
ICANN Transcription

Transfer Policy Review PDP WG

Thursday, 17 November 2022 at 16:00 UTC

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JULIE BISLAND:

All right. Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP working group call taking place on Thursday the 17th of November 2022.

For today's call, we have apologies from Richard Wilhelm (RySG) and Sarah Wyld (RrSG). They have formally assigned Beth Bacon (RySG) and Rich Brown (RrSG) as their alternates for this call and for remaining days of absence.

As a reminder, an alternate assignment must be formalized by way of a Google assignment form. The link is available in all meeting invite emails. All members and alternates will be promoted to panelists, observers will remain as an attendee and will have access to view chat only. Alternates not replacing a member should not engage in the chat or use any of the other Zoom room functionality.

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If you have not already done so, please change your chat selection from host and panelists to everyone, in order for all participants to see your chat, and so it's captured in the recording, Statements of Interest must be kept up to date. Does anyone have any updates to share? Please raise your hand or speak up now.

Please remember to state your name before speaking for the transcription. Recordings will be posted to the public wiki space shortly after the end of the call. And as a reminder, those who take part in the 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.

ROGER CARNEY:

Thanks, Julie. Welcome, everyone. Just a few reminders before we jump into our agenda today. Just a reminder, next week, we'll be meeting just once on Tuesday, the 22nd as the Thursday falls on an American holiday, so we'll skip that one and get back on it after that. So just one meeting next week.

Also, the rec 2 strawman language, [inaudible] comments, discussions on list and everything, try to get that wrapped up by November 30. On December 1, we'll talk about it. [inaudible] decision on it and move forward on December 1. So again, anything, concerns on the strawman for rec 2, take it on the list. And we'll talk about it on list and then on December 1 we'll [inaudible] on it.

And the last reminder is Emily sent out yesterday afternoon, I believe, recommendations two through nine, redlines for three

through nine and the strawman for two. And again, any comments flagging suggestions are due back by November 30. And again, she provided a Google Doc that we can record the concerns about the redlines and we can discuss those after we close that off on November 30th. So take a look at those redlines.

I took a look at and they all looked pretty good. So please just take a look at them and flag any in that Google Doc. And then we'll circle back and talk about them and get them cleaned up. I think that was about it. Emily, please go ahead.

EMILY BARABAS:

Thanks, Roger. I did want to mention, because this is a question that came up in the leadership team as well, we've previously talked about enhancing some of the rationales for the recommendations to make sure that the reasoning is clear, that the recommendations are linked, and that the logic overall kind of paints a picture of the security profile of the solution that's being put in the report and also any reasoning where there are major decision points that the group could take A or B and chose B, why that happened.

We haven't included that in the current redline. This is focused on recommendation two. So that's a pretty significant shift. And so there's a new response to the charter question there in addition to a recommendation, but the other redlines you'll see are just the redlines of the recommendations themselves reflecting what we saw as preliminary agreements and reviewing the comments.

Once we have done or gotten closer to the end of the review process of the comments and revising the recommendations, staff will be going back looking at the full package and making sure that the rationales are complete and paint that picture and that will also incorporate the work of the small group once they've shared their write up as well. So just to let you know what's coming down the line, what's available right now, the text that we're asking you to edit now is relatively brief. As a result, it's really just a handful of pages. So it's really important that folks do stay on top of reviewing that text so that we can consider it stable, and move forward and use that as a basis for the rest of the review process for the recommendations that build on these. So appreciate you taking the time to do that. And if there are any questions about what's being asked of the group, please let us know. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. Okay, and just open the mic up to any of the stakeholder groups that want to bring anything forward that they've been discussing, that they want the group to know, or to bring up here. So I'll open the floor up to any stakeholders that have any comments that they've been talking about. Anyone?

Okay. And again, we'll try to do that every call just to give everyone a chance to bring anything up that's been discussed not in this meeting but elsewhere. So. Okay, I think we've covered everything we need to and we can jump into our agenda. Emily, do you want to take us through 10 here?

EMILY BARABAS:

Sure. Hi, everyone, Emily from staff again. So we're starting today with recommendation 10. This is about the verification of TAC validity. And this recommendation is confirming the provision of Appendix G supplemental procedures to the transfer policy which are contained in the temporary specification for gTLD registration data. And that states that the registry operator must verify that the AuthInfo code provided by the gaining registrar is valid in order to accept an inter registrar transfer request with terminology updates in accordance with other relevant recommendations.

So just a couple of items on this one. The first one is a concern that you'll see across the next few recommendations. And so we can handle those as a package. The concern here is that the current report points to the recommendations for the TAC sort of as a package in explaining some of the other changes to the system, and the security profile as a whole. So from the staff side, I think that there's a pretty obvious action item to go back. And as we revise the rationales and the responses to the charter questions, to more specifically pinpoint only those recommendations that can be viewed as security enhancements, as opposed to those that are either just affirming the status quo or describing an element that may not have a security element. But happy to welcome any other comments on this as well. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. Theo, please go ahead.

THEO GEURTS: Yeah, so in my view, doing a check if a TAC is valid is more an operational thing. You don't want to set off an entire transfer procedure based on an incorrect TAC. That doesn't work. That's going to set up an entire process. And then in the end, it fails because it's an invalid TAC. So it's not a security feature, in my opinion, it's more an operational feature, which makes everybody's life just a little bit better. Thanks.

ROGER CARNEY: Great. Thanks. I agree with you, I don't think anyone in the group saw this as a security feature necessarily, but just a continuation of operational value. So, Jim, please go ahead.

JIM GALVIN: Yeah, thanks, Roger. Yeah, I guess also, adding to that, the highlighted text up there about the TAC, eliminating the losing FOA, I want to be careful about that phrase, too. I think this might be something that we'll want to come back to partly as I'm hoping more an editorial exercise after the set of us produce the profile text that we're going to provide that's going to be added here.

But I do want to be careful that the TAC does not eliminate the losing FOA. Losing FOA is a concept and it's covered by procedures and processes. It's going to be implemented differently in the new system. And there's a nice direct mapping if we continue with the transfer confirmation, which is the proposed name at the moment. But if we don't do that five-day period when the Tac is received by registry and the losing registrar gets that

five-day grace period, then there'll be other things we'll have to say.

But I want to be careful about that phrase. We're not eliminating the losing FOA. Or certainly the TAC is not eliminating it. But the use of the TAC, and the way it's applied, will give us the same features and characteristics of the losing PFOA. And that will need to be made clear. And I hope that we get to that. Thanks.

ROGER CARNEY:

Great. Thanks, Jim. And yes, I don't think the group thought the TAC or even some of the security enhancements to the TAC replaced or eliminated the FOA—the idea from the original thing was that it was bolstered wide enough, not just the TAC, but everything else, that losing FOA could have been eliminated. But as you mentioned, Jim, the strawman is bringing the concept, at least the functionality of the current losing FOA into the transfer confirmation concept. And it should eliminate a lot of these comments, or at least—not eliminate but resolve a lot of these comments. So I think we're good on A. We can go to B, Emily.

EMILY BARABAS:

Thanks, Roger. So the action for staff then is for the moment to hold, see where the conversations on the losing FOA/transfer confirmation fall and then go back to the rationales and responses to the charter questions and but just tidy up some of the language, I think as well, to make sure that it's all consistent and clear how the pieces of the security model fit together.

ROGER CARNEY: Yep. Thank you, Emily. Yes.

EMILY BARABAS: Part B is a comment that was made by a couple of different respondents saying that instead of referencing the temporary specification, this recommendation should simply say that the transfer policy should include the following requirement, because the temporary specification is indeed temporary, and that the transfer policy text should sort of be more evergreen or not directly reference the temp spec.

ROGER CARNEY: Great. Thanks, Emily. And I think we already made a change earlier along these lines. So I think that this should work out. But if anyone disagrees, please let us know. Otherwise, we can move on. I think this was the only one, last one for 10, right? We can move on to 11. Yep.

EMILY BARABAS: Okay, number 11 is about the TAC being one-time use. And the recommendation is that the TAC is created by the registrar of record, according to preliminary recommendation seven, that the recommendation, as created according to preliminary recommendation seven, must be one-time use. In other words, it must be used no more than once per domain name. The registry operator must clear the TAC as part of completing a successful transfer request.

The first comment starts with basically echoing the element from the last comment that we just discussed. And I think we already have an answer to that. The second piece of that same comment states that RFC 9154 says in Section 4.3, that the authorization information must only be stored by the gaining registrar as a transient value and supportive of the transfer process and that the plain text version of the authorization information must not be written to any logs by the registrar or the registry, nor otherwise recorded where it will persist beyond the transfer process. And then the commenter notes that according to recommendation 11, the TAC is one-time use and concludes that if the registry operator has cleared the TAC, it would have no loss of security, if it had been logged for audit trail purposes by the gaining registrar. And the commenter is saying that this doesn't make sense. Any comments on that?

ROGER CARNEY:

Great. Thanks, Emily. Yeah, and I think that the comment is correct. I don't think there's a loss of security here because the TAC is either cleared on the one-time use or it expires after a certain time. But I think that what 9154 is doing is just good data management and keeping it clean, because there's no purpose for it to be stored elsewhere, either. So just my comments on it, but anyone else have any comments on that? Jim, please go ahead.

JIM GALVIN:

I think, yeah, I'll try and take a closer look at this and think about this a bit. And maybe I can offer a suggestion. It's not that it's intended to be a security improvement. But I think that the way

that the TAC is used overall enhances security. So it's not about this one thing being a security improvement. But I think the framework as a whole is. And maybe, again, I've got to lean on this profile thing that we're writing here, maybe it will help provide some clarity in that respect. And we can make some other editorial suggestions along the way to help that. So yeah, I'm supportive of what's going on here. And I just wanted to add that little bit of observation. I hope that's helpful. Thanks.

ROGER CARNEY:

Great. Thanks, Jim. Yeah, and again, when I read this comment, obviously seems to make sense. It's not a security issue so much. But again, I think when you look at trying to keep data minimization provisions, again, I just don't see in 9154, it makes sense to me just to keep the data clean as it goes. And what's the purpose of keeping it around? I just don't see a purpose. So I think it still makes sense. But just my comments. Okay, any other comments? Otherwise, we can move on to B. Thanks, Emily.

EMILY BARABAS:

Okay. Letter B is a proposed edit that notes that we are somewhat inconsistent with the language that we use around clearing the TAC. So I think in some cases, we say clear, and I believe there's another term that's used as well, that sort of colloquial later in the report that will come up in the next couple of recommendations.

The suggestion here, I think this was from ICANN Org, was use the term unset the authorization information, but I think another standard term that is well understood by everyone involved would

be acceptable, as long as it's consistent. So the question here is whether using the term unset the authorization information is appropriate to use for this concept. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. And actually, it's funny, because I think I recall us having a discussion on clear back when we put this language together as we didn't want it [inaudible] operational mechanism, more of a higher level. And I think that's how we ended up with clear, and as Emily mentioned, we talked about clear, and I assume the other thing is the nulling of it. But to me, unset the authorization information sounds a little more [kludgy] or less knowledge less specific than clear, but I think I'll leave that up to everybody else, because I do remember having the discussion on clearing the TAC and the term itself. But I'll open up—anyone have any comments either way on this? Jim, please go ahead.

JIM GALVIN:

So thanks, Roger. I think we use set where the registrar is going to set the authorization information elsewhere. That's the phrase we use, right. And so I think in that sense, it's much more natural to say unset. Because you want to specify the opposite of what's there. I'm not aware that our registries have had any particular concern about this phrasing. We can certainly ask the question if we think that's relevant, but I would offer that I think the important thing here is whatever we change it to, it should be very clear that—I'm sorry, let me not use that word. It should be apparent that it is the opposite of whatever the registrars is doing. So I like

unset because we say set. If we want to change it, that's the only comment that I would suggest, we need just make sure it's apparent that it's the opposite. And I think it makes sense in that full context here. Thanks.

ROGER CARNEY: Great. Thanks, Jim. And a good call back to where we said it in earlier recommendations too. That does make sense, to do the opposite there. So maybe this language does fit better. To Rich's comments in chat, yeah, the authorization information may be better set as TAC instead. Because as Jim mentioned, we say set the TAC, and maybe we should say unset the TAC. Okay.

EMILY BARABAS: Thanks, Roger. So it sounds like we'll go with unset the TAC as the proposed language. And if there are Org colleagues on here who helped work on the comment and have concerns about that, please let us know and others as well. I see Keiron is saying that unset doesn't sound right.

ROGER CARNEY: Yeah, and I agree with Keiron. But Jim's right. We do say set the TAC earlier on. So it makes very logical sense to use the opposite and say unset.

EMILY BARABAS: Okay, so for the next draft, we'll go with unset the TAC. And if folks have comments as we do these redlines, there's that

opportunity to always—just reading Owen’s comment—there's always an opportunity to provide alternative suggestions and a rationale for why it might need to be changed.

The next item is also from ICANN Org, a suggestion to add language that specifies a scenario where the transfer request is not successful, where it's NACKed by losing registrar, that the TAC must be cleared by the registry operator and a notification sent by losing registrar explaining that the transfer request was not successful, and that a new TAC must be generated if a new transfer request is being generated.

So coming back to the recommendation, the language does specify a scenario where the TAC is being cleared as part of completing a successful transfer request. But it doesn't go into the details of specifically what that means and doesn't cover the scenario mentioned below. I think we actually did talk about this scenario on our last call. But it's not explicitly mentioned in the recommendation text. Thanks.

ROGER CARNEY: Thanks, Emily. Yeah, and actually, I think we talked about this last year when we put the language together. Jim, please go ahead.

JIM GALVIN: I just thought of something that I think I probably want to go back and speak to our registry colleagues about here. There's a timing issue going on here. I can imagine a registry operator clearing the TAC, at the moment that a valid TAC is received, and so as a separate step you would then issue the message to the losing

registrar and say, hey, as opposed to what it says here, which is keeping it until you actually have processed the ACK or NACK from the incumbent registrar, one of the things that worries me is the interaction with registry lock services. Because I realize that that in particular is out of scope here, but there are two competing things here that that interact with the distinction of the timing of this step, it now occurs to me.

One is the interaction with registry lock. And then there's this principle that the TAC should only be used once. So the question is what constitutes use? Has it been used when the registry validates it? Or has it only been used when the registrar ACKs the transfer? And it's interesting in that respect to me, because there are security implications here. It just feels like as soon as the valid TAC is received, that's a use and so whether you ACK or NACK, you should be required to get another TAC if you want to move forward with the transfer another time, and then again, with the registry lock services, there's an interaction there that happens that would come, I would think that it's possible for that to come before sending the NACK and ACK to the registrar that might come after.

So there are operational things going on here. And yeah, I don't have a suggestion here. But I'm now concerned if we start thinking about this, the way these two things interact, which hadn't occurred to me before, that I think I would like some time to ask others and get a sense of our group on it. I hope that made sense. Thank you.

ROGER CARNEY: Thanks, Jeff. Yeah, and I think that you're probably getting into some of what this means. I'm not sure that they were thinking about the losing FOA at this point. I think they were just talking about if it was NACKed at any time.

My one comment I had, Jim, was when we talked about this last year, I thought the one-time use was when the transfer was complete. The use is the whole process. Not necessarily if there's a back and forth somewhere in the middle. Again, that was just my thought. And maybe no one else had that thought. But that's what I kind of anticipate, was one-time use was in the cycle of use. So it goes all the way to completion. Not somewhere in between. Just my thought. Jim, please go ahead.

JIM GALVIN: Yeah, no, I agree with that. I do understand. And I do recall having that conversation way back then. And that's why I'm suddenly bringing up, as I've been thinking more about implementation to these things, I suddenly realized an interaction that concerns me. And I just think it's an important question to ask others what they think. Because again, there's an interaction here with registry lock. And there's an interaction here with when would they want to do registry lock in reference to all of this? So I guess that's new information in this. And I want an opportunity to explore that with other registries, if that's okay.

ROGER CARNEY: Okay, no, that sounds great, Jim. I think either way, no matter how we ended up on it, even if everybody agrees that the use is the

complete cycle on actually the complete transfer—but I think we'll have to add some language here to make that period more obvious for everyone. Especially for the IRT coming up. Theo, please go ahead.

THEO GEURTS:

So being on the other side of the equation, so to speak, and I can't fully judge, of course, all the registry processes that are going on on a registry back end, and there's plenty different backends there going on, but if I'm looking at the registry lock, if we throw that detail into the cycle, I don't think it's really going to matter. But maybe it's best that Jim goes back to the registry so we can get a more clear scope of what potentially issue there is, because I don't see it at the moment. So let's go back.

ROGER CARNEY:

Great. Thanks. Jim, please go ahead.

JIM GALVIN:

Yeah, so here's the operational thing that comes to my mind. And that is if the registry lock service, if it's caused to be acted upon upon receipt of TAC, okay, then what happens if the decision is made to not unlock? Does that constitute actually—does the registry lock have to be mandated to happen after asking for the ACK/NACK at the registrar? Or can it happen before?

And I'm thinking to myself we made it out of scope in the transfer process, but I'm wondering if registries have an opinion about that. And if they do have an opinion about it, then it might be something

that we have to bring here and we might have to say something specifically about when the NACKing and ACKing matters.

So let me try to say that a little more clearly with one sentence. If registry lock is done at the time that the TAC is received, suppose the decision is made not to unlock it. Well, that's an automatic NACK. And so you don't get that five-day grace period. And that's an interaction that we have not talked about. And so I think that's the operational thing that occurs to me in this. Thanks.

ROGER CARNEY:

Thanks. And I just want to add on to that, okay, registry lock is—the process is activated because a TAC comes in and it's decided to not unlock it, wouldn't the instruction be for the registrant just to NACK it?

JIM GALVIN:

Let's be clear. So what you're saying, I think, is that if the registry lock fails, and it's done before that five-day period afterwards, then you're saying we should still conduct that five-day period. And the registrar—the registrant, registered name holder, should then NACK. Well then that just creates the odd situation of what if they say they want to ACK it? What happens then? Am I supposed to restart registry lock services?

ROGER CARNEY:

Yeah, Jim, I'm not saying the five-day window continues. I'm saying that period, if it's decided that registry lock is going to stay, and it's not going to be unlocked, then the NACK is automatic.

JIM GALVIN: Yes, I agree. I think that's how this could play out. I'm just raising the question—

ROGER CARNEY: Yeah. I think it's great that you can take that back too, Jim, and have everybody think through their process and everything that way.

JIM GALVIN: Yeah. And that's all I'm asking. It just occurs to me that there's an operational distinction there. And yeah, I don't know what everybody does. I know what I do. But that's not fair here.

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

THEO GEURTS: Yeah, maybe that is the issue here, that we don't know what everybody does. If I go back in time and look at our first backend, so to speak, we didn't have any handling on the side when it came to transfer, which evolved the domain name that was, which had a registry lock on it. From what I recall, 10 years ago, we received a message that it wasn't possible. And nowadays, with the new backend that we have, we don't even allow to start a transfer with a domain name that is set to transfer.

ROGER CARNEY: That's a smart way to do it.

THEO GEURTS: So yeah. Maybe it's a little bit more of an operational issue. But I think, if you create language, then you should be able to program around it either way.

ROGER CARNEY: Yep, I agree. Okay. I think that as Jim and several—I think Eric mentioned in chat, using unset or [inaudible] however that is that B proposed. As long as it's consistent, set and unset or however we want to use the words, they just needs to be consistent that it's the opposite effect. But according to this, let's have Jim take this back to the registry group and discuss operationally if something is in the middle here of the cycle.

And again, middle to me is even registry lock is still in the middle, because to me, the end is the transfer occurs. So the registry lock—and again, as Jim mentioned, is out of scope for this group. Fine. But it's still something that the registries need to consider and operationalize. So let's have Jim take that back. And we can finish this C discussion when Jim gets some word back. Good thinking, Owen, reset. I'm not sure a reset means the same—that's interesting. Reset instead of unset. I do like that. Seems to flow better. But I'm not sure the meaning works well.

Again, I'm surely not opposed to clear, set versus clear. Because that seems very straightforward to me. But I do understand trying to use the negative. Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. I put in reset because unset just sounds really weird and awkward to me as a word. I hadn't really heard it until today. So I'm thinking we put reset in there and then maybe just a footnote saying that reset means the opposite of set so that it's clear going forward what we intend by that. So there's not any ambiguity moving forward. I see Theo [inaudible] I'm sure developers will get it. So yeah, that's my contribution for now. Thanks.

ROGER CARNEY: Thanks, Owen. And I think that a footnote may help there. Again, I think that obviously staff or Compliance, whoever wrote this did get the meaning, clear, did say the same thing to them. And they just wanted it to be more clear, more obvious, I guess. So I think maybe a footnote here just helps out on the meaning.

EMILY BARABAS: Okay, so it sounds like we are going to hold on Part C for the moment. And I will say this is not as the person who wrote the comments, so I don't have a strong opinion about unset versus clear, but I will say that from a personal perspective, reset to me sounds like setting something new.

ROGER CARNEY: To me, that was the hard part, too.

EMILY BARABAS: Yeah, just that I think there's some risk that it's implying that you're setting a new TAC, which is not the case in this scenario, we're essentially taking the TAC away. So one possibility is that we keep using the word clear, use it consistently and put a definition in the report that explains what we mean by clear. Which is the opposite of set.

ROGER CARNEY: Yeah, and maybe that's something we can do and see how often it occurs, maybe a footnote works or maybe as you said, a definition, or, again, even if we use reset, or unset, if we have a footnote that says, really, this means clear it, then it probably should work.

EMILY BARABAS: Let's take that back then. And we'll see if we can find a good solution.

ROGER CARNEY: Perfect. Keiron, please go ahead.

KEIRON TOBIN: Yeah, thank you. Where they've put in brackets clear, I think they're just asking for more of a definition. I think we can still use that. Looking at it again. I don't think we need to be more definitive, or even if we were, adding a footnote there for just extra clarity might help with the situation.

I agree unset, I had to read it like two or three times. I was like, [inaudible] must unset the ... Yeah, it just kind of I don't know, I think it confuses what it's meant to state.. I get Owen's reset. I understand where he's coming from. But I also understand the confusion that may come with that. But yeah, I had to reread it a couple of times for unset. I don't think it's the right terminology. Thank you.

ROGER CARNEY: Great. Thanks, Keiron. Okay, we'll work on that language and see what we can get to work on both sides there. Okay, Emily, you can take us forward.

EMILY BARABAS: Our next recommendation is number 12. This one is that the working group confirms that the transfer policy must continue to require registrars to set the TAC at the registry and provide the TAC to the RNH or their designated representative within five calendar days of the request. Although the working group recommends that the policy makes the requirement 120 hours, rather than five calendar days, and must make clear that 120 hours is the maximum and not the standard period in which the TAC is provided.

Our first concern raised is similar to the ones previously that I think in the current report that we refer to all of the TAC recommendations sort of as a package, that the package of recommendations creates an improved security situation. I'm paraphrasing, and we've already talked about the fact that we'll

revise that text to be more clear about that in the framing of the security implications of the package of recommendations.

So, of course, hop in if I'm wrong there, but otherwise, I think we can move on.

The second concern is from the registries and we talked about this under the discussion of recommendation three. And I think—and I'm hoping that our registry folks can step in if I'm wrong—that like with recommendation three, we can resolve the concern here by using the term “issue” instead of “provide” and “provided” for referring to the moment in which the TAC is given to the RNH. So please let me know That's incorrect. But otherwise we've suggested a redline reflecting that. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. Yeah. And when I read this, I just wonder—because I think this came from the registries, if the registries have any input on the two, again, the update to rec three, and the update to rec 12, if it makes sense.

And again, I think one of the big issues is—and I think someone else besides the registries noted it as well, the 10 minutes versus 120 hours, is that creating a discrepancy? And obviously, it's talking about two different things. So I don't think there's a discrepancy there. But if people are reading it and think there's a discrepancy, maybe wording has to change, and maybe this issue—using issue and issuance makes sense and will work. So I think if the registries are good with this, then we're probably okay. But just my thoughts. Anyone else have thoughts on that?

Okay, I think we'll go with the issue, as we did in rec 3 and keep it consistent. And we can make sure that that stays consistent throughout if we use it again anywhere else. Okay, please go ahead.

EMILY BARABAS:

Okay, next up is two different comments, which basically focus on the same thing, which is that the SLA could be shortened. Currently, it's five days, and we're affirming that in the recommendation. But one of these comments specified that a maximum of three days would be appropriate, and another suggested simply that it should be substantially shortened to make transfers easier and more efficient. I believe these comments came—not to call anyone out, but from ALAC and the ICA. So if folks want to speak further to that, this is a great time to do it. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. Yeah, and all the timelines that we talk about should always be looked at and see if they're appropriate. We've already changed several of them to try to expedite a transfer process. So I think that we talked about this quite a bit back last year and if the five-day window still made sense.

And I think, again, one of the keys—and I always attribute this to Marc Anderson, I don't know if he ever really was the originator of it, but the up to part of recommendations I think gets skipped a lot for some reason. And again, we're saying this is up to 120 hours. And I think that many registrars on this call already indicated that

this is going to be a much faster turnaround for them. But I think the five-day window was deliberately made five days for the processing of due diligence by some registrars on higher-value domains.

And again, I think the up to gets ignored too much. And generally speaking, transfers are going to happen much faster than that. But again, obviously, any time period is worth looking at. So any comments on shortening this or keeping it the same? Please come to the mic.

Okay, with no specific comments, I think leaving it at five days with our rationale—because I don't see that anybody's adding anything that we didn't talk about. Again, I think the important part here is it's not a set five-day window, it's up to a five day window or 120 hours, to be precise. And again, I think that the rationale here is that most transfers will occur much quicker. It's for higher value domains, it's important for registrars to do due diligence with the registrants and I think that that still makes sense. So okay, let's go ahead and move on.

EMILY BARABAS:

Okay, this is recommendation 13, which is about the TTL. So this is a two-parter, and you'll recall that recommendation 13 also had a question for community input. And we'll talk about the question for community input in a moment. But that if you just take a look at the highlighted text, this element of enforced by the registries is the part that we'll cover in the next document.

So in this document, we're going to focus on the standard TTL of 14 days, and 13.2 on the registrar record may set the TAC to null after a period of less than 14 days by agreement with the registrar record and the RNH.

First comment is, again, a repeat of the previous comments about being more precise with the security model that's being referenced. The second comment is that the maximum TTL of 14 days appears to be too long. Given that the longer it is, the more likely it is to be misused. And there's a couple of comments stating that. Shall we pause here for a moment?

ROGER CARNEY:

Thanks, Emily. Let's talk about this. Theo, please go ahead.

THEO GEURTS:

Yeah, if it's too long or not, I think it kind of depends on where you're coming from. But speaking from experience, and lately, this year, we've been dealing with more UDRPs than ever, it is sort of mind boggling how long it sometimes takes before—there's a lot of communication going on with all these IP folks, that the TAC has to go there and then it has to do—being done such and such. And there is sometimes a frustrating long period, it's never like five minutes, which is for most registrants, it's the case. Like you start a transfer and if you've prepared it well, it's just snap, it's there.

So I don't think we need to shorten it, I think we need to keep in mind that there are still operational challenges with UDRPs that can take longer than anticipated. And there might be other examples that we are not even aware of that go completely

unnoticed because it's not as visible as a UDRP for the registrars, but that maybe companies require whatever operational requirements before they can move their domain name. So I wouldn't make it shorter.

ROGER CARNEY:

Great, thanks. Yeah, and it's interesting, this is one time period that we looked at and in today's world an auth code is valid basically forever, and we actually put a bound on it. And it's interesting that that bound is still too long for some, and I understand the reason that they're looking at is that potential misuse within that window. But as Theo mentioned—and again, as we've talked about, many of these transfers are going to happen relatively quickly to begin with. And the other measures we put in place, just to help that out, the one-time use, once it's used, that TAC is no longer valid, all those things. But to Theo's point, there are several reasons that 14 days will be even hard to make a transfer happen within it. But I think the 14 days is a good number, but I'll open up. Theo, to please go ahead.

THEO GEURTS:

Yeah, and when you talk about the security of it, of course, the longer it is, the more risk there is. But on the other hand, if we are now looking—and here I go again, looking at the NIS2 directive, which will apply to a lot of companies, all these companies have to sort of rescan their security profile and domain names will be a major aspect of it, which is now sort of not the case at the moment, but it will be in the future. Because if you have very

important domain names, you have to put a completely different threat model there.

So my expectation is that if we are looking at the 14 days with the future, what will sort of de facto become a standard is I suspect or predict that registry locks will be all over the place. That is just a security feature that you need. The risk is too great nowadays. And since it's going to be required by law, I think the registry lock will be in place and the TTL doesn't really matter then.

ROGER CARNEY: Great, thanks. Any other comments on it? Okay, let's go ahead and move on to C.

EMILY BARABAS: Okay. C is revisiting an item that was discussed by the group previously, which is about setting a minimum TTL. So this commenter would like to see a provision that the registrar may not set the TAC to null after a period of less than 24 hours, with the goal of preventing registrars from abusing this clause and blocking users from legitimately transferring their domains.

As noted, this is a concern that had been raised within the working group previously as a potential form of abuse. But the group did not come to any specific agreement to have a minimum.

ROGER CARNEY: Oh, great. Thanks, Emily. Yeah, and as Emily mentioned, we did talk about this, and we talked about it quite a bit, actually. And I

think that that's why we got to the language of—I'm not going to say it precisely, but registrar and registrant agreement so that registrar couldn't do this without the registrant agreeing to setting it to anything less than 14. So I think that's how that language came about, because the minimum just didn't seem to work. And again, we talked through this, and it's like, obviously, we saw the potential for abuse here. And again, I'm not sure setting it to a minimum 24 eliminates that. I think the language that we have is better protection in that it has to be an agreement between them to set it to less. But just my thoughts. Theo, please go ahead.

THEO GEURTS: Yeah, and of course, 24 hour sounds nice. No, never mind. I'm going to take that back.

ROGER CARNEY: Okay, thanks. I think as Theo said, 24 hour sounds nice, and maybe that stops some registrars from abusing it. But then 24 hours and one minute, a registrar can set it and it doesn't help the registrant. So I think the language we have is more protective in that the registrar and registrant have to have an agreement to set it to less than 14. Keiron, please go ahead.

KEIRON TOBIN: Thank you. What was the rationale for having it at 24 hours?

ROGER CARNEY: I don't know if the commenter said anything about 24 hours rationale. I think they were just trying to find a short time period so that an abusive registrar wouldn't be able to clear that TAC within that 24 hours.

KEIRON TOBIN: My concern with this is that we're penalizing customers who may potentially need it for just a few small minority registrars who might be a problem. I don't think there should be any minimum there at all, to be honest with you. I think it comes across that—I get kind of where you're coming from in terms of why we would want that, but I don't know. It seems very small for just a few small [unhanded] registrars.

ROGER CARNEY: Great, thanks, Keiron. Yeah, I agree. It's a solution for a potential small number of registrars where our wording, actually, to me anyway, accounts for all of that and even more. So I think that our wording, to me, is probably more registrant-friendly than setting the minimum. Theo, please go ahead.

THEO GEURTS: Yeah, now that Kieran provided some—[inaudible] It can recall— And maybe that's just my memory, but when we talked about the statistics coming out of ICANN Compliance, I can't recall that there was a there were very many examples that were such registrars who are doing this. And if they are doing it—there might be some—that is just going to trigger a complaint from ICANN Compliance to the registrar. And I personally don't want to handle

any of those complaints because they're very time consuming and cost a lot of money. So I don't see a real issue here.

ROGER CARNEY: Great, thanks. Okay, any other comments on that? Okay, I think we can move on to the next one, Emily.

EMILY BARABAS: Okay, our next one here is a suggestion to change the term standard to maximum, consistent with 13.2, which allows for a shorter TTL, but not a longer one. And also suggestion, should the clause about registry enforcement stay in place, that it should say enforced by the registry singular instead of enforced by the registries to make clear that we're just talking about the registry in question. So we've shown what this looks like in a redline below, and did have a question from the staff side, which is about if you change the term standard to maximum, do we need to more explicitly state that there is always a TTL, whereas the term maximum might imply that there's only sometimes a TTL? So just something to consider.

ROGER CARNEY: Great. Thanks, Emily. And I think that we talked about—I don't know if maximum, I think when we talked about setting a minimum and maximum, we talked about that verbiage and we settled on standard. And to be honest, I'm not sure exactly why we moved away from maximum. I think maybe it was because we weren't going to define a minimum. And maybe that's the only reason we moved away.

But thoughts on this? Does maximum seem better than standard? If we use standard, are we going to have to again footnote it and say what that really means? As far as the next edit, I think that that makes sense, changing it from plural to singular saying that the registry [inaudible]. Yeah, and if we do use maximum, I think that staff notice is applicable as well. So Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah, I think standard is perfectly fine. I think if you've got to that part in the policy, and you're not understanding the term of standard, I think you might as well just give up if I'm honest with you. But I think from the rest of how it kind of transpires prior to that, we kind of explained exactly kind of what it is in terms of the TTL. Everyone knows it's 14 days. Yeah. I think that's just nitpicking to be honest with you. But I agree on the second point with registry. Thank you.

ROGER CARNEY:

Great, thanks. Any other comments on leaving that standard? I see Rich in chat. Yeah, I think Rich is saying standard seems better as an option than maximum. Thanks, Rich. So I think maybe we stay with standard. And again, I think the comment is purposeful, obviously, that if we need to put a footnote on the standard being this is the maximum TTL and 13.2 obviously has a way to set a TTL less than that, but I think we stay with the standard, but with the singular update as well. And then I think the use of standard eliminates the staff concern or at least the note that they put here. Okay, I think that that's good. Emily, any questions on that?

EMILY BARABAS: Thanks, Roger. No, I think that's clear. And I don't believe that these comments came from Org. I can go back and look at who they came from. But regardless, my recollection of the conversations mirror yours about switching to standard in the first place.

ROGER CARNEY: Okay.

EMILY BARABAS: Okay, letter E is a suggestion to be consistent where we refer to days in some places and hours in others. I think this is something we've previously discussed as well, that this could reference both the number of calendar days and the number of hours in the recommendation.

ROGER CARNEY: Great. Thanks. My only comment is I think 14 days is actually 336 hours. So maybe that's just a typo. But someone do the quick math for me. Otherwise, I think that's good. Great. Okay.

EMILY BARABAS: Okay, we'll double check that and make the update with the correct numbers of hours. Thank you, Holida. 336. So we will correct that and make that update. And then the last one is—here we use the term setting the TAC to null. In the previous recommendation we were discussing we used clearing the TAC. It

sounds like people don't really want to go with unset the authorization information. Do we at least want to be consistent between clearing the TAC and setting the TAC to null and just using one of those? Thanks.

ROGER CARNEY: Theo, please go ahead.

THEO GEURTS: Just normal development speak, right? You always use language like that. Everybody gets this. It's sort of universal to developers or programmers who would need to implement this specific bit. So this isn't meant for registrants or put on your support page or anything. This is just for the developers.

ROGER CARNEY: Thanks. Any other comments on this? I think that yes—in chat. It's good to keep it consistent, whatever we end up using.

EMILY BARABAS: Roger, I see we have a suggestion from Rich that Owen also likes which is reset the TAC to null. How does that sound to folks?

ROGER CARNEY: To me, that reset works there because you're defining what it's reset to. In the prior one, reset seemed like it was left open to reset it to what. But resetting it to null makes sense.

EMILY BARABAS: Okay, looks like we have a lot of support for that. So why don't we go with that everywhere for now. And if anyone has a better suggestion as we go along, we can adjust. Thanks.

ROGER CARNEY: That sounds great. Thanks, Emily. Okay, let's go ahead and move on.

EMILY BARABAS: Okay, our next item is the question for community input on recommendation 13. The question was who is best positioned to manage the standard 14-day TTL, the registry or the registrar and why? And are there specific implications if the TTL is managed by losing registrar?

As you've all seen in reading the comments, they're quite split. So there's a pretty extensive comment by the registries explaining their rationale for why the registry should not be managing that TTL, the registrar. I think rather than trying to paraphrase it here, I'd rather leave it to folks from the registries to speak to that if they're willing to do so.

And you'll see also towards the end that there's several commenters who feel that the registry should manage the TTL. And then a comment I believe number 14 is from ICANN Org that basically says that either scenario is possible. So this is probably an item that needs quite a bit more discussion. So maybe I'll just

pause and folks can hop in and then kind of start up that discussion. Thanks.

ROGER CARNEY: Great. Thanks, Emily. Jim, please go ahead.

JIM GALVIN: Yeah, thanks, Roger. I think the only thing I'll add to the words that are here is to emphasize the point that the registries are clearly not supportive of enforcing the TTL. There's no support. We either have a rejection of wanting to do this or no objection. So I'm going to call that unanimously opposed to this effort. And I won't read out which they are. I think it speaks for itself. We'll just see how the discussion goes. Thanks.

ROGER CARNEY: Great. Thanks. Unanimous as in unanimously not with the recommendation. Theo, please go ahead.

THEO GEURTS: I disagree, but—and I read the comments from the registries. And I don't think—there's some stuff in there that I think is incorrect. But regardless, if the stance is we're not going to support this, we can end the discussion here. Because at the end, if we're going to go with a proposal that doesn't get support from the registries, and it seems that it's very important to them, and we need their support on the Council level at some point. And if that's going to

create discussion there or friction, I don't think—I'm not going to die on this hill. Let me put it that way. Thanks.

ROGER CARNEY:

Great. Thanks. Yeah, again, I think the big question it comes down to is, does the registry enforcing this provide anything additional than if the registrars were the ones that had to enforce this? And I think that maybe there was a comment somewhere along the lines that says—obviously, the one factor that the registries enforcing it stops any rogue registrars from not adhering to the 14 days. So I think at least to me, that's the only thing that I can really call out, benefit versus cost here. The one benefit is being that it is standard across and no registrars can extend that 14 days life of TAC. So, Theo, please go ahead.

THEO GEURTS:

Yeah, one observation/comment, though, this is for the registries. When we were in the process, submitted comments, we made several comments on it. As Registries Stakeholder Group, the position of the registries was already sort of known because it was a repeat of what was being said in the working group.

And I wonder if the registries even read our comment, and if they have a response to it. So that would be useful to know if they read it and dismissed it, rather than “Oh, we missed it.” And, “Oh, that's actually good information. Maybe we should rediscuss it in the Registries Stakeholder Group again.” So I was wondering if they read our comments. Thanks.

ROGER CARNEY: Great. Thanks. And I'll let Jim at least try to answer or get an answer. Jim, please go ahead.

JIM GALVIN: I do know that we were aware of the registrar comment when drafting the Registries Stakeholder Group comment. So it wasn't dismissed. But we chose not to respond to the registrar comment since we're obviously responding to the proposal as a whole, the report as a whole. So I can say that much, certainly in the [inaudible]. But that was not why I raised my hand and if it's okay, I'll continue on.

ROGER CARNEY: Please do.

JIM GALVIN: So I want to call out—I want to react to something that you said, Roger, about the registries enforcing the 14-day TTL that a potential feature of it is some monitoring of rogue registrars. And I was trying to be very careful about phrasing that because what I want to call out here is there are a few cases in this response from the registries where we do say this issue needs further investigation. Because, in fact, there are interactions here which do need to be dealt with.

So in response to the rogue registrar thing, there's no real guidance about how do you deal—let me not say it in a negative way. There's no real guidance on whether or not a registry should take action if a registrar reduces that 14 days. So if they unset it

for whatever reason, presumably because the RNH wanted it that way. But again, If we're in the context of rogue registrars, there's no context here for any of that.

And one would think if you're really in it for monitoring or the possible existence of a rogue registrar, there are additional issues to be addressed here in what that means. And none of that is covered as yet. So that's just one particular example. But there are a couple of things in there where if this is really the direction we want to go in, then there needs to be more discussion here. Because there are just things that happen during that 14-day period that have to be accounted for that a registry needs to have some guidance on what you're operationally expecting. Thanks.

ROGER CARNEY:

Great. Thanks, Jim. Yeah, and again, I don't know that—at least when this came up, I don't know that I thought of it as monitoring as just validating. So again, maybe that's just a terminology thing, but I don't think there was a goal of any monitoring per se, just to validate that. So I think that, again, as Theo brought forward—Catherine, please go ahead.

CATHERINE MERDINGER: Oh, sorry, I don't mean to cut you off. But I don't recall who mentioned this the first time, I'll be honest, because I did not invent this. It may have been in the registrar comment, which I was aware of, because I helped draft it. But now I don't remember what was in it.

But I know that lots of registries—I'm not sure if they're required to or if this is just like ubiquitous because it is—include in their RRAs that they can change things like auth codes if they want to. Specifically not things like auth codes, they can change the auth code for a registrar generated auth code.

And if registries are going to be authoritative in deciding their ability to change these things and change this—I just think part of being the decider on that, registries, is enforcing the TTL. I think that makes sense. If you guys are going to be the authoritative “this is the AuthInfo code,” not what we're calling it anymore, but—and that registries can change it if they want to. I think that's part of owning all of that. And I don't remember who made this point. So whoever did, please feel free to claim it. But I just think I understand Jim's points. And I think they're good and valid. But my concern is just that there's a bit of have your cake and eat it too on the registry size. I don't know if that's helpful, honestly, [as a thing] to say right now. I don't know. I don't know, guys.

ROGER CARNEY:

Thank you. Again, I suppose the concern—and Theo kind of brought it up, it's like, okay, obviously, I think this is a big point. You know, we purposely put in that the registries wouldn't enforce it, validate this. Again, I think that the registrars that mentioned it had reasons, and I think even staff wrote a comment here, the last comment that this could be done both ways, and is, in our proposal has been done both ways, the registrars handling it in certain circumstances.

But the overall validity of it [for the end] is being handled by the registry. So I think I am not hearing from other groups on this. It seems like it's very focused between registries and registrars. And to Jim's point, is there other operational concerns if a registry is the one that's going to validate this at the end?

So I wonder if it's maybe a small group of registries and registrars. And again, anyone that wants to participate can be part of that, but is it a small group thing where we can get a few people together to talk through this and see if it makes sense to keep the language and it works that way, or, as Jim is suggesting, if we do keep this language, do we need to add additional language to make it clear what happens when? Or do we get to the conclusion of, "Well, maybe this doesn't need to be spelled out?"

Either way, maybe we don't write who enforces it. It's just someone has to enforce it. Or we make the registrars enforce it. So I think obviously, those are the options. But I wonder if it's better timewise if we pull this discussion aside, and as Jim suggested, that maybe there's more discussion to have. So I wonder if maybe we pull five people together off the side and discuss this, if we can get to a conclusion without slowing down the group. Theo, please go ahead.

THEO GEURTS:

Yeah, I think that's a good suggestion there. And there's definitely some—maybe we need some more discussion on a more of a technical level. if you're talking about a TTL set by the registrar, and if that registrar for some reason does not monitor it, for whatever reason, there's something stuck in a system and the TTL

starts living on longer than the policy is suggesting, how does the registry know if the TTL is still valid? That goes both ways. it's not only the registrar systems that need to monitor the TTL BUT also the registries, I think, at least from an operational point of view. So I think there's some more discussions to be done here. Thanks.

ROGER CARNEY:

Great, thanks. Okay. So I make this suggestion, and then hopefully, we can get several volunteers to join that group and spend the next couple of weeks and come back early December with proposal of where we go on this. And again, maybe we don't get to anything. And then obviously, I'll listened to everybody, and we'll get a solution at that point. But let's try to get a group of people together to discuss this and come back with suggestions on how we can do this. So please, looks like Jothan has already volunteered. Thanks, Jothan. Jim, please go ahead.

JIM GALVIN:

Yeah, just to kind of articulate the question that the small group is going to answer. I should say that I'll certainly volunteer to be part of discussions. And I don't really want to speak for Rick, but I'm sure that Rick Wilhelm also from the registries would be happy to participate in this. I know he's out on vacation. So we can't ask him right now. But when we do that ...

The question before the small group is a discussion of the public comments. And so what ultimate resolution are we recommending? Meaning we could recommend that we're going to not have the registries do it, or if the registries are going to do it,

we'll address some of these questions that came from the Registries Stakeholder Group as part of that, too. Is it a fully open question, or are you scoping what question is in front of the small group? Thanks.

ROGER CARNEY:

Thanks, Jim. Yeah, it's good to have that clarity. And I think, yeah, obviously go into it with some direction. Obviously, our recommendation is the registries do the validation at the end and force this TTL. So I think obviously, that's one outcome. And to your point, that means we need to address any of the concerns that the registries are bringing up and how to do that.

Another outcome is registrars are going to do it. And maybe there's something there that has to come out, we have to add language so that the registrars, we can—especially for ICANN Compliance and everybody, we can get the enforcement aspects of that so that they can have a path to say, “Okay, you're not following this. Your TTLs—you're not even watching them or you're letting them go 30 days or whatever.” But you know, is there language if the registrars do it?

And I assume the other option is not really an option. And that's not to specify either one of them as the enforcer. But obviously that is an outcome. But I think the two outcomes is the registries—maintains that the registries enforce it. And as to your point, Jim, those questions and concerns that the [inaudible] brought up, need to be answered. And then if registrars are picked, is there any follow-up that needs to happen with that? That's what I would ask from the small group.

So it sounds like we've got several registrars and so registries willing, and again, it's open to anyone—anyone wants to join. I don't want to stop any other groups from participating. So if they want to participate and especially listen even, to listen as the process goes through or even contribute to it. Please feel free to. But let's plan to do that. And staff will help set up a small group for that. Okay, I think Emily, we are at the end of our agenda, are we not?

EMILY BARABAS: Hi Roger. We are indeed at the end of our agenda. And then the next one, rec 14 just has a couple of comments. But it might be more fruitful for folks to just read those offline themselves and pick up next week on it.

ROGER CARNEY: That sounds great.

EMILY BARABAS: I think the next set are going to be relatively small ones that we can— as long as people are prepared ahead, we can move through pretty quickly.

ROGER CARNEY: That sounds great. Okay. Again, yeah, this one being a fairly good topic to discuss, and our homework that we've already got, which is the recommendation 2 strawman and the review of the redline. So I think we'll be busy enough. So I think that—I always like

giving some time back to people. I know it's only seven minutes, but it's seven minutes I'm willing to get back since we had a very good discussion today.

So if anybody has anything they want to bring up, please let me know. Otherwise, we will get some time back. Okay, great. Thanks, everyone for good conversation today. Great progress again. So we're moving along good. And we'll see everyone Tuesday.

[END OF TRANSCRIPTION]