
ICANN Transcription

Transfer Policy Review PDP

Friday, 21 May 2021 at 18:00 UTC

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ANDREA GLANDON:

Good morning, good afternoon, and good evening. Welcome to the Transfer Policy Review PDP Working Group call taking place on Friday the 21st of May, 2021 at 18:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you are only on the telephone, could you please let yourselves be known now? Thank you. Hearing no names for today's call, we do have apologies from Mike Rodenbaugh of IPC. He has not assigned an alternate for his place today.

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 an attendee and will have access to view chat only. Alternates not

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Please remember to state your name before speaking for the transcription. Recordings will be posted on the public Wikispace shortly after the end of the call. As a reminder, those who take part in ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you and over to our chair, Roger Carney. Please begin.

ROGER CARNEY:

Thank you. Well, good afternoon, evening, and morning for a few of you. This will be our last Friday event for a while. We'll be switching. We'll cover that at the end of this session today. I think for today, we're actually going to get into some work. It was productive first meeting last week but not much work got done so let's jump into work, well, sort of work. We're going to do Berry's

favorite here and do some project management for the first few weeks of this. If we want to go to the next slide, please.

So, what we're going to be doing for the next few sessions, three, four, maybe six weeks or so, we're going to go through all the topics. All the charter questions. We're going to—what a lot of people call t-shirt size what we think each of the topics will be. A large topic, medium, or small, or hard, easy, normal, however you want to look at it. The goal here isn't really to get into solutions, especially not get into deep solutions here. It's more to talk about the topic, make sure everybody understands what the topic means and what the scope of that topic is, try to get an idea of, not consensus on it for sure but if the group is leaning one way, if it seems like it's going to be a relatively straightforward discussion, good. Even if it's a big topic, that'll help out.

But we do want to definitely know if there's some different approaches or opinions on it so that's something we want to pull out today as well. Along with that, we want to look to see if the work can be done in parallel with other streams of work, other topics, or if this needs to be done before another certain topic, look for any dependencies or lack thereof so that we can streamline as much work as possible. And the last bit really is what's missing on this topic, is it something that is important that we need to look to see if it needs to get added or something like that? And then we can probably start to formulate, is this something which needs to go to the SOs or ACs for follow-up questioning to get input on? So, I think those are the big tasks for us. Again, this will be on each charter question we want to do this to and hopefully by a few weeks from now, we have a roadmap of

roughly how long it's going to take us to get through the 1a and 1b and we'll tackle Phase 2 at a later time but let's get through 1a and 1b first. I think that's pretty much everything. Berry, please go ahead.

BERRY COBB:

Thank you, Roger. And since you called my name, I thought you would give me a chance to chime in a little bit. This is kind of a help me help you situation. I need more information about the context as Roger just placed around these particular topics. And what I want the group to keep in the back of your mind as we review through each of the policy topics and their charter questions, is to think about roughly how long deliberations on a particular topic may take. And what I mean by that is, I'll take you back to last week's call when I quickly explained about the project plan. Each one of these policy topics, we're going to be utilizing what I term the crank.

We're going to deliberate the topic in parallel. We're going to be documenting. Our staff will be documenting the deliberations. We're going to get to some preliminary conclusions, maybe some possible preliminary draft recommendations. Some of those recommendation, draft recommendations may have some general agreement. Some may not have broad agreement. Some may even show that there's some divergence in them. The point to that is not necessarily getting down to the final recommendations for each topic but at least to have a definition of what some of the solutions may be to that policy issue that we're trying to address. And once we get through that, then we get to a first reading, a second reading, consider the topic stable and move on to the next

one. So, mostly what I'm hoping to gain out of this initial review—and again, this really accomplishes two primary tasks, both of which are required.

One, we need to produce a workplan with reasonable deliverable dates back to the GNSO Council. And then secondarily, we also must do preliminary outreach to the SOs and ACs and this discussion will help finalize or get us closer to building what that final outreach model will look like. But ultimately, in terms of the duration, what I'm hoping to get is, how long is it going to take for us to deliberate each one of these policy topics? And that's generally a function of how complex the topic is, how far apart the group seem to be about some of the preliminary solutions and conclusions and I want you to think about it, not from a calendar perspective. Like, for example, yeah, I think we can accomplish everything we need to do for talking about the gaining FOA within two months. I hope to break the cycle of falling into a trap that we're going to use a calendar-based approach to figuring out how long we may need but what instead, what I'm hoping that you'll try to keep in mind is that, how many hours of on-call deliberations do you think that it might take for us to get through to some preliminary conclusion about a particular topic?

So, gaining FOA, obviously, there's a lot of substance around this particular policy topic. And if I were to do a thumb in the wind guess without having gone through this in detail, it suggests to me that it's easily going to take us about 10 hours of call time to get to some sort of preliminary conclusion. And that's where this high, medium, low that Roger referred to will come into context because kind of bucketing into those three categories, then that will inform

me enough to produce the next version of our project plan where I can start to guesstimate the durations for how long each one of these are going to take. And then the last thing I'll say which goes to the point of, can some of these be discussed in parallel or is there a dependency before we can move on to the next topic?

And I'm not presupposing. This is just a guess example but the gaining and losing FOA, is there any kind of dependency on getting to some preliminary conclusions on those two topics before we talk about auth-info code management. Or are they so tightly coupled that we need to think about talking about them pretty much in parallel with each other. And that will also help me define from a project plan perspective, what these dependencies are so that I can try to adequately space out when we're going to start to approach these different topics in about approximately what time, putting all of that together, that, of course, then leads us down to when we get to a draft initial report, we review the report and prepare it for public comment. So, I hope that helps to put things in some context. Thank you.

ROGER CARNEY:

Thanks, Berry. That's great. Okay. Before we jump into anything here, does anybody have any questions or comments? I saw Steve posted something to chat about metrics. And I think now, and Berry or staff can correct me but I think part of their PDP 3.0 now is metrics is a big overarching thing that will hopefully always deal with in every PDP and it will be looking at what the group thinks is available, what should be available and how we can get there if we need that. Again, that's something we hopefully we see in all PDPs going forward. Okay. Any other questions, comments?

All right, let's go ahead and jump in. staff, I think is going to take us through the high level.

CAITLIN TUBERGEN: Thank you, Roger. I will start going over the Form of Authorization or FOA topic which is the first topic in Phase 1a. Before we talk a little bit about the charter questions from the final issue report, we wanted to quickly go over some of the terminology that we'll be using just to make sure that everyone is on the same page here. So, you'll hear these four terms a lot as we deliberate on this issue. The first is, a gaining registrar and the gaining registrar is the registrar to which the registrar is transferring the domain name. So, if I'm the registrant and I want to switch my registrar, the registrar that I want to switch to would be called the gaining registrar. Next, the losing registrar is the registrar from which the registrar is transferring the domain name. So, again, in that example, if I'm the registrant, my current registrar also called the registrar of record would be considered the losing registrar for purposes of an inter-registrar transfer. The gaining Form of Authorization sometimes referred to as the gaining FOA or FOA is a form that is sent by the gaining registrar to the registered name holder to confirm the registered name holders intent to transfer the domain name to the gaining registrar. Generally speaking, that gaining FOA is sent via an email with a designated link that the registered name holder would click to confirm that indeed it does want to transfer its domaining to the gaining registrar.

Next, we have a losing Form of Authorization and that is a form that is required to be sent from the losing registrar or the registrar record to its customer, to confirm the registered name holder's

intent to transfer the domain name. There's no affirmative action required in terms of the registered name holder acknowledging the losing form of authorization. However, it's really meant as a mechanism to warn the customer that, "Hey, I, as your registrar, I've received this notice from the registry that you intend to transfer the name. If this wasn't you, if your account was hijacked, please let me know within five business days so that we can stop this transfer." But if the registrant doesn't act or react to the losing FOA, the transfer would proceed after five days.

We also thought it would be helpful to show a dynamic graphic that explains a typical inter-registrar transfer and I'll know that we'll be doing two slides. One in a pre-GDPR world and one in a post GDPR world. And I'm sure everybody's aware of this but when you hear us refer to the GDPR, GDPR stands for the General Data Protection Regulation. It's a privacy law within the EU and it has different requirements about protecting personal information. And so, it has effects on the transfer policy. It's not the only privacy law that affects the transfer policy but this was a big one that did affect how the transfer policy operated and beginning in 2018.

So, if you go to the bottom of the slide, you see the registered name holder behind its laptop and it's decided that it sees a registrar that offers some services that its current registrar might not or has better pricing. So, it reaches out to that gaining registrant and says, "Hey, I want to move my name." At that point, the gaining registrar would confirm that the domain name is eligible for transfer. That means the domain name is both unlocked and the registered name holder has received the auth-info code and transmitted it to the gaining registrar.

The transfer policy has some requirements about that that we'll talk about later but once the registered name holder has confirmed its intent to transfer and has acknowledged the gaining FOA, the gaining registrar would reach out to the registry operator at the top of that diamond and notify the registry operator of the registering name holder's intent to transfer. Following receipt of the info code, the registry operator would then notify both the gaining and the losing register of the pending transfer. And at that point, the losing registrar would be required to send that losing form of authorization to the registered name holder. As I noted earlier, absent any objection to that FOA or to the transfer within five calendar days, the transfer would go through. Alternatively, if the registered name holder receives this losing FOA and says, "I did not request this transfer," it would work with the losing registrar to ensure that that transfer did not go through.

So, this slide shows what changed post GDPR. And as I noted, the GDPR is a privacy law and because it mandates that certain personal information, there's requirements about how that's processed. A lot of information is now no longer in the publicly available WHOIS Directory and in a pre-GDPR world, that is essentially what the gaining registrar would rely on to confirm that the registered name holder is indeed what's called the transfer contact or the party that is authorized to request an inter-registrar transfer.

So, in a post GDPR world where the gaining registrar isn't available to confirm the transfer context identity via WHOIS, the registered name holder would similarly just reach out to the registrar and say, "Hey, I want to move my name to you" and

provided that name is unlocked and the registered name holder is provided the auth-info code, the gaining registrar would ask the registered name holder to independently reenter its data with the gaining registrar. And then the gaining registrar would notify the registry operator of the intent to transfer. The registry operator would confirm the auth-info code and similar to a pre GDPR transfer would notify the losing and gaining registrar of the pending transfer. And the next portion of the inter-registrar transfer works exactly the same. The losing registrar is still required to send the losing FOA to the registered name holder and absent objection to the transfer, the transfer would go through after five calendar days, sometimes before. So, I'll note the big change here is that the gaining FOA which is a pre-GDPR requirement is not currently required. We'll talk a little bit about that on the next slide.

So, the EPDP team on registration data was the team that was chartered to review the temporary specification and confirm if it needed to be changed. There was a workaround in the temporary specification around the gaining FOA requirement, noting that in some circumstances, the gaining registrar would be unable to send the gaining FOA as they weren't able to confirm the transfer contact. The EPDP team included that workaround in its recommendations and that workaround was ultimately adopted by the GNSO Council and the ICANN board. However, following that adoption, some registrars had identified challenges with ICANN Org's position that a gaining registrar is still required to send a gaining FOA where there's an available email address or where the email address "is available." Registers had noted there was still an issue because even though there may be an available email address in the public WHOIS, there was no guarantee that

the email was actually going to the registrant and accordingly, a lot of transfers were having issues or customers weren't able to transfer their domain names.

So, with that in mind, the registrars and the GNSO Council notified the ICANN board and the ICANN board passed a resolution to defer contractual compliance enforcement of the gaining FOA requirement pending further work in this area. And the further work in this area is going to be done by this very working group. I also just wanted to note for the record, that the Contracted Party House has a technical operations subcommittee and that group has been working independently and developed a proposal for a proposed transfer process. That proposed transfer process does not include a gaining FOA and that proposed transfer process was upended to the final issues report. So, anyone that's interested in reviewing that in detail, you can find that in the final issues report. Next slide, please.

So, what we'd like to do now after that primer on the gaining and losing FOA is to briefly touch on the charter questions but before we do that, I just want to make sure there weren't any questions or concerns with the material that we just went over before I launch into the charter questions. And registrars are welcome to correct me if I misstated anything about that process. Okay. I'm not seeing any hands so we'll just go ahead and go right into the gaining and losing FOA questions. So, as noted, this is the first topic mentioned in the charter and it's included in Phase 1a of this group's work. The first question is, is the requirement of the gaining FOA still needed? What evidence did the working group rely upon in making the determination that the gaining FOA is or is

not necessary to protect registrants? And I'll note that this question was looked at previously by a working group, I believe back in 2011 or 2012 and the working group at that time wasn't comfortable eliminating this requirement but this working group will be relooking at that question and seeing if new circumstances or anything has changed.

Next, if the working group determines that that gaining FOA should still be a requirement, are there any updates needed for that process. For example, should additional security requirements be added to the gaining FOA, for example, a requirement for two-factor authentication. Charter question 3a provides language from the temporary specification and it says until such time when RDAP service or other secure methods for transferring data is required by ICANN to be offered, if the gaining registrar is unable to gain access to the then current registration data... So, it references secure methods. So, the question here is what secure methods, if any, currently exist to allow for the secure transmission of then current registration data for domain names subject to an inter-registered transfer request. So, essentially, although that information may not be publicly available, is there another way that the gaining registrar can access that information that would—or some sort of secure way. Question a4, if the working group determines the gaining FOA is no longer needed, does the auth-info code provide sufficient security to the registered name holder and to the inter-registrar transfer process?

The transfer policy does not currently require specific security requirements around the auth-info code but should there be additional security requirements, for example, a required syntax,

length characters, two-factor authentication, issuing restrictions, expiration rules, etc., the group will be looking at that. And then charter question a5 again, if the working group does ultimately determine that the gaining FOA is no longer needed, does the transmission of auth-info code provide a sufficient paper trail for both auditing and compliance purposes? That question was included because that was a concern that some noted in the survey about the transfer policy, about their reservation in eliminating the gaining FOA requirement entirely is that there's not a sufficient paper trail. So, that's something that the group will need to look at it that ultimately decides to eliminate the FOA.

The next topic is additional security measures. And this again, is in reference to some of the survey respondents, noted that mandatory domain name blocking as an additional security measure to prevent domain name hijacking, improper domain name transfers. The transfer policy does not currently require mandatory domain name blocking. It allows a registrar to not get into a registered transfer if the inter-registrar transfer was requested within 60 days of the domain name's creation date. Is mandatory domain name blocking an additional requirement that working group believes should be added to the transfer policy? And again, that was based on some suggestions that we received in response to the transfer policy survey. Lastly, we have a couple of questions around the losing FOA, namely, is it so required? If so, are any updates required to the losing FOA?

We also noted, as I mentioned, the CPH TechOps group or subcommittee has proposed a transfer process and we're asking the group if that represents a logical starting point for this working

group to begin working with. If so, does the TechOps proposal provide sufficient security for registered name holders, if not, what updates should the group consider? And lastly, if that's not a logical starting place, are there any additional inter-registrar transfer process proposals that should be considered in lieu of or in addition to the CPH TechOps proposal. For example, should affirmative consent to the losing FOA be considered as a measure of additional protection? So, those are the nine charter questions in relation to FOAs. Does anyone have any questions or concerns before we move on to an overview of the next topic?

EMILY BARABAS:

Okay. Hi everyone. It sounds like we don't have any questions and so I think we're going to move on to the very brief overview of the additional topics in Phase 1a. The next topic is auth-info code management. This is very high level. Please do, if you have not already read the final issue report if you're unfamiliar with these issues and there's a lot more detail here but we're just going to spin through really quickly for those who are still getting through the background reading so that no one is left behind these initial discussions. So, what is the auth-info? It's a unique code created by a registrar on a per domain basis to identify the registrar of the domain name. It's sometimes called the keys to the domain name because if you have the auth-info, you can take it and move it to another registrar. So, it's really important that that code is kept secure because if someone accesses it, they can move that domain name to another registrar without your permission. How is it used in a transfer? As Caitlyn noted in her graphic with the diamond, the auth-info needs to be provided to the gaining

registrar as part of that transfer process so the gaining registrar cannot process the transfer without the auth-info. And how's it provided? So, the losing registrar may provide the auth-info via control panel, that's common but it might also, provided by other means within five calendar days, for example, by email, SMS, and so forth.

So, we're just going to pop over to the charter questions now to go over them at a high level. Okay. First question is, is the auth-info code still a secure method for inter-registrar transfers? What evidence was used by the working group to make this determination? The next question is, the registrar is currently the authoritative holder of the auth-info code. Should this be maintained or should the registry be the authoritative auth-info code holder, why? The transfer policy currently requires registrars to provide the auth-info code to the registrant within five business days of a request, is this an appropriate SLA for the registrar's provision of the auth-info code or does it need to be updated. Before the transfer policy does not currently require a standard time to live or TTL for the auth-info code, should there be a standard time to live for the auth-info code, in other words should the auth-info code expire after a certain amount of time. And then there are a series of questions about bulk use of auth-info codes. So, should the ability for registrants to request the auth-info code in bulk be streamlined and codified? If so, should additional security measures be considered? B6. Does the Contracted Party's House TechOps research provide a logical starting point for future policy work on auth-info codes or should other options be considered? Should require differentiated control panel access also be considered? Should the registered name holder be given

greater access, including access to the auth-info code and additional users such as web developers would be given lower grade access in order to prevent domain name hijacking? So, that's a total of seven questions on auth-info codes. Are there any questions on this very high-level initial run-through?

Okay. So, we're going to go back to the slides and very briefly talk about the final topic and Phase 1a. Sorry about that. So, this is the wave one report stemming from EPDP Recommendation 27. So, as discussed in the final issue report, Recommendation 27 in the EPDP teams Phase 1 final report recommends updating existing policies and procedures to ensure consistency with the outputs of the EPDP. So, ICANN Org performs a detailed analysis and what is called the wave one report. They looked at 15 policies and procedures and two of those are relevant here. That's the transfer policy and the transfer dispute resolution policy so there are a series of items in that report related to topics within the charter here. So, they're related to form of authorization, change of registrant and the transfer dispute resolution policy.

So, the expectation here is where possible, that we'll be dealing with the wave one items with the topics as we deal with those topics. And so, for each of those topics, it's really just two questions, which is how will these issues that were raised in the report be addressed and whether there's a time sensitivity to any of them that they should be resolved originally and therefore handled out of order. And that's basically what it says in the charter so I won't actually bring up the charter again but that's what it says under form of authorization. Just those two questions. So, that's it for our brief overview of the Phase 1a questions and

I'm going to hand it back to Roger, bring up the agenda here. Here we are. And the next part of this is going to be to dive into that initial discussion of the first topic which is the gaining form of authorization so, Roger, please.

ROGER CARNEY:

Perfect. Thanks, Emily. All right. Now that was a lot of information. Hopefully everybody got that and doesn't have any questions or anything. Just kidding. Please, again, that was a lot of information. If anybody has questions or comments, please bring them up. You can bring them up as we go through it as well. So, and again, may have to think about some of it. So, our goals here is to jump into each one of these and identify, discuss high level what kind of work we think it's going to take to get through it. So, if we jump into gain FOA, I believe there was five, six questions, starter questions. So, if we look at each one and then we can provide a general comment on it, to me, if we look at this, these five questions, we can say, "Hey, FOAs are still needed and this is going to be an easy section." It's going to be very little work. What do people think about that? So, no comments. So, we're going to keep the gaining FOA and the losing FOA.

THOMAS KELLER:

Hi, Roger. This is Tom.

ROGER CARNEY:

Hey, Tom.

THOMAS KELLER: Hi, Roger. If it just comes to t-shirt sizes, I guess, losing FOA—the gaining FOA, sorry, we've debated that already many times, it's not in place anymore. [GDPR] got rid of it so I think that should be rather an easy task to talk about actually. So, if you talk about effort, for me, that would be [inaudible].

ROGER CARNEY: Okay. Tom, I know there's been a lot of previous discussion around this. Are you thinking most of the effort's going to be on discussion or most of the efforts going to be documenting the discussions and reasons for the particular idea of losing the gaining FOA?

THOMAS KELLER: Losing the gaining FOA, it's—

ROGER CARNEY: No. I thought about that as soon as I said it.

THOMAS KELLER: That's fun. So, that's kind of adding confusion to it. I think it's the latter. It's really more about the documentation. I mean, it hasn't been in place now for the last two years and there are no major complaints about it and I'm not aware of any issues anyone ever really had. So, if we cannot find people that can come up with issues that this change that was brought by the GDPR caused, I think we can sunset the gaining FOA pretty soon. But yes, of course, we need to document it adequately.

ROGER CARNEY: Great. Thanks, Tom. Yeah, and just to highlight something Tom said was, the gaining FOA, I mean, still is technically could be used, the majority of transfers since correct me if I'm wrong, May of 18, 2018 has been done without a gaining FOA. So, I would encourage people that know examples, details of issues to bring them forward so we can discuss those as well. Okay, Owen, please, go ahead.

OWEN SMIGELSKI: Thanks Roger. Just wanted to chime in on the call who may not necessarily be aware of register operations. The gaining FOA has a big distinction from the losing FOA. The losing FOA is more of a notification. It gets sent out but no action is required by the recipient of the losing FOA. The gaining FOA required an action so , a click the link or something to verify intent. And the concern with that post GDPR was, this is the vast majority of registrars and automated process. It's not people sitting there looking up to see if there's an email address, whether that email address works and whether to send that FOA to that email address. It was automated. And so, the concern with once that information was redacted or removed or replaced with a web form, was that these gaining FOAs which were mandatory, would fail. They wouldn't be able to go out. And so, there was frustration in terms of registrants not being able to perform domain transfers which is why registrar stopped doing that and asked ICANN to do that. So, that has been gone now for three years coming up but I think Sarah mentioned in chat so we'll have a GDPR party next week to celebrate that. But I am not aware of any increase in complaints from registrants

that transfers are being done inappropriately. I looked some of the ICANN contractual compliance data and it doesn't really look like there has been an increase in unauthorized transfer complaints which is from my time there is generally where these types of hijacks or things like that happen. So, since there's no increase which would be a data point for me to consider whether or not to keep or try and work around it, since there really hasn't been that type of big change in the industry, I think it's okay to drop because there hasn't been an "increased security." The auth-info code seems to be doing its job. Thanks.

ROGER CARNEY: Thanks, Owen. Just a question back to you since you volunteered to talk a little bit. Your thoughts on scoping, sizing of this work for the gaining to determine what to do on the gaining FOA?

OWEN SMIGELSKI: You mean in terms of, what are we going to consider in terms of whether to drop the gaining FOA? Is that the question?

ROGER CARNEY: Yeah. How much effort, how much work to discuss it, to document it, to—as Sarah mentioned in chat to pull together some data to support?

OWEN SMIGELSKI: Yeah. I think we've got some evidence or information that was there that we have putting some of the communications between

the registrar GNSO Council and the ICANN board. There was some statistics data in there. I recall the transfer issues report, there's some good data in there as well there too. So, we need to kind of pull that all together and present that before the team but I don't think it's something that we need to deliberate for a significantly long period of time.

ROGER CARNEY: Okay. Great. Thanks, Owen. Kristian?

KRISTIAN ØRMEN: Thank you. Also, I don't think we need much time to discuss and to document the gaining FOA issue. And just some history—and someone else please correct me if I'm wrong, but I think the gaining FOA and also the losing FOA all the way from before, we had auth IDs. So, back then, it was a pretty good idea, but now that we do have auth IDs and the registrant would give the auth ID to the gaining registrar, that basically made gaining FOA unnecessary already back then. We have just kept it all these years. So, I would say that the gaining FOA haven't been really need for many years because we have the auth-info code. Thank you.

ROGER CARNEY: Thanks, Kristian. Yeah. And that's a good point. The gaining FOA and the original transfer policy does predate actually EPP which is what registries and registrars used to do all their transfer stuff. So, yeah, it does predate the auth codes so good point. Okay. So, from what I'm hearing, seeing in chat, people believe this is a low

workload item. I think I've seen [inaudible] mention it a couple of times, definitely need to document statistically how we think that that really works. At this point, it seems like everybody's leaning toward—as Tom caught me on, losing the gaining FOA, getting rid of the gaining FOA. So, I encourage people that think that we should be keeping it to speak up, to jump on list, make that distinction, provide some comments as to why and things like that. So, it seems like general agreement that that's the way the group is looking. So, the last item, really the big one is, are there specific questions that we would like any additional questions that we would like to pose to the SOs and ACs to comment on in the gaining FOA discussion.

No hands and from the comments so far, it didn't seem like there was a whole lot to ask but again, as staff mentioned, obviously we'll be posting the charter questions anyway and any open questions to those groups just so we can get comments from them. Okay. I think that we have gone through the gaining FOA so unless anybody has anything else they want to bring up about it, I think unless Berry has anything, I think we hit on all the topics that we needed to. Okay. One other on is, is there anything in the FOA section that isn't being addressed in these five charter questions? Is there something else that's missing that should be discussed or should be looked at? Okay. Again, don't need to have to have a response now. If anybody thinks of anything, obviously jump on list and send an email and get the discussion going there. Okay. Let's move on to the losing FOA then, I think is our next topic in our agenda. All right. Just three charter questions here. Again, to me, the simplest is keeping—and I think that Owen may have mentioned this, the losing FOA is an odd term like global warming

is not quite global warming. But losing FOA is not necessarily a form of the authorization and it's more of a confirmation email or communication, I should say, not necessarily an email. And actually no response is required in the transfer process. It's just required to be sent to the registrant. So, comments, sizing, thoughts on keeping, again, the easy way to do it is smallest amount of work is going to be to keep the losing FOAs then we don't have to do anything. If people are wanting to change or get rid of the FOA, I encourage them to come forward and talk about that and also, I encourage anybody to come forward with scoping on how much work this will take to get these answers. All right. So, Sarah is not wanting to talk a whole lot today. She wants to chat a lot and she thinks it's a low—there's Sarah. I got her to talk. Go ahead, Sarah.

SARAH WYLD:

Thank you, Roger. I mean my [house] is quite warm and I have the door open and there's construction sounds. But I do think that the TechOps proposal or process has been very helpful to inform a good starting point for this work. And so, I think the amount of work to make this decision is lower because of that so I would scope this one as low.

ROGER CARNEY:

Okay. Great. Thanks, Sarah. It looks like Tom and Theo, Prudence all agreed with you on that, at least the low side of things. Is there anything on the losing FOA that we need to also look at? Again, there's just the three charter questions here. Does it encompass everything we need to look at to make a distinction

or determination of keeping or not keeping? Owen, please go ahead.

OWEN SMIGELSKI: Thanks. Roger. Question. Are we talking just about keeping or dropping the losing FOA or are we talking about other items because I think that keeping the losing FOA, perhaps renaming it, is a good idea. But I think there might be some changes needed to it to incorporate some flexibility, the required wording as well as making some changes in terms of what's in there and how to follow-up a contact. Thanks.

ROGER CARNEY: Perfect, Owen. And I think that everything you said really is what we're trying to look at is, is it worth keeping it, is it worth a requirement? Do you require all registrants, every transfer to have one? And I think that every topic around that, okay, does it need to change slightly if we do and things like that. Sarah, please go ahead.

SARAH WYLD: Thank you. Similar to with the gaining FOA, I think if metrics are available, that might be useful here. You know, maybe we will discover that there have been a huge influx of complaints to ICANN compliance about the losing FOA, right? I don't think that that is the case but we won't know if we don't look. So, I would suggest that we should include a review of available data in this portion, as well as the gaining FOA portion. Thank you.

ROGER CARNEY: Okay. And on this one, I wonder, is there any additional questions that we want to put out to the other SOs and ACs to help us determine if keeping it, if dropping it, if keeping it with changes, if requiring it, if making it optional, are there any additional questions we should be asking just for additional input. Tom, please go ahead.

THOMAS KELLER: Thank you, Roger. I just want to go back to the notion of what Sarah just said about the documentation of things. So, it's always problematic to document stuff if there's anything to document. So, this can take up a lot of time so I would really suggest that if we cannot find sources of complaints that we just take them at face value and move forward instead of trying to find and ask more, more, more people, if maybe something happened at some point of time. If it's not an obvious fact, I don't think we need to bother.

ROGER CARNEY: Okay, Tom. And I think that along with that is, is that actually a good question to take is using the statistics that we can find, do we take those and say, "Okay, based on this, do you have concerns or whatever about this direction?" And I see several people would like the name changed which probably makes sense. Okay. Any other questions or comments even with staff, if they don't have what they need for us to move forward on this with a good scoping timeline. Steinar, please go ahead.

STEINAR GRØTTERØD: This is Steinar Grøtterød for the record representing At-Large. Do you understand the discussion so far that actually the auth code solves most of the problems with the paperwork? Is there any concerns about registrants not able to get the auth code from the present registrar? Yes. Thank you.

ROGER CARNEY: Yeah. Thank you. I think that's a good question and probably something that will trigger in Berry's head here because you just brought up another later section so maybe we're creating a slight dependency here when we talk about it. But yeah, I think that that's an important question that we'll have to ask and answer in the auth-code section is, is that ability to get and how to get it and what happens when you can't get it and those kinds of questions. So, I think that's important. Thanks, Steinar. Okay. Any other comments, questions? Excellent. Let's go ahead and jump into the next topic which is actually the additional security measures, I think. Yep. Okay. Most of this was based on locking and it talks about several different ones. The self, the optionally enforced 60-day lock. I know some registrars automatically put locks on them. Clientside locks anyway. Not server necessarily. And that's not necessarily a 60-day lock, that's just a lock for protection for easily changeable things. So, I know that locking in itself and then should there be a mandatory 60 days? I know Steve brought this up earlier actually, 60-day lock obviously is multipurposed. A new domain. There's reasons for the 60-day lock on a new domain plus there's maybe a few additional reasons to have a 60-day lock on a transfer, is 60 days appropriate? I kind of want to throw that out to everybody. Thoughts on locking mandatory, required,

optional, good idea. Is 60 days the right term? Shorter, longer? Thoughts? Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I think if we keep the locks, we at least need to document the why, because I think both a lot of registrars and a lot of registrants maybe don't understand why we have it and why it's needed.

ROGER CARNEY: Excellent. Thanks. Just Kristian real quick while I have your thoughts on level of effort of discussion, review, small, medium, large?

KRISTIAN ØRMEN: I have a feeling that this could take quite some time to discuss because I think people have a lot of views on it and people see it differently also both depending on the type of registrar they are but also the type of registrant. Yeah, so it could be a lot of discussion, I think.

ROGER CARNEY: Okay. Thank you. Yeah, I mean, it's a singular topic really but kind of branches out like you mentioned. So, maybe a smaller, medium, pushing toward the medium size for Kristian. Owen, please go ahead.

OWEN SMIGELSKI: Hi. Thanks, Roger. So, I think we should keep the general hierarchy and structure of the locking as is. Agree with Kristian, perhaps putting some more explanations in there which could reduce registrant confusion. I don't really have as much of an opinion on the initial lock upon creation. I know some registrars do like that because of concerns with chargebacks, where there's fraud often with obtaining a domain name and then it's transferred out and they aren't left with a way to recover the money that may have been used with a credit card. Opinion that I have more of though is, maintain the 60-day lock between inter-registrar transfers. If such a requirement were to go away, there could be a significant concern regarding domain hijacking as it is now. If somebody hijacks a domain name, it goes to one registrar and then it has to sit for 60-days. However, if that lock were to go away, then somebody hijacking a domain name could take it and bounce it to two, three registrars within a matter of days and the paper trail and trying to follow that and undo that transfer would just become unbelievably complicated. So, I think it's really important to maintain that 60 lock for inter-registrar transfer. Also agree it's probably brought up medium [mission] in terms of discussion. Thanks.

ROGER CARNEY: Thanks, Owen. All right. Any other comments, questions on this? Interesting that the gaining FOA had six chartered questions and people thought it was an easier topic than one chartered question. It's good to see that the scope is not relative toward how much so that's good. Steinar, please go ahead.

STEINAR GRØTTERØD: I must admit I haven't seen the metrics so far but I'm just wondering, based on my experience, is 60-days the correct number all this? I do understand there should be a freeze period in an inter-registrar transfer but 60 days, I'm not sure that's the correct number or the best number. I like to have the comments from those who have more daily practice on this one.

ROGER CARNEY: Great. Thanks, Steinar. I agree. It's a good question. I think that may be a good question to post out to get additional feedback outside the group, as well as, is there a correct number? Okay. Other thoughts, comments? Berry, please go ahead.

BERRY COBB: Thank you, Roger. I'm just curious, the implementation of this 60-day lock for inter-registrar transfers and maybe this is a speculative comment kind of hearing what Owen was talking about. But I am curious, I was under the impression that when the IRTP came up with that original recommendation, it also included the ability for registrars to use an opt-in aspect to implementing the 60-day lock and that in many or a lot of cases that the opt-in was never used and therefore the 60-day lock didn't apply. And I don't necessarily need an answer to that but I think it's something to consider at least in terms of future discussions kind of what the current practice exists in that regard. Thanks.

ROGER CARNEY: Thanks, Berry. Yeah. And I think that it was one of the latter IRTPs that—I finally implemented that I think maybe in [Div]. But

that's a good question to ask is—and tied into this is, should there be an opt-in? And I don't know if that's later in any of the other chartered questions, Berry. I don't remember seeing it but definitely a good question to ask and see how that's working for the registrars and registrants as an option. Okay. Any other questions or comments? Excellent. All right, John, please go ahead.

JOHN WOODWORTH: So, I'm just curious, would it be possible to have two dates, one for a stronger trust authentication mechanism to short circuit that delay?

ROGER CARNEY: So, something in addition to that opt-in/opt-out something.

JOHN WOODWORTH: Well, instead of the opt-in, opt-out, have this 60-day safety net but then have 5 or 10 day, if you have public, private key pair or some other mechanism that's a little more trusted as far as the registrant actually initiating this request.

ROGER CARNEY: Okay. Great. Yeah. I think something to look at. Anyone have any comments, thoughts on that now? Again, we'll always discuss it later. Great. Thanks, John. Okay. No further questions. Zak's hand is up. I didn't see Zak's hand. Zak, please go ahead.

ZAK MUSCOVITCH: Roger, can you hear me?

ROGER CARNEY: I can hear you. Thank you.

ZAK MUSCOVITCH: Thank you. Yeah, for some reason, I'm unable to raise my hand but just wanted to add a comment about the 60 locking issue is, one thing that I've heard in consulting a lot of registrants about this issue is that there seems to be somewhat widespread misunderstanding of locking. And I think that's why some of the other speakers earlier in this call had suggested it needs some more explanation. I want to emphasize that because it's not a mandatory policy in the sense that, registrants can opt out of it with a registrars consent and facility as far as I understand the policy. But yet it's construed as a mandatory ICANN policy and it even shows up in various registrars FAQs. This is a policy beyond our control. There is a mandatory six-day lock, both for initial registrations and the registrant transfers.

And so, I think there needs to be an examination of how this rule is portrayed and represented to the public. And I also think that, in terms of looking some data, from a registrants perspective, yes, on one hand, it's helpful to prevent, the hijacking and moving it from registrar to registrar, if there is a hijacking. But on the other hand, it'd be interesting to see some data, perhaps from ccTLDs that don't have this procedure but what incidents of hijacking there are and whether there's other security precautions that can be taken instead of on replacement of a 60-day locking mechanism.

But at the end of the day, if it is a permissive regime that allows registrants to opt out, provided a registrar is willing to let them opt out, I think there should be some consideration of whether that option is affirmatively required to be provided to the registrants. So, I know we're not supposed to get into the meat of this conversation but from my perspective, at least, I would characterize this as someone else did earlier as like a medium kind of an issue. I don't think that it's a simple issue. I don't think it's the most complicated issue but I think it's one that's deserving of some serious examination and looking at some data. Thank you.

ROGER CARNEY:

Perfect. Thanks, Zak. Yeah, and I think you brought up many good reasons exactly why this is kind of a medium topic because there are a lot of little nuances in there to discuss and your points while taking on the fact that this is optional and it's presented to registrants differently depending on who's doing it. So, thanks, Zak. Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. So, the 60-day locks come in different shapes. It comes after registration, after transfer between registrars and also come for a change of registrant. And for the change of registrant, many registrars has the option to opt out of it. For the change of registrars, the rules are a bit different and even though I did read the transfer policy a couple of days ago, I would need to find the actual text to reference it. I just wanted to add that for the change of registrant, that's very common that you can actually opt out at

the registrar but it is currently at the registrar's discretion to offer that or not.

ROGER CARNEY:

Great. Thanks, Kristian. That's a good point looking at obviously, Phase 1 is just about the inter but yeah, I mean, it's a good point that we remember when we started talking about change of registrant. Some of these obviously questions will need to carry over when we start talking about that as well. So, thanks, Kristian. Okay. I think that obviously, again, as people mentioned, this is a fairly, more substantial discussion anyway. What comes out of it, who knows but the discussion will take a little bit more than the gaining and losing. Okay. Any more comments, questions?

We can jump into auth code, everybody's favorite. Whatever they call it, auth-info, auth code password, whatever you call it. It's been the same thing. It's a little, can we say flexible at its current state? There's not a lot of rules around the auth code besides using it for a transfer. Outside of that, it's maybe TLD specific requirements around it but nothing else really. So, auth-codes keep them, toss them, is it a good replacement? We've already heard some people suggest that obviously the FOA came before the auth code. Auth code, a good supplement. Do we lose anything if we drop the FOA and go just to the auth code? I think Tom has mentioned several times now for three years now, that's what a lot of people have been doing.

So, again, probably the bigger topics on auth code I think are going to be around structure and requirements of the auth code uniqueness, complexity things like that. So, I think Sarah, right,

Sarah has just mentioned in chat that tech paper did a lot of work around this. I don't know if that makes it easier to discuss, probably easier to discuss. I don't know if it makes it any less work as the discussion always continues. So, I'd be interested in seeing people's thoughts on scope here and a discussion on any of the items. There's things we need to publish, are there things missing here that we need to talk about? I think a lot of the Tech Ops paper is addressed in these four charter questions but I'll open it up and anyone wants to talk about really specifically, are we looking to use auth code as a replacement? Is it secure enough? Do we see changes in the current auth code requirements? So I'll open up. Please. Tom, please go ahead.

THOMAS KELLER:

Thank you, Roger. This one is indeed a toughie. If we look at the discussion we had prior around the auth codes, we've seen that there's a lot of people having different ideas especially who should set the auth code and what should happen when the auth code is set, whether there should be an automatic ack of the transaction or whether the five-day regulation should prevail. So, I think there are a lot of things we need to deliberate and this is really the hardest question we have when it comes to the original transfer process. So, in terms of scoping, I think that would be definitely be an [inaudible]. So, a lot of work to do and I think here we need to put most of the work in to see how the new process will work because this is where we have the interaction with the customer at the end of the day. And it has aspects in terms of security and it has a lot of aspects in terms of usability by the domain owner.

ROGER CARNEY: Great. Thanks, Tom. Yeah, and I was just going to bring up the large nature. This isn't so much on the deciding if it's a good replacement or not, it's more about how to make it the best replacement of the gaining FOA. And then that's where a lot of discussion will end up being at. Steinar, please go ahead.

STEINAR GRØTTERØD: I think seeing from a registrant point of view is that, one of the challenges is how to get the auth code. First of all, there's a question about what is the auth code? There are a lot of people that have a domain name that doesn't necessarily know what the auth code is and how to use it, etc. And when you go down the chain here with registrars, [registries] and so on, it may be sometimes—it's difficult to find the auth code and have to get the auth code when you actually want to transfer your domain name from one registrar to another. So, putting on top of this question is also—is actually processes that could smooth up the registrant to get the auth code when there are in this ecosystem. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Again, yeah, I agree and I think that's a large part of it is, several years ago, the TechOps group did go through that and started talking about obviously how to improve the auth code and they got down the path of, well, we can make this really secure and then it became almost unusable as you mentioned. So, that's going to be an important factor is pulling that registrant experience and making it usable so that transfers actually can happen so, great. All right. Other comments? Tom, I see your hand up but I assume that's an old one. Thank you.

THOMAS KELLER: Yeah, Sorry. Old one.

ROGER CARNEY: No problem. Okay. From the group, thoughts, Tom mentioned that he thinks this is probably on the large side just because of all the details and then the trying to balance of the security with usability issues. Others think size-wise is Tom hitting that in the ballpark saying it is large. Berry, please go ahead.

BERRY COBB: Thank you, Roger. A follow-up question, did that based on kind of what I heard, is it worth for this group to discuss this issue before it tackles the FOA? I mean, they seem connected even though they're different. But because this is more complex at least based on my initial reactions of what's been said, is it worth trying to solve some of these issues here first before getting to the FOA? Thanks.

ROGER CARNEY: Thanks, Berry. And it's really a good question when I think about it because it's like, okay, the idea people are passing here is auth codes replace the FOA so if you get to a comfortable spot in the auth code discussion that, okay, this is very secure, does that make that discussion of the gaining FOA that much easier? And again, we've already said it's a fairly small, but just throwing that out there. Right, James?

JIM GALVIN:

Thanks, Roger. I want to agree with Berry about this having a relationship with the FOA discussion. It occurs to me that there are two important parts to this discussion. One of them is the role of the auth code in identification and proving ownership. And so, there's a piece of understanding the relationship between the registrant and the registrar and access to the auth code and its use between losing and gaining registrar, that whole process and I think that is one part of the process. The other thing is on the backend, in the case of the incumbent registrar, in the TechOps discussions, there were also some discussions about potentially the role of a registry in auth code, auth-info code management.

And I think that's an issue that deserves a fair amount of discussion. We want to be careful to walk through all the requirements here and what it is we're trying to achieve and that's what's going to be best able to set us up to make a proper decision here. And the reason why I think this stuff is tied to the FOA stuff is, it's also part of the ownership. It's part of the validation of a registrant. I think that it could potentially be helpful in creating the paper trail. If you properly manage the auth-info code, you should be able to get some paper trail evidence out of all of that which is typically, at least most often, the reason why you have the FOA before. So, I think it's a high touch topic. I think there's a lot of things to walk through here and I'd also like to suggest that we might do this before the FOA discussion because I think a good answer here might actually help us there quite a lot. Thanks.

ROGER CARNEY: Thanks, Jim. A lot said there and I think that's right that, obviously, with this, you're trying to balance security and usability but also, I mean, it's not just registrant usability but also system usability making sense and where things are happening for consistency reasons, for a number of reasons. So, I think that, yeah, it does get into a deep discussion. So, several people have said, maybe this is our first topic we should hit. And again, I think that we're looking at this as being a large topic. Let me know if people disagree. Otherwise, it sounds like maybe move this forward and we're talking about a large topic. Okay. Again, we'll move forward with that thought and it does seem to make sense to push this forward and maybe work it most of the way through, if not all the way through before we jump into the gaining FOA. Okay. Well, great. Any other questions, comments. Okay. Well, looking at the clock, we've got about 10 minutes left so I think we'll wrap up our discussion here today and jump into closing out. Staff, if you want to close this out. Thanks.

EMILY BARABAS: Hi, Roger. I think if you don't mind, we'll just briefly touch on some logistics and scheduling stuff before we do the final closing.

ROGER CARNEY: Perfect.

EMILY BARABAS: So, as everyone has seen, you got three invites on your calendar for the coming three weeks. Everyone who was a member, who responded to the Doodle poll so that they could either make

Tuesdays at 16:00 UTC or could make it if need be so we're going to try it for three weeks. And Sarah, I'll answer your question in just a moment. We're going to try that for three weeks and folks are welcome to provide feedback and then we can revisit it after the ICANN meeting. The second meeting so that's June 1st is scheduled for 60 minutes because there is a GNSO policy webinar one hour into the call. So, to avoid the conflict, we made it 60 minutes instead of 90. And then we're going to have a session at ICANN71 and then a rest week after that to give everyone a break and then we'll resume. If people are comfortable with this schedule, we'll resume on the schedule, otherwise we can discuss and revisit so please do provide feedback if it's a pain point so that we know. We know for some folks, this is a really convenient time and for some it's going to be a hard and a stretch especially those in APAC so let us know how it's going. That's all we have for scheduling and logistics. So, if no one has anything else, I think we can close.

ROGER CARNEY: Emily. Just one thing from me.

EMILY BARABAS: Please. There was a thought brought up that possibly it may help to have TechOps brought in to review their discussions, their white paper. We don't need to talk about it here now but something to think about and we'll bring it up to see if that's an idea we want to pursue. Maybe after we scope things, get them in, or maybe even before we finish things. But everybody give it a thought to see if

that's something that will be useful or not but please give it a thought and we can work from there.

EMILY BARABAS: Okay. Thanks, Roger. Julie and Andrea, I think we can close.

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

ROGER CARNEY: Thanks everyone.

[END OF TRANSCRIPT]