

Julie Bisland: Great thank you. Well good morning, good afternoon and good evening everyone. Welcome to the Next Generation RDS PDP Working Group call on Tuesday, the 27th of February, 2018. In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room. If you're only on the audio bridge would you please let yourself be known now? And I do have Daniel noted. Anyone else?

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

With this I'll turn it back over to our chair, Chuck Gomes. Please begin, Chuck.

Chuck Gomes: Thanks, Julie, and welcome everyone to today's working group call. Lisa, let's go ahead and bring up the slides for the meeting. And while you're doing that, does anyone have a statement of interest update today? Please raise your

hand or in Daniel's case, speak up if you do. Okay, not seeing any hands or hearing anyone, I'll assume that there are no updates to statement of interest.

So you can see the agenda in the upper right of Adobe except for Daniel, hopefully he has the presentation that he can look at, or is looking or on our wiki. Note that you have scroll control for the slides for our meeting today. If you look at Slide 2 that's a duplication of the agenda that you see in Adobe.

And I'd like to just focus on that for a little bit here. Agenda Item 2 is to recap the approach we've been using for most of this working group's two year plus history and that's the idea of an iterative approach. For those that are relatively new, and I'm going to call on Lisa in just a minute to kind of give us a little real brief history of how we got to where we are, but before I go there, one of the things we realized fairly early on in the working group is that there are a lot of interdependencies in all the questions that we have to answer. It's hard to answer one without answering another one first and vice versa.

And so what we committed to a long time ago was to use what we've referred to as an iterative approach. We try to make some progress and some tentative conclusions and that's we use the term "tentative agreements" or "rough consensus agreements" because we realize that as we make other decisions later on we may have to come back and make adjustments, so that's what we mean by an "iterative approach" to the questions in our charter that we're covering.

And with that, I want to turn it over to Lisa and ask her to kind of give a brief recap of how we got to where we are right now so that especially for those who are relatively new to the working group and may not have been through some of the processes that led us to where we are you at least understand how we got here. Lisa, go ahead please.

Lisa Phifer: Thanks, Chuck. And this is Lisa Phifer for the transcript. As the leadership team had been reviewing the suggestions made on the working group mailing

list in the past few weeks, and also progress made in recent calls, we found ourselves refreshing our own memories of what it is we've covered and how we got here, and that actually prompted us to think about sharing that more broadly with this whole group in part because we have new members that may not recall that history but also because even for those of us who have been along for the entire ride, sometimes it's helpful to look back and see what is our approach to deliberation, what have we accomplished so far and what process we're using.

And I see one comment in chat that my voice might be interrupted. Are others hearing me well?

Chuck Gomes: I'm hearing you fine, Lisa.

Lisa Phifer: All right, it may just be on the voice call. Thanks. So as many of you know, our working group's charter splits our work into three phases. And we are currently in Phase 1. Phase 1 is where we are tasked with reaching consensus requirements on gTLD registration data and directory services policy. Now, note we're not tasked with developing policy; we're tasked in Phase 1 with developing requirements.

If it's agreed that this new RDS policy framework and system are needed to support those Phase 1 requirements, then this working group would continue on to Phase 2, to develop policies and to provide some implementation guidance to support those policies.

Now throughout this process, our charter actually asks us to look at several different foundational questions, questions concerning purposes for registration data, who should be permitted access to that data and how, measures required for data protection, privacy and accuracy. Now at times some in the working group, and this has happened recently as well, some in the working group have asked, "Why are we focusing only on privacy? Why

are we focusing only on data? Why are we focusing only on purpose?”
because at any point in time it might seem like we are.

And some often then suggest that we might look at a different charter question first. And while it might appear especially to newcomers that we are looking at questions in the wrong order, as Chuck mentioned, we are actually taking this iterative approach where we try to examine all of these tightly interdependent questions by moving back and forth from one to another throughout deliberation.

And I just want to give a few examples from our history over the past year to help us see where we've been as we think about how to move forward. So last February and continuing into March, about a year ago, we focused on privacy. We received several presentations on data protection laws, we developed questions that were then answered by data protection experts during and after ICANN 58, and in parallel last spring we hammered out rough consensus agreements on a minimum public data set, referred to as MPDS, that's largely, although perhaps not completely, independent of natural person data that's subject to data protection laws.

By the time we got to ICANN 59, middle of last year, we were ready to shift focus to data beyond the MPDS. And at that time we polled the entire working group on the entire data set, that data set including existing Whois data elements as well as suggestions for possible new data. And those of you who were part of the working group at that time may remember that Rod Rasmussen presented an overview of purpose-based contact roles that had been developed by the Expert Working Group.

And at that time he encouraged the working group to model data at a more abstract level. However, in the middle of last year working group discussions got mired in details about modes of contact, which modes might be required, which modes might be optional or even allowed under GDPR or other data protection laws. And honestly at that point we got a bit stuck because if you

haven't agreed upon a purpose for that data you can't really decide whether a phone number or a street address is even relevant much less whether it's strictly necessary or permissible to access under a data protection law such as the GDPR.

So to address those concerns the working group sought independent legal analysis on how GDPR might apply to registration data and directory service. In parallel with that legal analysis in the middle of last year, we hammered out some less controversial data element agreements, agreements that probably apply to any purpose that require contact or identification of someone of some sort. And while we hoped that legal analysis would result in some greater clarity that we would need to reach further working group agreements on roll-based contacts, and the data associated with those contacts, it soon became pretty clear to us that reaching any agreement about contact data hinged on purpose.

In short, we were completely stuck on contact data because we had no actual agreements on purposes for contact data. And that's what led the working group to shift our focus back to purposes just before ICANN 60. Last October we formed small representative drafting teams to flesh out definitions for possible purposes and the users and tasks and data associated with those possible purposes.

At the time we asked drafting teams to not, for the moment, dwell on whether those purposes were legitimate but just reach a better understanding, a shared understanding of those possible purposes. We did that through smaller groups to encourage those familiar with each purpose to share their experience and to encourage those who aren't very familiar with each purpose to ask some questions. And by better understanding those possible purposes the goal was to lay a foundation for more effective deliberation and hopefully agreement on some of those purposes and the data needed for them.

Now more recently since ICANN 60 we have hammered out some rough consensus agreements on two purposes, technical issue resolution and domain name management. And when it agreement on the third purpose we tried to cover, domain name certification, got difficult, we tried to agree upon criteria that we were using to decide which purpose is legitimate.

Now here we are today, two weeks before ICANN 61, and we have some suggestions that we refocus again on contacts at a more conceptual level. Good suggestions, but let's think about how to do that. We recapped this history to help us all move forward with full knowledge on the ground already covered, our iterative approach to addressing charter questions and the agreements and challenges that we've encountered along the way.

For those of you who are relatively new to the working group, you are reminded that reading the charter, catching up on past meetings and the working group agreements that we've forged to get here, is not really just expected but it's actually really essential so that we can have effective participation.

For a long time, working group members were all still encouraged to reread the Phase 1 working draft and the relating documents produced by drafting teams last fall to refresh your memory of those agreements and avoid repeating past discussions. It's inevitable we touch on some of the same points, but when there's no new ground being covered we get stuck.

Anyone looking for a refresher on the working group's charter questions and phased iterative approach can also visit our homepage on the wiki where there is newcomer webinar linked there. And that webinar it's recorded, you can watch it and play back, but if those new to the working group would find a live replay of that helpful, we'd be happy to arrange for that.

And so I guess in summary, what the leadership team wanted to do with this little recap is to help us as we decide if and how to shift focus again to not

start anew. Let's keep on building on what we have already done to make sure that we move forward.

And I'll return back to you, Chuck.

Chuck Gomes: Thanks, Lisa, very much appreciated. Hopefully that's helpful and the links for some of those references that Lisa mentioned toward the end of what she shared there will be put in the notes and/or the chat, whatever you feel free to do there, Lisa. And of course if you – you can find just about everything there on our wiki. So but if you want a quicker link to any of those things let us know and we'll provide that.

Next on the agenda let's go to Item 3, and in an effort to maybe go at a little higher level than where we've been, the leadership team decided to introduce a – some assignments for the drafting teams that were formed the end of last year before we took a break at Christmastime. The – and these new assignments, and I'm going to turn it over to Alex in a minute to go over the questions and the tasks that we're giving. Now let me say though, before people get too alarmed, we think that the assignments we're giving the drafting teams won't take a lot of time because it'll be kind of a building upon what you did the end of last year. And we will provide opportunity for new people to join in as well.

The – and in fact, let me cover that just briefly before I give it to Alex to talk about the team assignment. If you go to Slide 3 you can see some links there and the coordinators, the – of the drafting teams, which were those of us on the leadership team. And the three questions I'll let Alex cover on Slide 3 in what he shares but if you look at Slide 4 just as a practical matter, we're trying to get the feedback – in fact it's really important that we get the feedback from the drafting teams before ICANN 61.

And so we're going to use the same teams and at the same time so if you're already a drafting team member we would appreciate it if you can continue to

work. And by the way, we're aware of all the activity going on. Some of you are super involved with the GDPR interim solution that's being worked and are expecting any day a – something posted by ICANN staff in that regard, and lots of other things going on as well. Always when we're coming to an ICANN meeting it is – we tend to be especially busy, so we're aware of that.

But again, we don't think this will take a lot of your time for those of you who have been on it before – on the drafting teams before, nor for those who haven't, if you'd like to join a team, what we ask you to do is to send an email to staff on the working group and just say you'd like to be on. Now we're going to assign people to different groups so that we can keep them relatively small and diverse as much as possible using different criteria. But if you want to join one of these teams and you weren't on them just let us know please.

And then what's going to happen is the coordinator of each drafting team will be sending out not later than midday tomorrow a first cut at the deliverable that Alex is going to talk about a little bit. And that's not so that the leadership team is going to drive the train but rather to facilitate getting things going very quickly because as you'll see – as you can see at the bottom of Slide 4 we're hoping – we're asking that drafting teams provide their final deliverable if possible by next Monday the 5th of March but certainly no later than March 7 so then we can use that input and prepare for it in our Saturday morning meeting in Puerto Rico.

With that said, let me now go to Alex and, Alex, you can tell them if you want them to be on a particular slide or whatever, I'll let you direct that. But why don't you share our drafting team assignment?

Alex Deacon: Thanks, Chuck. It's Alex. Hopefully everyone could hear me? Yes so Chuck did a good job of kind of teeing this up. You know, remember that we convened these drafting teams to help parallelize, if you will, our work on the definition of possible purposes for the RDS. And the links on Slide 3, if you go to those pages you'll be able to see all of the details and the outputs that the

drafting teams came up with prior to the last meeting, I believe it was. And also just as an FYI, some of this detail is available in the slide deck later on so it's all easily accessible for you to review.

So onto the assignment, so based on the discussions we had last week and really for the last several weeks, and with the hopes that we can prepare for an effective face to face meeting in San Juan in a few weeks, we thought it made sense to reconvene these drafting teams to answer three new questions that have it a little bit more specificity associated with them.

So the intent of these questions was to address some of the input from Steve Crocker last week, that we should be focusing on and reexamining contact information kind of as a general term and the roles that, you know, that exist within a future RDS system or will exist within a future RDS system.

So the three questions we would like each team to revisit are on Slide 3. So if you go to Slide 3 I'll just read these quickly. The first one is to get more details on who associated with a domain name registration needs to be identified and/or contacted for each purpose. And the idea here is that we don't want to be constrained by who – existing Whois data fields; we should think about this kind of at a higher level.

The second question is to add some detail around, you know, that is the objective achieved by identifying and/or contacting each of those entities? Like what are we trying to do here?

And then the third question is to answer what might be expected or what obligations are expected to use the term that Steve mentioned in the chat earlier, what might be expected of the entity with regard to the domain name registration once contacted? Like what are we expecting to happen and what are we expecting this individual to do?

So we hope that collecting these details prior to San Juan will give us a more solid base to work from and to make forward progress during the face to face meetings in a few weeks.

So if you move to Slide 4, I'll just go over again what Chuck touched upon up front is how we suggest we move forward. So again, we want to reuse the existing drafting teams. If you're already on a team please continue to work on this task within your assigned team; and if you are not or if you are new or did not join a team and can commit the time to help kind of shape these responses and the answers prior to – I'm sorry, yes, prior to San Juan, please email staff no later than March 1, and then as Chuck mentioned we'll place you on one of these teams and let you know what topic you'll be working on.

So to kick start this effort, the coordinator, which FYI are members of the leadership team, has been asked to email a first draft of the answers to these questions to each of the drafting teams. And note that I'll replace Susan as coordinator for her team to think where domain name control and individual Internet user purpose.

So again, we understand that this is a big ask given the many things that are happening between now and San Juan but we believe it's not too difficult of an ask. And I think much if not all of this can and should be done via the drafting team mailing list. And hopefully if it's a group effort we could distribute the cycles if you will.

So we're asking team members to give their input, feedback and ideas on the drafting team mailing list over the coming week and to come up with a final answer to these three questions. And each drafting team should be prepared to provide status on the March 6 working group call next week. And we're asking for final drafts of the answers to be provided to the full working group list ideally by Monday the 5th but no later than the 7th. We want to give people time to read and digest and understand this output before the meeting convenes in San Juan.

So I think that's about it. Chuck, I'll pass it back to you.

Chuck Gomes: Thanks. And I'll go to you, Jim, in just a minute. I just want to go back to Slide 3 briefly. Up at the top there the drafting team outputs on purposes, you see the link there but we also, in case anybody wants to look at those at least partial look at those on this call, it's contained on Slides 9-12 in this presentation. We're not going to go to those slides for the meeting but if anybody wants to look, Slides 9-12 has that information.

And then on the current drafting team coordinators, if you don't remember what team you're on or who the coordinator was you can go to Slides 13-15 and that information is there as well as at the link that's provided. With that said, let me go to Jim.

Jim Galvin: Thanks Chuck. Jim Galvin for the record. I asked a couple of questions in the chat room which Lisa has kindly answered. And I just thought that it would be helpful to speak them out loud to just for clarity, they were intended to be clarifying questions. I had first asked about the use of the word "entity" in the second and third question and just wanted to be absolutely clear that that term is intended to refer to the who that is in Question 1. And Lisa confirmed that that's true.

And second, just to reiterate that except for the two purposes for which we do have rough consensus all of these purposes about which we're talking are still just possible purposes. And if you want to speak to that, Chuck, that'd be good too. Thanks.

Chuck Gomes: Sure. Well I want to – thank you very much, Jim. This is Chuck. And you're absolutely right in both cases, and so I really appreciate the fact that you emphasize those not only in the chat but also by raising your hand.

As most of you know, I'm not real good at keeping up with the chat especially when there's a lot of it because I'm really trying to listen very carefully to what each of you are saying, and I sometimes don't – most of the time don't multitask that well. So if you raise your hand say it that's a good safe way to make sure. At the same time I've asked the other members of the leadership team to help me out when I don't see something in chat and respond to it so absolutely.

The only two purposes that we've reached rough consensus are domain name management and technical issue resolution. And we still have some work to do on those as well. We didn't reach any rough consensus with regard to certificates and so – and we haven't even spent time on the rest of them; there's about nine others.

So Jim is absolutely right, and so everybody keep aware of that. But assuming we would decide or to help us even decide whether particular purposes may be legitimate for some sort of processing, not necessarily collection, we think that this exercise could help us. And like Alex said, we're trying to move it up a little bit and – in terms of concept. Don't restrict yourself to existing Whois data elements. In fact, we'll ask the design teams as much as possible to describe the who in Question 1 first in a more generic sense rather than naming a contact.

Now you can illustrate that by saying, well, for example, it might be the registrant but starting above that, what is the registrant or the authorized party or however you want to describe it, so hopefully that's clear. Are there any other questions?

Now what we're going to do on this next – on this call is we're going to take the proposed – the purpose that we've already had some agreement on, the technical issue resolution purpose, and on this call we're all going to be a big drafting team, a drafting team of it looks like 40 plus people today, and go

through the exercise that we're asking the drafting teams to do as a group on this call.

And so Michele is the – is the coordinator for this drafting team. I think he may be traveling but we're going to try and do some of this work and the drafting team's work for this – now that drafting team has another purpose too so they still have work to do. But what we're going to try to do to illustrate the approach, as you can see on Slide 5, we're going to go through this. Now what we have on Slide 5 is just a quick refresher okay of what came out of the drafting team before.

You can see a single sentence definition, the description in the little table, small little table here, and you can also see the types of data elements that that drafting team suggested would be collected for this particular purpose. Now I'm not going to read through the definition, we spent quite a bit of time on this several weeks ago. So let's move ahead and by the way, there's a little bit more on Slide 6 of the output from Drafting Team 1. You can see that in terms of user, purpose, example use cases and rationale for registration data access is there. Again I'm not going to read through all of those so all of you can read.

And then they also listed some tasks, some particular technical issues that may need to be resolved like compromised hosting, email not working, etcetera. So that was the output from the drafting team. So let's move on then to Slide 7 and we have the three questions that Alex went over. And we're going to talk about those and you're going to have a chance to provide some input there. So let's try to answer the three questions.

And before we do, let me refer you to the last main bullet on Slide 7, and encourage you to think conceptually about these questions. Avoid relying only on existing data elements such as technical contact. Explicitly define who must be located or reached. What might someone querying the RDS for

data be trying to accomplish? What expectations might they have about that entity and its roles and responsibilities for the affected domain name?

Okay, so let's start with Question 1 and keep in mind we're talking about the purpose of technical issue resolution. Who associated with the domain name registration needs to be identified and/or contacted for the technical issue resolution purpose? And I'll open it up for discussion there. Feel free to look back at previous slides and the output – the previous two slides had output from the drafting team. And maybe they got it right; maybe they didn't; maybe we can move it up a level from a conceptual point of view. So let me just throw it open for discussion and I'll try to catch up on the chat.

Kathy, we always have the question that you ask. And some people think it's getting ahead; some people think it's not. It's kind of what Lisa described early on in how we got to where we are. Jim, go ahead.

Jim Galvin:

All right so I'll speak because no one else is speaking. In the interest of disclosure, I was part of Drafting Team 1 here in creating this thing; I was just a member of the team in putting this together, but, you know, yes, I think that we answered the question there as far as who. Did in the presence of multiple roles, you know, we had suggested there could be a technical contact but of course some of our further discussions have suggested, you know, maybe there wouldn't be – we have had discussions about whether we need to continue with all of these you know, different roles in data collection.

But so with that in mind, you know, in the absence of a existing technical contact it would be the registrant contact. So, you know, you need someone that you can approach when you've identified an issue with some service or other activity associated with the domain name. And, you know, so we tried to answer that question quite directly and that's what we got so I'm just going to support the answer that we had there. Thanks.

Chuck Gomes: Thank you very much, Jim. Anybody disagree with that? Okay, so if we go back – I mean, are people on this call thinking that the people who need to be – now Jim talked about technical contacts and remember on this particular purpose we had a rough consensus that if there's no – if no technical contact is provided then the registrant contacts become – serve that – any purpose that the technical contacts would have served.

And again, we're not saying that we're still going to have technical contacts as we know them today; we might, we might not. Name servers, domain status, expiry date and time and sponsoring registrar came back from the drafting team. One time we did have some design teams, sorry about that regression. So Lisa, go ahead.

Lisa Phifer: Thanks, Chuck. And this is Lisa Phifer for the transcript. I just wanted to call attention to one of the suggestions made in chat which is as we try to answer this question and the reason to really move beyond the labels that we have like technical contact is to really dig into what we mean when we say "technical contact." You know, what do we expect a technical contact to be able to do with regard to the domain name? Do we expect them to have control over the domain name registration? What benefit would there be for that party in either identifying or initiating contact with them?

So it's – this is an exercise in really digging under what we mean when we say "technical contact." It's not the technical contact is necessarily wrong but digging further.

Chuck Gomes: Thanks, Lisa. Anyone else have a thought on this for the first question? Who associated with the domain name registration needs to be identified and/or contacted for the technical issue resolution purpose? We need someone who can do what?

Steve Crocker: Can you hear us? Good. So just wanted to follow up on the point that a couple of people have already acknowledged, that one of the challenges we

have here is in fact what are the obligations in motivations for the people on both sides of the contact. So if I contact somebody who's got a broken domain name in some respects, am I giving them useful information that is of benefit to them? Or am I telling them that I have a problem that I want them to fix on my behalf?

Now, there might be circumstances where it's both but if it's purely one or the other then there's a very different situation because if I say hey, I don't like what you're doing and needs to fix it for me, they may well tell me I don't care or they may tell me implicitly that they don't care by just not responding.

And on the other hand if I tell them something is broken and it's to their advantage to pay attention and they don't respond, then bad things will happen or are already happening for them and they have to suffer the consequences. I don't think that we're being clear enough in our thought process about this. And that if we do get clearer about this then I think it will be helpful.

Chuck Gomes: So, Steve, this is Chuck. So who – and both of those cases what – who associated with the domain name, ignoring what we call – what we have as current contacts now, would you – could you describe who you would want to talk to in both of those situations without referring to existing contact names?

Steve Crocker: Well, I'd come at it the other way in the sense – there's – you can say the account holder that is the person who actually has physical control over all the details related to the registration and name servers, and all of that is the ultimate person in control and hence in authority. And it's up to them to decide who is the right person to contact for a given person.

So rather than listing roles like technical contact or administrative contact or whatever, maybe it's better to start with a small set of primary purposes and then that person can fill in which – then the account holder can fill in who is the right person to contact for each of those purposes. There might be only

one for a small domain, it might be the same person for everything. And for a complex domain it might be different people for the different purposes.

Chuck Gomes: So, Steve, I want to thank you very much for that (unintelligible). And I encourage other (unintelligible) but I think you're doing exactly what we're hoping – and Steve, you and I apparently pair up as causing interference when both of us are unmuted so every once in a while there's a pair of...

Steve Crocker: I'm sorry, I just muted.

((Crosstalk))

Chuck Gomes: Okay. So hopefully – sorry about that. Apparently you and I can't be unmuted at the same time, I'll try and remember that when you're talking too. So I think what Steve is doing is exactly what we're hoping will come out of this exercise, getting – in my mind that's exactly what we want here as the answer to Question Number 1. Now, that may translate into – in some cases to what we know as current contacts, now it may not. But having that higher level understanding is what we're really looking for there.

Tim, go ahead. Tim O'Brien, are you on mute? Tim, we're not hearing anything. I don't know if you can type something in the chat, not sure what the problem is but we're – none of us are hearing Tim that I'm aware of, I guess I can't really speak for everybody. I'm certainly not. Now note while we're waiting hopefully so that Tim can share here, that there are kind of two parts of the question. Who associated with the domain name registration needs to be identified?

And I suspect in some cases there may – you just may need to identify the person. In other cases you may actually have to contact whoever that is. And that'll impact of course decisions we make later in terms of requirements with regard to this purpose. So unfortunately we were unable to hear Tim. And I

don't see – oh there we go, so he's got troubles with his mobile client, sorry about that.

And with regard to Michael's comments there, keep in mind that we have some tentative agreements so far with regard to some contacts, whatever we may end up calling them, that they would be optionally provided, not mandatorily required. And we're going to have dig down into those kind of levels later as well but we have had some discussions of that.

Looking at – and again if some of you would raise your hands and share in the chat that – in the – over audio that probably would help a lot of us. In response to Greg Aaron's post there, and Steve may want to respond to that as well, the – again don't restrict yourself to current roles, okay, we're – as was suggested in our call last week, take a fresh look at it and maybe just give a broader description.

And it's hard to define those if we're leaving it open. They may be different than what we know today. Until we know what they are it's going to be difficult to define them. And in essence, I think this is my own perception, the answers to these questions may help give the definition of who that contact may be.

And Jim, I think your assessment is correct – Jim Galvin – on the – we'll get to Question 2. And if it's helpful we can jump ahead to that. And Volker, your point too, again, what – the point you're making hopefully will come out in the answers to these questions.

We look at – just to maybe help us – going ahead and we're not necessarily finished with Question 1 but Question 2, what does the objective achieve by identifying and/or contacting each of those entities? And I – maybe Steve was kind of getting into that a little bit as well and it may be easier in some cases to answer Question 2 before you answer Question 1. And that's okay.

So if somebody wants to talk to the objective, in fact let me throw that question out right now, when you're contacting someone associated with a domain name, what are the objectives that you'd like to see achieved by contacting that person or entity with regard to technical issue resolution? Those I would think quite a few of you can come up with with objectives for that. Please do it, raise your hand and contribute those.

Now, our purpose here is – in this meeting today is to illustrate the exercise that we're going through. We don't have to actually – nor are we going to try to prepare the final deliverable for Drafting Team 1. We'll let them do that. But hopefully people will better understand what we're hoping to achieve in this exercise. Tim, can you speak now? Let's find out.

Tim O'Brien: This is Tim O'Brien for the record. Can you hear me?

Chuck Gomes: We can – I can hear you but it's really low, Tim.

Tim O'Brien: Volume all the way up here on the...

Chuck Gomes: I'll turn my volume up too.

((Crosstalk))

Tim O'Brien: Apologies, I'm on transit to visit a client after our call today. So if you're looking – if we're talking about just the fundamental how would we use this data, let me take a situation that I dealt with on Monday where at 8:55 in the morning I started getting file invites from some company in Kansas, I have no idea how I got on their mailing list, how they were in our – in the system. And then the inevitable email storm of everyone else that got these Google Doc invites started replying back and forth on how did I get on this list, etcetera, etcetera.

Being able to take that domain name, look up who the contact information is, and go hey, technical person talking to technical person, here is what is happening. And being able to very quickly surmise what happened and help them solve the problem, versus the week before when that information wasn't available and I had to go through the general number on their Website to try to get to somebody technical to have techy talk techy just adds to the confusion and adds to that delay in things happening to solve those problems of people being able to access their Website or stop getting mail bombed or they have a botnet on their network that's attacking my network, etcetera.

So I think I understand where we're coming from here, we'll have to see how this plays out in hey, it's very easy now to go oh, technical contact, boom, I know or usually have an assumption that this person has a general understanding of networking servers, IT security and we can come to some agreement real quickly on what the problem is, what do we need to do solve it and how do we move on and try to make sure it doesn't happen again.

If we start getting a little too granular then there might be some concerns about operation security and if yes you have to get vetted to get this information, do I really want to convey the full details on if I'm one of those individuals what things I handle for my organization. Thank you.

Chuck Gomes: Thank you, Tim. And again, I think you're illustrating what we're hoping will come out of this exercise. You gave a kind of nice definition of the kind of person that you would like to contact and their expertise so that's what we're hoping will come out of this exercise.

Okay, anybody else like to comment on Question 1 or 2? And of course these questions all kind of run together so Question 3, what might be expected of that entity with regard to the domain name? Some of what some of you shared in this exercise right now actually seems to relate to that question as well. So in fact Tim I think kind of shared what he would hope he could get

from the person he was talking to or vice versa. Tim, I assume that's an old hand. If not feel free to speak.

Jim, go ahead.

Jim Galvin: Thanks, Chuck. Jim Galvin for the record. So, you know, you asked the question, "What is the objective achieved by identifying each of those entities?" And let me sort of step outside having been on the technical resolution here and something's kind of been nagging at me especially as we begin to focus on again on this question about purpose and, you know, Steve Crocker pressing on us, you know, defining these roles and objectives more carefully.

And, you know, Tim just said, gee, we should have a technical contact so techies have somebody to call and call techy. You know, I'm struck by the idea why? That's my question. I mean, I want to buy a domain name, why should I be obligated to know or have or do anything in particular? And, you know, some of that discussion is going on in the chat room either, I mean, I really just kind of want to put that out there.

I mean, if you're suggesting that it must be possible if I'm going to have a domain name and I'm going to offer a service it is the responsibility of the registration system to ensure that the Internet world can communicate with you in case they're having a problem with your service or you're having a problem and they want to help you fix it. Okay. And I'm just sitting here thinking to myself, why?

I mean, is that really necessary? I mean, why couldn't a policy be that you know, hey, you're going to buy a domain name, you're going to do some stuff but guess what, you know, the terms of service are that if you do anything that is deemed to be – I'll just say – detrimental to the Internet at large just to give it a really broad scope, just to upset everybody all at once, we're just going to take your domain name away and, you know, that kind of thing.

So really I think that that's a – I'm wondering why we're having any obligations at all. I mean, is it reasonable to put obligations on a registrant just because they bought a domain name, you know, they have to pass, they have to get a driver's license, they have to pass a certain bar of competency because they have to guarantee to provide certain things to the Internet just because they have it. You know, why isn't it sufficient just to provide contact information? Thanks.

Chuck Gomes: Thank you, Jim. And if I'm following you correctly, you seem to be providing a good rationale to an agreement – a tentative agreement we came to quite a few weeks ago with regard to this particular purpose and that is that if the registrant or whatever authority the registrant gives to someone else doesn't provide a technical contact, that's okay but then the – what we concluded at that point in time was that the registrant then needs to fulfill that role that a technical contact would have fulfilled. So I think you're providing a good rationale for a decision we made a few weeks ago. Let's go to Greg Aaron.

Greg Aaron: Hi, this is Greg. Is my audio okay, Chuck?

Chuck Gomes: Yes.

Greg Aaron: Okay, thanks. So the working group has had I think some consensus that contactability is extremely important for a variety of purposes. So we're – I think we're good on that contact. Now registrants in the current scheme can decide whether or not to specify a particular entity or – four different contact types. So they have the ability to put the same person themselves in the registrant admin, tech, and billing slots or they can specify specific people.

The registrants who tend to differentiate are often companies, sometimes large companies because they have divisions and responsibility in the company. Sometimes registrants have those roles filled in for them by the registrars. If you register a domain name at certain registrars who may also

be hosting companies they'll automatically put their contact information for that contact for you. So we have a system where people have the freedom to put what information where according to their desires.

Now we have four well defined contact types and I think one of the reasons why tech was always there was to be able to reach out to somebody when there is a problem with their domain. And we always wanted somebody in that slot so that's why that's there. Registrant is there because that's ultimately the person or entity responsible for the domain name and it's there for legal purposes and so forth.

So if you don't specify contact types and don't require anybody to fill anything in other than registrant, yes, either you drive them toward the registrant in which case they need to be contactable but I don't know if that's always going to be the case under GDPR, for example. Or you have to force them to fill out some sort of a contact type which other people can understand what it's for. And in our system we have admin, tech and billing, a lot of people know what those are for, and some people don't know what those are for.

I think part of the problem sometimes is just people out there on the Internet don't know what that convention is although I think ICANN does explain what those are for example in ICANN's Website. We're never going to be able to make everybody out there and all the users of RDS understand what those contact types are but I do think they're a useful convention. If you move towards a more freeform kind of a system you lose uniformity and then you lose some understanding of what those are and it may be harder to contact people. Those are my observations.

Chuck Gomes: Thank you, Greg. Michael Hammer.

Michael Hammer: Michael Hammer for the record. First I want to respond to what James was saying and it ties in with some of this discussion in the chat. The Internet is essentially two things; it is a network of networks where no single entity owns

or controls all of the participating networks. And the other thing is it's a set of technical standards. So if a registrant does not wish to be contacted or respond to contact attempts regardless of the purpose of those attempts, that's their prerogative. But there are consequences to that choice.

In many cases, as has been pointed out, someone's actually trying to help the registrant because they've noticed a problem, regardless of who's getting impacted by that problem. I think to the extent that registrants are not contactable, or not contactable easy – more easily, we'll see different outcomes. And to the comment that I made earlier in the chat, larger players or insider players already know who to contact for key participants on this thing we call the Internet. They don't necessarily need Whois.

It's going to be smaller players and outsiders who will be impacted more. You know, many say Google is too big to block, that's probably true for many players on the Internet, but many of the players who might otherwise block them know how to reach Google when there's a problem. So, you know, everybody is equal but some people are more equal than others to paraphrase a well-known book. You know, and I think we need to consider what the objective is. Privacy is important, don't get me wrong. But in the context of what we're discussing it's the stability and security of the Internet and if we achieve privacy but break the Internet is that a good outcome? And that's not necessarily a rhetorical question. It's all I got.

Chuck Gomes: Thanks, Michael. Susan, you're next.

Susan Kawaguchi: Thank you. So some of this pertain to ccTLDs but I've seen examples in where they've – countries have extended that to gTLDs especially dotCom. So if you're off – if you're a larger brand, larger company and you're offering services in a multitude of countries, then there are requirements in those countries that you may have to deal with beyond the requirements in a terms of service or a domain registration agreement. And so that's why at least one form of contact is really critical.

Yes, in some of those cases and it could be that eventually someone will get to you but by that point you are, you know, they'll figure out how to reach you but by that point you could have, you know, it could have – the issue could have become extreme. So, you know, that's why earlier, you know, I put in that it's, you know, depends on who's contacting you and the applicable law. If you're stealing malware in some countries then there's a different level of seriousness to that and duty to rectify that than other countries.

You know, more of my cases are probably not technically oriented but for example tax authorities want to verify that the registrant is who they want to talk to so they'll often contact through the admin contact or registrant contact. So, you know, whatever we determine – decide to call these contacts later on, you know, there needs to be one – at least one form of contact for a registrant or a domain name registration in my opinion.

Chuck Gomes: Thank you, Susan. This is Chuck. And I can't give you the rough consensus agreement number but I think we have something like that in one of our agreed to rough consensus statements already. And we will have, you know, we'll go back and revisit those as we need to.

Now what I'm hoping is that this discussion illustrates how we're asking the drafting teams first, and then ultimately the full working group after they provide their deliverables, we'll look at those deliverables in San Juan and see if we can continue to make some progress on purposes based on the input we receive.

Now one of the common themes that I'll comment on that I heard from a lot of people in this discussion is the need for some flexibility because every domain name is different. And in the case of the purpose we're looking at right now, the technical needs, the technical problems that need to be resolved are different. And so that's what I heard from quite a few of you.

And we've kind of gotten there in some cases where we've considered the idea of, for example, a technical contact being optional, whether we call it a technical contact or not, remains to be seen. But please keep these things in mind, those of you on the drafting teams as you refine the responses to these three questions. Jim, go ahead.

Jim Galvin: So thanks, Chuck. Jim Galvin for the record. I guess I want to try, having listened to some of this discussion here, to reframe or maybe, you know, partially restate kind of the question that I was asking before. You know, (unintelligible) that contactability of a registrant or someone who declares themselves to be the registrant, you know, is the right thing to do from my point of view at least. I consider that self-evident. I consider that a self-evident obligation on the part of someone who acquires a domain name. I know it's possible to disagree with that point of view but I'll just state that as my incoming assumption here.

And I think that as we've often reminded ourselves here in these discussions, Chuck, you know, we're supposed to be starting from a clean slate and really thinking about, you know, what we want to do and really asking the questions why and sort of laying out all of the foundation and reasoning that has never existed historically and so we want to build all of that up as we get to whatever system we want to end up with.

And so I think that, you know, part of my concern here, and the question that I'm asking, really is is even though we have this technical resolution purpose as an interesting purpose for which we seem to have some general consensus that it's a good reason to collect a bunch of data, I really am stepping back and I'm asking the question why are we creating, you know, extra purposes in that sense? I mean, why – is that an obligation that we're going to – we're looking to put on the part of a registrant?

You know, I think that a registrant should be obligated to be contactable and there might be a lot of interesting reasons why we want that, but is our goal

here to put that obligation on a registrant? Are we saying that registrants have to meet this objective or is the only real requirement here that a registrant needs to be contactable? What is the purpose of – what is the purpose of this purpose?

Chuck Gomes: Well...

Jim Galvin: So...

Chuck Gomes: ...good questions, Jim. Did you want to say more?

Jim Galvin: No, I guess I'm done. Thanks.

Chuck Gomes: Okay, and it's yet to be decided with regard to even this purpose exactly – I mean, the drafting team has identified some elements and we've reached rough consensus on some elements that would be collected and collection would be required, but I don't think we've gone too far beyond that in terms of saying that – and in fact, what we've come to so far is, hey, the registrant can provide a technical contact or whatever we call it, but if they don't as long as the registrant assumes that responsibility that's fine. So I think that's consistent with what you're saying. If you're saying more than that, please let me know – let us know, okay?

Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba for the record. I think we're mixing contactability and the possibility of identification of a particular person. And since those, yes, actions are quite different we are running into issues of (unintelligible). And I think we need to start to distinguish the purpose of ability of third party to contact a registrant or technical contact of registrant and ability of third party to identify the registrant. And it will make our task easier because we stop stumbling upon just pure logical issue. Thanks.

Chuck Gomes: Thank you, Maxim. And this is Chuck again. And let me say that, you know, because I am the coordinator for two of the design teams I started taking a crack yesterday at a first draft that I can send out to the teams. And of course they can ignore that and start all over, that'll be fine. But one of the things I ran into is exactly what you're talking about. In Question 1 there's this concept of identifying and there's the concept of contacting.

And they may not always come into play. Obviously you need to identify before you can contact, but in some cases it may be sufficient to just identify and maybe no contact is necessary. So when those of you on the drafting teams complete this exercise, feel free to separate those or deal with those however you like. You may want to separate the two concepts of identifying and contacting in your exercise. If that works better, feel free to do that. But good point, Maxim, thank you.

All right, let me ask a high level question here. Is the exercising – exercise that we're asking the drafting teams to do relatively clear? Is there anything that's not clear? I mean, I've been impressed with many of your comments have really illustrated what we're hoping will come out of this so that's encouraging. Does anybody have a question about the exercise?

Okay, what – and I should look back at the chat, I haven't looked there for a while. Okay, a lot of good chat going on. I'm getting the sense, I hope that's right, that people on the call understand the exercise. And I want to go back to Slide 4 and just remind you if you're not on a drafting team and want to be, send an email to staff – any one of our staff members and we will – so that we can get you assigned to one as soon as possible. We say no later than March 1 if the sooner we get those the sooner we can act on that and you can participate on the email discussion that we hope will occur in the next few days. So please remember that.

Now again, if you are – if you don't remember what design team you're on, or drafting team you're on, if you go down to slide 13 and 14 and 15 you'll

actually see the members and coordinator for the teams, okay. And note that Susan has been replaced by Alex in Drafting Team 2. So take a look there if you're not sure. We hope that all of you will be able to spend an hour or so cumulative, not continuously, in the next few days to provide your input to what the coordinator sends around as a first cut.

And that should be fairly open, like I said with regard the ones I'm going to send out, I hope the drafting team members will be as critical as you like on that. I'm just trying to facilitate and the other leaders are as well, a start so that this is not a – not too time consuming an exercise. Any questions or comments on that? Okay.

So if we go back to the agenda then, I think we've covered agenda Item 3. And so the action items are first of all for the drafting team coordinators to send out not later than midday tomorrow, the sooner the better, I know I'm going to try to get mine out today, if I can, and to your drafting team members a first cut.

And then we'd appreciate if everybody just react to that first cut, make suggestions, be critical so that by – come Friday hopefully there's been enough discussion on your drafting team email list that the coordinators can let us know on the leadership team which we're all a part of, you know, where we're at and is it looking okay. And then if you can produce a final response to these questions by Monday the 5th that's great, no later than Tuesday the 7th.

And then on the call – our working group call next week we'll take a look at – we'll get a status report from all of the drafting teams and see where we're at, see if any of the teams need some help and we'll provide that as we can in the meeting next Tuesday.

Other action items, if you're not on a drafting team and you want to be, send an email to staff, you can do that right now if you want. And again, to keep

the teams relatively small and thereby able to function properly, we'll assign people to one drafting team and we will try to keep some diversity in there too, people coming from different interest groups etcetera, other diversity criteria.

That said, what other – are there other action items that we have out of this? Of course the drafting teams have an action item of delivering their final answers to this by Monday if possible, next Wednesday the 7th if that's not possible. Any other action items, anybody – Lisa, go ahead.

Lisa Phifer: Thanks, Chuck. This is Lisa Phifer for the transcript. Although we have discussed it yet, I think an appropriate action to help us all get ready for our face to face at ICANN 61 which is on Saturday, would be for everyone to watch for those outputs to be distributed to the list on the 7th of March and then read them all, not just your drafting team's, read them all in advance of our Saturday face to face.

Chuck Gomes: Thank you, Lisa. And the plan right now for our two working group meetings in San Juan is to be able to take that input and deliberate on it as a full working group and hopefully be able to move forward and make progress in the – all the proposed purposes that are under consideration or any new ones that might come up. Thanks, Lisa. Anything else?

So our next meeting is next Tuesday, same time, and then the meetings are in the – in Item 5 of our agenda today. You can see the meeting times in Puerto Rico there, Saturday morning 8:30 to noon local time and then Wednesday afternoon from 3:15 to 6:30 local time. So hope a lot of you can be there in person. It's always great interacting face to face but again, for those who can't the details for remote participation are available. And I saw staff send something out today on that, an easy place to see all the remote participation details has been provided.

So look forward to the drafting team input in the coming days and as many of you can participate that would be very much appreciated. Now, it is possible that our – excuse me, our working group meeting next Tuesday may be short just a short status update. If we don't need to focus on anything, if all the drafting teams are on progress and don't need any assistance, we won't drag that meeting out and we'll give the time back to the teams and the rest of you to finish the deliverables.

Okay. All right, thanks, everyone. I hope this was helpful for you. And again, we're not asking you to spend hours and hours of time on this but if you can spend a few minutes several times on email with your drafting team I think we can accomplish what we're hoping to. That said, if there's nothing else, I'm – yes, me too, Michael. So that said, let's adjourn this meeting and end the recording, and look forward to seeing the input from the drafting teams. Meeting adjourned.

Julie Bisland: Great. Thank you, Chuck, everyone, the meeting has adjourned. You can disconnect all lines and operator, you can end the recording. Thanks.

END