
ICANN Transcription
Transfer Policy Review PDP
Tuesday, 25 May 2021 at 16:00 UTC

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ANDREA GLANDON: Good morning, good afternoon, good evening. Welcome to the transfer policy review PDP working group call taking place on Tuesday the 25th of May 2021 at 16:00 UTC. In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom room. If you were only on the telephone, could you please let yourselves be known now? Thank you. For today's call, there are no apologies. All members and alternates will be promoted to panelists. Members and any alternates who are replacing members when using the chat feature, please select panelists and attendees in order for everyone to see your chat. Observers will remain as attendees and will have access to view the chat only.

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To rename yourself in Zoom, hover over your name and click rename. As a reminder, an alternate assignment form must be formalized by way of the Google assignment form. The link is available in all meeting invite e-mails. Statements of interest must be kept up to date. if anyone has any updates to share, please raise your hand now or speak up.

If you need assistance updating your statements of interest, please e-mail the GNSO secretariat. Please remember to state your name before speaking for transcription purposes. Recordings will be posted on the public Wiki space shortly after the end of the call. As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. And thank you. Over to our chair, Roger Carney. Please begin.

ROGER CARNEY:

Thank you. Welcome, everybody. Hopefully, we've got a date and time now that works a little more comfortably for most people. I think that last meeting was good, I think we jumped off on good progress. Hopefully we keep that going.

Some things that we put together since the last meeting. We put a polling mechanism together to use a little bit of the built-in technology to help mostly me be a little more, I guess, aware of the questions I should be making sure I get answered so staff has some direction. But it should help us get through the topics, and it kind of goes along with our approach that we discussed about how we're going to go through the topics, getting a size estimate, making sure if we see any dependencies and things like that.

So we're going to try out the poll on the discussions we had last week, just quickly run through them on all the topics we had and see if we can get everybody used to them and get the system working, so we want them to work for us, I guess.

And I think that the only other note on the poll is it's going to show up for everyone, but we only want the active members to actually be responding, so if the observers and the alternates see a popup on their screen, they can just close it. We just want the active members to respond to the poll question. So I think that was all I needed to get going here. Anything else from staff? Berry, please go ahead.

BERRY COBB:

Thank you, Roger. Just to note that this isn't a scientific endeavor either, this is really just kind of getting a general temperature of the room about understanding the complexity and duration of these topics that are before the group to discuss. So if anything, it's going to be helping me the most because as I noted before, this is directly inputted into our overall project plan so that we get to reasonable but attainable delivery dates for key milestones. Thank you.

ROGER CARNEY:

Great. Thanks, Berry. Yeah, as most of you know, I enjoy the talking, so that's one of the reasons for the poll, is to make sure that my talking actually leads somewhere and that Berry can actually get something accomplished when we're done. So, okay,

well, let's jump into last week's topics and let's do a poll test, I guess. If we want to go on to ... Yeah.

The gaining FOA. Last week, we talked about the first few questions or charter questions here, and we came to a conclusion that we—well, let me not do the conclusion, let's see if the poll actually answers what the conclusions were from last week. So Terri, if you want to pull up the poll for this on the gaining registrar.

Perfect. Okay, for just members, again. Alternates, observers, you can just click out of this. It'll probably be a boring first ten minutes for you guys. But for members, let's go ahead and answer this.

There actually are three questions, so you may have to scroll to see all three questions to answer them. But go ahead and answer each of the three questions. And this first one will probably take a little longer because you'll have to actually read the questions. I guess I can read them through the first time.

So the first question is, how do you rate the level of effort? We've broken it out into three different groups. This is basically calls—so think about that as in the number of call hours, not necessarily how many hours we work on it in-between calls. So if you think it's more than ten hours we're going to spend discussing it, then that's going to be a high. Medium is five to ten and less than five will be small. So go ahead and answer on the gaining registrar question, the size.

The second question is dependencies. So, do we think this has any dependencies of work that needs to be done before this or if it needs to be done with this, in conjunction with this topic, or that

this has to be done before something else gets accomplished? And we kind of just want to get our priority order set straight so that we can work efficiently through this. So please answer yes or no.

If someone answers yes here, I'll be honest, I want them to at least speak up and say, "Okay, I think this has to go before this" or "topic six needs to be before this topic." So just be prepared, if you answer yes to this, I'll probably ask what your thoughts are on it.

And the third question is, are there any new or different topics that should be explored that aren't addressed in the charter questions specifically that people think would be good to review and look at during this topic? And again here, if you answer yes, I'm going to ask those people that answered yes to provide their insight into what they think could be useful here. So otherwise, please go ahead and answer question three.

BERRY COBB: Roger, if I may just build on ...

ROGER CARNEY: Please.

BERRY COBB: So just in terms of question one, as Roger mentioned about the number of call hours, as I noted in prior—our last call or even the first one, I want to try to get us out of this false premise about trying to think about how long it may take us to work something

based on a calendar perspective. I think in the past, we've fallen into an easy trap that, oh, six months, yeah, we should be able to get this topic done by then when in reality, when you get down to the actual work at hand—and hence why we're trying to kind of scope this based on the number of call hours that it'll require the group to deliberate the topic, start to form some preliminary conclusions, get some general agreement and then consider the topic somewhat stable so that we can move on to the next topic. And as we go through this approach, once we get to kind of a stable draft, it's not the very last time that we're ever going to talk about that topic again. We will, as we get closer to the initial report or uncover additional information that we may not have considered in the prior deliberations of that topic.

So the final thing I'll say, call hours perspective, as it stands right now, our pace, our cadence is really 1.5 hours per week and so think about if this particular topic is a medium, in effect we're saying that it's going to take us five to seven weeks of call deliberations to get to some sort of preliminary conclusion on this particular topic and also kind of take into consideration that the agenda for each particular call may not be dedicated to just one topic. So the other thing to kind of just have in the back of your mind, that call number seven from now may involve two topics or three, kind of depending on how the deliberations are moving. So just something to kind of keep in mind when you're gauging the high, medium or low. Thank you.

ROGER CARNEY:

Thanks, Berry, for getting into that. That's great. And I think that as we do this, the [polling won't be—] hopefully not too taxing and

we're only in it for a minute or so. But just a thought as we're going through the topics. So you're also thinking about, okay, how am I going to answer this poll question?

Okay, Terri, do you want to show us the results of this first poll question? Okay, so number one, I think this is kind of where we landed last week, most of the people thought small, medium size. So I think that this is close to what we were talking about last week, so that's good.

Dependencies—and I think that some people acknowledged there are some dependencies and last week, we did talk about a few different dependencies with topics later on as well. So I think that's good. When we finish this, I will open it up to see if anybody has additional dependencies they've thought of. But let me just finish.

Third, new topics, again, I think this is where we landed last week, but yes, definitely, open this back up. Okay. Thanks, Terri. So let's go to question two there on dependencies. Does anybody have anything that they want to add from last week to address any of the dependencies? Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. Just to repeat from last week, I think a lot of us agreed that it was probably best to look at auth IDs before, because maybe the recommendation on gaining registrar is dependent on how safe we think the auth ID is.

ROGER CARNEY:

Perfect. Thanks, Kristian. Okay. Steinar, please go ahead.

STEINAR GRØTTERØD: I have the same as Kristian here, and we have internally discussed that the gaining and losing FOA is very much depending on the processes with the auth codes. So that's why I indicated yes on this one.

ROGER CARNEY: Great. I think that makes perfect sense, and I think that that dependency—I don't know if we mentioned it last week, but that's a good addition there, Steinar, that the losing also is kind of dependent on the auth code idea.

All right. any other comments on that, dependencies, for topic one? Sarah, please go ahead.

SARAH WYLD: Hi. Thank you. Yeah, really good point, Kristian. Thank you. I personally think that the losing FOA is—changes to that process are dependent on reviewing the auth codes, so I would mark that one as dependent. I don't think that the gaining FOA so much is. So that's why I did not mark this one as dependent, but I would say that one. Thank you.

ROGER CARNEY: Okay. Thanks, Sarah. If that's all the questions, I think we've got that down good. So there were a few yeses on the additional information. If anybody wants to share what they think we should

also be looking at or something to maybe add or expand upon, anyone that answered yes that wants to talk, please go ahead.

Okay, that's all right. I think we had some actions from last week anyway, so that's good. All right, so let's move on to topic two, which I believe was the losing FOA. And again, Terri, do you want to pop up the poll? And hopefully, again, members respond, observers and alternates can just close it out if they want.

Okay, hopefully everybody had time to answer the questions. Terri, do you want to show us the results? Perfect. So similarly the last one, I guess, somewhere between a small and a medium, a little more on the small side of this one. So I think that's exactly what we expected from our discussions last week as well.

All right. So dependencies. Yes, and I think we actually discussed a few of those already, but when we get through this, we'll open it up again. And on three, any new topics? Yeah, okay. All right then, let's open it up if anybody has any additional dependencies they want to talk about. Obviously, we noted just briefly that the auth code and losing will be dependent on the auth code. Anything else besides that?

Okay, new topics. People may have thought there are some additional topics we could cover here to get clarity or something that we missed. Anyone have any thoughts they want to bring up? No? Okay. Thank you, Sarah.

We'll move on to our next topic, additional security, and this was the 60-day lock, the [inaudible] of that, just to remind everyone.

Okay, hopefully everybody had time. Terri, can you show the results?

Okay. I think this was maybe a little lower than I thought it would be. I thought this one might be a little tricky to discuss, but obviously, people see that it's at least a medium, and maybe we can get through that within the ten calls. So, good. Berry, please go ahead.

BERRY COBB:

Thank you, Roger. Agree, I kind of had expected a little bit more in the high area, but that said, it is weighted more to the medium and then a hint of high. And as part of building out the project plan, one of our valuable tools is also building in a little bit of what we call slack, allowing a little bit of extra time around some of these complex topics. So I'll bring that into consideration when building out the plan. Thank you.

ROGER CARNEY:

Yeah, and I also think that maybe Berry, we were able to clarify what the time commitment was a little better here too than we had last week, so maybe that's why, changes it a little. Okay, dependencies, looks like a lot of people thought yes, so that's good. Thank you. And other topics. It looks like a few more people thought there might be some other topics to discuss in here. So, okay, let's go ahead and quickly talk about that. Dependencies, anybody want to speak to that besides the auth code? Which I think everybody sees as being important to both the losing and gaining FOA discussion.

Jim, please go ahead.

JIM GALVIN.

Thanks, Roger. After last week and hearing a bunch of the discussion, I guess it had occurred to me to be thoughtful about—to interpret security here a bit more broadly. It'd be interesting to have some discussion about the relationship of DNSSEC to transfers. I know that Steve gave us a rather large introduction last week. But it seems that DNSSEC is a security measure. I think that as a contributing feature to a registrant, you want to support secure transfers for a registrant. Well, it occurs to me their DNS information ought to be transferred securely too, and we ought to give some discussion around how important that is, or isn't, in general to registrars and services [or] customers. There are actually steps that losing and gaining have to do in order to make this work, and so it feels like we should have a discussion about whether or not that's a relevant security feature to continue to include for our customers that have them. Thanks.

ROGER CARNEY:

Thanks, Jim. Yeah, and that's interesting, I guess, direction on there because yes, obviously, DNSSEC and the transfer is a big security concern, and I don't know that—maybe the title here is a little different. I don't know if that was the purpose of this more so than security of the domain ownership versus the domain execution. So good point, though. I think, again, it's one of those where maybe the title of the section was slightly off. Thanks, Jim. Sarah, please go ahead.

SARAH WYLD: Thank you. Hi. I basically want to repeat what I just said in chat. This topic interests me, but I'm not sure that it should be part of this PDP. I'm not sure that I think it's in scope, because I'm not sure that I think it relates to where the domain is registered or who owns the domain. So maybe if we are to discuss DNSSEC, I would propose that we require education so that the entire PDP working group is on the same page about what DNSSEC is, how it works, how it relates to transfers, like can you currently transfer your DNSSEC provider from one provider to another? How does that work? Those are all questions that I think we all need to understand before we can even decide if this is in scope for what we are doing here. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. Okay, any additional topics? Berry, please go ahead.

BERRY COBB: Thank you. Just to kind of build on what Sarah said here, and not presupposing any outcome, but as I noted, this could be a possible area where the group can agree to lay down a few extra questions for soliciting early input from the SOs and ACs. I think I would plus one to Sarah's point about additional education that may be required to discuss this topic. I certainly don't have any direct experience with it, but we could also potentially tap on other ICANN Org resources to provide some of that education.

And lastly, if the group does determine that the topic warrants further investigation, and as I believe Owen has pointed out in this e-mails, it may not be considered part of scope under the current charter, but as with any project management approach, you always need a relief mechanism, and project change requests do allow for changes in scope. It's not just a timeline type of thing. So if the group does ultimately agree that there should be further deliberation about it, maybe we consider it even before we submit our timeline with deliverable dates and kind of preempt any kind of project change request or date extension to include it, or if we've already committed to our timeline and then determined that it warrants further discussion, we do have the PCR as a last resort option kind of thing to either change in scope or change in [time.] Thanks.

ROGER CARNEY:

Thanks, Berry. And just to add on to that and what Sarah put in, anytime we do a PCR, it's going to have to have a lot of good reason behind it, and that's not just adding scope, but if we end up changing our timeline, we're going to have to be very careful with that. We shouldn't be looking at a timeline that, "Oh, we can just use the PCR to extend it." We should be looking the opposite way. We need to build a timeline so that we can hit it and that the PCR doesn't come into effect at all. Yes, exactly, Berry.

All right, any other comments? Oh, good. Let's move on to the next topic that we hit, which was auth codes. Thank you, Terri. Okay, hopefully that was enough time. Terri, do you want to show us the results? There we go. Okay, so yes, I think that this level of effort is very similar to what we discussed last week as moving

from a medium to a high level of effort to get through this work. So I think that that supports what we did last week. Good. I think our questions are working out well.

Dependencies. A lot of people see dependencies, and I think we've talked about several of those, so we can cover any others that we haven't yet, but different topics, it looks like there's quite a few people that thought there's a few other topics to discuss here that are not specific in the charter questions. Okay, great. So let's jump into the dependencies. Does anybody have other dependencies that they want to talk about with auth codes? I think after last week, we kind of decided maybe this is our first topic that we jump into so that it can lead to better discussions later on. But opening up for anybody to make any comments on dependencies. Berry, please go ahead.

BERRY COBB: I'll defer to Steinar first, maybe a closing comment from me.

ROGER CARNEY: Thanks. Steinar, please go ahead.

STEINAR GRØTTERØD: I think one thing that's been missing according to what we internally have discussed in At-Large is how the registrant could actually find a way to get the auth code when they want to transfer a domain name. The present wording is that losing registrars should submit the auth code within five days, but it's a little bit more problematic if there is no definition, no process in where to

find the [routine] to get the auth code. And I haven't seen that being described. I'm not sure how to word that correctly either, but that's my point. Thank you.

ROGER CARNEY: I think that's great. Thanks, Steinar. Okay, Berry, please go ahead.

STEINAR GRØTTERØD: Thank you, Roger. So kind of reading the tea leaves here a little bit, and I ask for anybody to correct my assumptions, but what I'm hearing here is that we would start discussions around auth code management in a general sense, either from operational, from the registrars' and registries' perspective to the usability aspects from a registered name holder or domain owner perspective that would start to touch on some of the topics of security, which kind of takes us back to our previous topic, and then we would start to work our way towards the gaining FOA and the complexities around that aspect and maybe then finally touch on the losing FOA, just kind of as a general cadence or approach based on what I'm hearing thus far. Does that sound reasonable?

ROGER CARNEY: Great. Thanks, Berry. That's what I was thinking as well, so hopefully, if anybody has any concerns with that, please let us know, or if you have a different or better idea that you think could work better, please let us know. Sarah thought maybe losing before gaining. Okay. Sarah, please go ahead.

SARAH WYLD: Thank you. Yeah, I was just thinking that because the tech ops paper with the proposed transfer process, I remember when we talked about it, there were a lot of things we thought about relating to the losing FOA whereas the gaining one doesn't seem to be useful anymore, especially seeing as how it's not being used anymore. So I kind of suspect that with the gaining FOA, we can come to the conclusion that we should just get rid of it, but I don't really want to do that until I feel confident that we have the required security measures that I think we'll put in place with the losing FOA. Thank you.

ROGER CARNEY: Okay. Great. Good input. Thanks. And that kind of leads me to one of the other things. Last week, we got to a good slide that I think staff has used multiple times now on the transfer, how it works today and how it used to work today and all that. But how it works is the registrant going to the gaining registrar, in reality, a lot of times the experienced registrant will go to the losing registrar first to initiate because they know they need the auth code and so on. So that's a good point, Sarah. Thanks.

Okay, any other topics that we should be covering here in auth code that's not in the charter questions? I know we discussed the registrant experience needs to be hit on a little better. So, anything besides that that people see? Okay, great. So, question for the group answering the questions, was that enough time, was it too slow, do we need to speed it up, slow it down? Otherwise, I'll continue to go at that pace. Okay. Great.

All right, so I think we are now moving on to our new topic for the week. Is that right? Excellent. All right, bulk use of auth info codes. Okay, so just the three charter questions here on how—and this focuses pretty much on, I would say—not sure how to say—end of life of a registrar to move things or it's more of I guess what I would say is an ICANN process of moving these from one place to another and using bulk. That's how I interpret it. If others have any interpretations of that, it would be good to know. But in this one, again, let's think about our three approaches that we're trying to look for. Okay, what's the size, what's the dependencies and what's the other items that we need to look at? So I think that if we want to jump into the poll, I think we can get the discussion going from there. Terri, if you want to show us the poll. Perfect.

Okay, hopefully that was enough time. Terri, do you want to show us the results? Okay, so overall effort looks like it's heavily leaning towards a medium size, and it looks like we have quite a few dependencies here that people see, and it looks like maybe a few topics that we can cover as well.

So I think what we'll do is start with question two on the dependencies and maybe once we talk through these, we can really hone in on that level of effort as well. So those that thought there were dependencies on the bulk use, let's look at what everybody thought those were. Jim, go ahead.

JIM GALVIN.

Thanks, Roger. I think that it's important for us to cover the auth info code management in general first and all the issues that go with that. It's difficult in my mind to think about what it means to do

things in bulk until I understand clearly what it means to do things in the single case, because things don't necessarily scale right off the bat when you figure out how to do it once. So I think we've got to get that all sorted out with the right requirements and related topics. You're not on this topic, but I'll use this opportunity to speak to question three here too. In the same way that I raised the question about DNSSEC there, if it turns out we decide there's a relationship and we sort out what that is, that'll impact this too because as you scale these kinds of singular activities into multiple versions at the same time, the rules of doing it really do change. So that's my dependency. I think we really do have to understand the single case fully, and then we can come back and say, "Gee, what does it mean to scale that?" And that might impact our choices for single use, but at least we'll have a baseline to work from in understanding. Thanks.

ROGER CARNEY:

Thanks, Jim. I think that makes perfect sense. Kristian supported that idea as well. Any other people see dependencies? Jim's making a nice line for us here from the single. Does that also imply that we should resolve the FOA issue before this, or is this something that could go ahead of that or parallel, I guess, thoughts to that? Jim, please go ahead.

JIM GALVIN.

Thanks, Roger. I'll offer a gut reaction right away. I suspect that we should do the FOA discussions before we get to this bulk case, because there is a relationship between the singular auth info and the FOA discussion. At least we've suggested that there might be.

And from my point of view, I'd like to fully understand the single use case before we talk about scaling to a bulk use case. So I think I would put that FOA dependency in front of this also, just so we've got all that out of the way. Thanks.

ROGER CARNEY:

Great. Thanks, Jim. Okay, any other thoughts, dependencies people see? And again, as we go through the topics, we might see more that we can hit on, but just looking for anything that anybody sees currently.

Okay, and how about other ideas or topics that should be addressed in this bulk use idea? Anybody—it looked like there were several ideas of additional things to look at, so please, if you have any thoughts, bring them up.

Okay, seems like we may have it covered for now. So that's good. all right, let's move on then to wave 1. And the wave 1—trying to remember what the wave 1 addressed. Okay, let's jump into here. Thank you. Okay, so please go ahead and answer.

BERRY COBB:

And Roger, I'll just note for the group in kind of layman's terms about the Rec 27 wave 1 report. As you'll know, this was one of the recommendations that came out of EPDP phase one and that working group or EPDP team recognized that obviously, the access to registration data was important in regards to transfers, but any changes to the transfer policy were out of scope, and the analysis or this wave 1 report was produced by staff and delivered to the GNSO council for some sort of resolution. And ultimately,

the inclusion of these wave 1 items largely cover the other topics that have been identified in the final issue report. So mostly, this is kind of an inventory mechanism just to make sure that we're covering all of our basis and crossing T's and dotting i's as we traverse each of these larger issues as part of the issue report. Thanks.

ROGER CARNEY:

Thanks, Berry. Okay, hopefully that gave everyone time [from information.] Terri, can you show us the results? Okay, so I think that there's agreement that it's a fairly large amount of work, at least a medium size. So that's good to know. Dependencies, it looks like several people thought there were some dependencies on this, and it looks like the topics are covered fairly well but some had a few suggestions, so let's jump into the dependencies and see what people think needs to be worked in what order. So, does anybody have thoughts on dependencies? Comments? Almost half of everybody that answered said there was dependency. Berry.

BERRY COBB:

Just to build on what I said, and from a cadence or project plan perspective, I think what I might propose here is narrow down the text that we have here, kind of almost as a grocery or shopping list-type item, and I'll do kind of a reference analysis. For example, number five here is talking about auth info codes and specifically the FOAs. So that's clearly going to be covered under topics one and two when we get to them about the gaining and losing FOA, and kind of what the inclusion of this in the issue report was an

inventory perspective based on kind of the shorter version of the shopping list. If we come across one that isn't already identified in the larger topics that we're discussing, I'll call that out in the project plan, but ultimately, for us to address at some point—and I think ultimately, this is kind of an exit criteria for phase 1A, is after we've deliberated all of the primary topics and come to some preliminary inclusions, we're going to do a sanity check of, all right, given everything that we've deliberated and understand and preliminary conclusions, are we missing anything from the wave 1 report that we need to make sure that ultimately, we're being held to account back to the Council that we've covered all of these items? Thanks.

ROGER CARNEY: Great. Thanks, Berry. That helps a lot. Theo, please go ahead.

THEO GEURTS: Yeah. Thanks, Roger. Maybe this is a question for you, Berry, or for the team, but when I'm looking at the stuff that is left over from the EPDP phase one stuff, we're currently working on the EPDP phase one IRT. If I recall correctly, we have some language in there now referencing this group. I'm not 100% sure here, doing this off the top of my head. And I think the larger question is here, what happens if we set decisions here which will affect the IRT, or could there be some stuff happening in the IRT that's going to affect this group, or do you not foresee or do we not foresee any issues with what the left hand is doing and what the right hand is doing and not know what they are doing? I hope you catch my drift. Thanks.

ROGER CARNEY: Thanks, Theo. Berry, please go ahead.

BERRY COBB: Thank you, Roger. Very good question, Theo, and I think in short, myself and Caitlin are fully aware of the left hand and the right hand, and we're going to ensure that both hands do know what they're doing. What's being implemented in phase one IRT, if I recall correctly, there was one specific recommendation related to transfers and that did require a small edit for the implementation of that recommendation in the transfer policy, which Caitlin can correct me if I'm wrong in the chat, but essentially kind of reaffirming the fact that the gaining FOA is broken and that's being accounted for in a redline edit to the transfer policy.

Secondarily, there was also the IRT is tasked as a result of this wave 1 report that they need to do kind of a terminology update. For example, as part of implementing the phase one recommendations where the admin contact may be referenced, that that would be deleted out. If there's a reference to the legacy protocol of WHOIS, that it can be converted to RDDS or registration data, so on and so forth, and these redlines that are taking place in the transfer policy, if they start to encroach on changes to the intent of the policy, they're being stopped there and essentially, they may come back to this group with, "Hey, did you take a look at this particular change?" And as these redlines evolve, we'll pass them over to this working group, just kind of as an FYI. But as of this point, where we stand now, I don't see any disconnects with what the EPDP phase one IRT is doing now

versus what we're about to start to embark on here. But at the end of it all, for sure, staff will help to maintain collaboration or communication to ensure that both hands are in sync. Thank you for that question. It's a good one. Thanks, Theo.

ROGER CARNEY: Thanks, Berry. Yeah, thanks, Theo, for bringing that up. It's definitely something we should be watching. All right, any more comments on the wave 1 recommendations?

Okay, great. I think we can move on to our next topic. Let's do the high-level review of the phase 1B stuff. Staff, do you want to take that?

EMILY BARABAS: Hi Roger. I'm happy to run through that.

ROGER CARNEY: Great. Thanks, Emily.

EMILY BARABAS: Sure thing. So for most people, this is going to be review, but to make sure everyone is on the same page, we're going to very briefly go over a little bit of background and then run through the charter questions. This is a big topic with quite a few charter questions, and they're broken into smaller chunks. So we'll run through all of them very briefly so that you have the full picture, and then starting on the next call, probably—or if there's time to

start, we can do it on this call—we'll do the same exercise that we've been doing with the discussion.

So this is a couple of slides from the ICANN 70 presentation, just this very brief review, what is change of registrant? These are requirements coming from the change of registrant policy that seek to prevent domain name hijacking by ensuring that certain changes to registrant information have been authorized.

And what is required, registrars must obtain confirmation from both the prior registrant and new registrant before a material change is made to one or more of the following fields: prior registrant name, prior registrant organization, prior registrant e-mail address and/or administrative contact e-mail address if no prior registrant e-mail address exists.

So the change of registrant policy provisions were a result of recommendations coming from the IRTP Part C working group, and the policy effective date was the 1st of December 2016. There's quite a bit of information in the final issue report, especially data around sort of trends in complaints, trends in inquiries from the global support team regarding change of registrant, and so definitely encourage everyone to take a look at that.

So what we'll do now is swap over to the charter and take a look at those questions. The first set of charter questions focuses on the policy overall. So according to the transfer policy review scoping team report, change of registrant policy does not achieve the stated goals and is not relevant to the current and future domain ownership system. To what extent is this the case and

why, are the stated goals still valid? If the change of registrant policy is not meeting stated goals and those goals are still valid, how should the goals be achieved?

Next question, data gathered in the transfer policy status report indicates that some registrants find change of registrant requirements burdensome and confusing. If the policy is retained, are there methods to make the change of registrant policy simpler while still maintaining safeguards against unwanted transfers? Next question.

The transfer policy review scoping team report suggests that there should be further consideration of establishing a standalone policy for change of registrant as opposed to it being part of the broader policy. According to the scoping team, the policy should take into account the use case where change of registrar occurs simultaneously with change of registrant. To what extent should this issue be considered further? What are the potential benefits, if any, to making this change? To what extent does the policy need to provide specific guidance on cases where both the registrar and registrant are changed? Are there particular scenarios that need to be reviewed to determine the applicability of change of registrant? And a couple of scenarios are provided here that were provided by the contractual compliance department based on their experience with complaints.

The next sets of questions can be considered if it's determined that the change of registrant policy should be retained and modified. The first set are around the 60-day lock. Survey responses and data provided by ICANN's global support center indicate that registrants do not understand the 60-day lock and

express frustration when it prevents them from completing an inter-registrar transfer. Does the 60-day lock meet the objective of reducing the incidence of domain name hijacking? What data is available to help answer this question? Is a 60-day lock the most appropriate and efficient mechanism for reducing the incidence of hijacking? And if not, what alternative mechanisms might be used to meet the same goals? Are there technical solutions, such as those using the control panel or two-factor authentication or other alternatives that should be explored?

Due to requirements under privacy law, certain previously public fields such as registrant name and e-mail may be redacted by the registrar. Is there data to support the idea that lack of public access to the information has reduced the risk of hijacking, and has therefore obviated the need for the 60-day lock when underlying registrant information is changed?

In its survey response, the Registrar Stakeholder Group indicated that the 60-day lock hinders corporate acquisitions, consolidations and divestitures of large lists of domains to new legal entities. To what extent should this concern be taken into consideration in reviewing the 60-day lock? And finally, if the policy is retained, are there areas of existing policy that require clarification? And then there are a number of examples that were given based on input from ICANN's contractual compliance department.

So there are some questions here about privacy proxy and designated agent, and actually, I'm going to pop back over to the slides because we have a little bit more there.

So we just talked about the 60-day inter-registrar transfer lock. Sorry, I meant to provide this background first, but as you probably already know, it prevents transfers to another registrar for 60 days following change of registrant, and as you can tell from the charter questions, there's quite a bit of evidence that registrants have been having difficulty with the 60-day lock and especially that they're not able to remove the lock once it is applied, and that's something that both registrants have recorded and also that registrars dealing with registrant inquiries have also reported.

The second topic area, designated agent, we're about to go over questions on. So designated agent is an individual or entity that a prior registrant or new registrant authorizes to approve a change of registrant, and based on input both as part of the policy status report and also from ICANN's contractual compliance department, there appear to be some different interpretations of the role and authority of the designated agent.

Specifically, the contractual compliance department has observed fairly extensive use of their designated agent role to approve change of registrant where the designated agent is the registrar or reseller and the explicit authorization is given to a clause in the registration agreement.

And while I'm on the slide, I'll just briefly do the overview of privacy and proxy. So the third big issue area is that compliance enforcement is being deferred currently in relation to change of registrant as it applies to the removal or addition of privacy proxy services pending further work to clarify implementation of the relevant IRTP Part C provision.

So as many of you know, the policy recommendations from IRTP part C were silent with respect to the addition and removal of privacy proxy services, and so the planned implementation made an interpretation of the policy that would require registrars to implement change of registrant, including a 60-day lock, when any change is made to public WHOIS data, whether or not that change results in a change to the underlying customer data. So registrars raise concerns about this to the GNSO who then presented a series of use cases showing potential harms associated with the interpretation and that resulted in deferral of compliance enforcement. So this is going to be a big area for the group to look at.

So we will now go back to the charter, first looking at questions with respect to privacy proxy. Registrars have taken the position that the addition or removal to a privacy/proxy service is not a Change of Registrant; however, there is not currently an explicit carve-out for changes resulting from the addition or removal of privacy/proxy services vs. other changes. To what extent should the Change of Registrant policy, and the 60-day lock, apply to underlying registrant data when the registrant uses a privacy/proxy service?

And the charter questions note the set of scenarios that registrars have identified where there needs to be additional clarification, and the question is, are there additional scenarios that need to be considered that are not included in the list?

I see Steve, your hand is up. I'm just going to finish reading through these last questions related to privacy proxy and then we can pass it over to you. Should the policy be the same regardless

of whether the registrant uses a privacy service or a proxy service? And if not, how should these be treated differently?

And are notifications provided to privacy proxy customers regarding change of registrant and changes to the privacy/proxy service information sufficient? For example, should there be additional notifications or warnings given to a privacy/proxy customer if the privacy/proxy service regularly changes the privacy/proxy anonymized email address? I will pause. There are a handful more questions that I'm going to go through, but Steve, if you wanted to add anything, please do.

STEVE CROCKER:

Thank you very much. Just a quick question or clarification. I tend to think of the privacy proxy services as falling in a couple of different buckets. One bucket is when they're run by the registrar so that they're fundamentally a service of the registrar and hence the registrar has access to the information. Perhaps they've got internal controls that provide extra protection, but nonetheless, push comes to shove, they have access to it, versus external services for which the registrar [inaudible] does not have access to the underlying information I don't know whether or not you've included that distinction in your thinking here.

EMILY BARABAS:

I see. Thanks. I think the charter questions don't go into that level of specificity, but I would say that we're going to spend the next couple of weeks probably talking through these sets of charter questions and thinking about whether the charter questions

encompass all of the issues or whether additional questions need to be teased out and added to the scope as well. So I think that that's a great question to raise in the coming weeks as the group starts to dig into some of these questions a little more deeply. So I don't know if folks want to comment on that right now. That's fine. Or we can sort of save it and when we get to this particular discussion, we can see if there's something that needs to be added here in terms of the areas of discussion.

STEVE CROCKER:

Yeah, let me just add one more detail, not for discussion now but just for whenever later. So I've said here I make a distinction between the privacy proxy service that's internal to the registrar versus external. Yet different thing is a registration by another party, like an attorney, where you can't even tell that it's a privacy proxy service. So the discriminators are whether you can tell if a privacy proxy service is being used or not, and then within that, if you can tell, whether or not it's one that's internal to the registrar or one that's external. Thank you.

EMILY BARABAS:

Thanks, Steve. Anyone else? Theo. And Roger, please feel free, if you prefer to facilitate this piece. That's fine as well. But since I'm talking already ... Theo, go ahead.

ROGER CARNEY:

No, Emily, that was great. Thanks.

THEO GEURTS: Yeah, it was great. I actually sort of imagine this a little bit differently. Maybe it goes to the fact that I have lived through this very particular IRT back in the day. One of the questions or conclusions that we made during the IRT days was when we are looking at what it was supposed to be doing, preventing domain name hijacking, at some point after heavy deliberations, we came to the point like if you want to do this effectively and this policy is not doing it correctly and only addresses extremely small part of the domain name hijacks, so I would have sort of imagined that one of the more approaches would be like, do we actually need this policy? And then if the answer would be yes, sort of start digging into all the extra questions that we're seeing on the screen here and dive deep into the entire policy on what is still required or what's not required. But in my mind, the more high-level question was, do we need this policy or not? Thanks.

EMILY BARABAS: Thanks, Theo. And I think scrolling back up to the general questions, I think that was sort of the intent of the questions about overall policies, is to look at the broader questions about the big picture and then these additional sets of questions can be explored further depending on the answers to some of the big high-level questions, if that makes sense. But again, there's going to be an opportunity in the coming weeks to talk about order and dependencies and so forth to make sure the group agrees in how to address them.

THEO GEURTS: Okay. Thanks.

EMILY BARABAS:

Sure thing. Anyone else? Okay, so I think we'll just very briefly go through the last set of questions, and then see where we land from there. So, designated agent. There's just five questions on that one. In its survey response, the Registrar Stakeholder Group indicated that "There is. . . over-use of the Designated Agent, which has basically circumvented the policy." To what extent is this the case? What is the impact?

If the Designated Agent function is not operating as intended, should it be retained and modified? Eliminated? Are there alternative means to meet the objectives of Designated Agent role? Based on complaints received by ICANN's Contractual Compliance Department, there appear to be different interpretations of the role and authority of the Designated Agent. If the Designated Agent function remains, should this flexibility be retained? Does the flexibility create the potential for abuse?

If the role of the Designated Agent is to be clarified further, should it be narrowed with more specific instructions on when it is appropriate and how it is to be used? For example, should the Designated Agent be given blanket authority to approve any and all changes of registrant, or should the authority be limited to specific requests? Does the authority to approve a change of registrant also include the authority to request/initiate a change of registrant without the Registered Name Holder requesting the change of registrant?

Additional questions, the Registrar Stakeholder Group recommended the following in its survey response: "For a Change

of Registrant, both the gaining and losing registrants should be notified of any requests, and should have the option accept or reject, over EPP notifications.” Should this proposal be pursued further? Why or why not?

And then finally, there are some items in the wave 1 recommendation 27 report in the change of registrant, and these are the same questions that we saw, form of authorization earlier, how should the identified issues be addressed, and can the related issues be discussed when looking at change of registrant more broadly with these other charter questions?

So that is everything for phase 1B. I guess I will take any questions and then Roger, you can let us know how you want to proceed from here. Any questions, additions, clarifications? Berry, please.

BERRY COBB:

Thank you, Emily. Just to make note that really, the only reason that we’re going through these now is so that we can of course organize the project plan, but more importantly that we can go ahead and submit these questions for early input to the SOs and ACs, but do recognize that the phase 1B deliberations in detail really won't occur until we finished the phase 1A type items. Thank you.

EMILY BARABAS:

Thanks, Berry. Really helpful clarification. Not seeing any other hands, so Roger, back to you.

ROGER CARNEY: Thanks, Emily. Thanks, Berry, for that clarification too. So I think that we're probably at a fairly good stopping point for the week. We've made good progress these last couple of weeks. So I want to stop here and let everybody kind of absorb this next section of change of registrant, and again, thinking about our poll questions as we go through it and what we're trying to achieve here.

The main homework for everybody I think is just to absorb that, think about what they see as dependencies across everything, additional questions we may need to ask, and again, that high-level effort estimate on these. As Berry mentioned, that's the number one goal for us to get started here, is to get 1A and 1B scoped out and get a project plan around it so that we can jump in and start working on these. So I'll open it up now for any questions or comments on what we've got so far and what the homework is for next week.

Excellent. Okay, I will turn it back to staff to close us out.

ANDREA GLANDON: Thank you. That concludes today's conference. Please remember to disconnect all lines, and have a wonderful rest of your day.

ROGER CARNEY: Thanks, everybody.

[END OF TRANSCRIPT]
