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ANDREA GLANDON: Good morning, good afternoon, and good evening. Welcome to the Registration Data Policy IRT meeting being held on Wednesday, the 15<sup>th</sup> of December, 2021, at 17:00 UTC.

In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room.

I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. As a reminder, those who take part in ICANN multi-stakeholder process are to comply with the expected standards of behavior.

With this, I will turn it over to Dennis Chang. Please begin.

DENNIS CHANG: Thank you, and welcome, everyone. I think, Andrea, you have one more announcement to make regarding an IRT member.

ANDREA GLANDON: Oh, yes.

DENNIS CHANG: So let's do that.

ANDREA GLANDON: Stephanie with NCSG is no longer a member of the IRT.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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DENNIS CHANG: Okay. And we thank Stephanie for her support and services throughout the years. So that you all know that IRT members are being on our website, we'll make sure that it's accurately reflected. Right?

ANDREA GLANDON: Yeah. I haven't removed her yet, just because she hasn't officially asked to be removed from the e-mail list. So I'm going to verify with her.

DENNIS CHANG: Oh. Well—

ANDREA GLANDON: She said she's no longer a member but she hasn't specifically stated whether she wants to remain an observer or not. So I need to check with her.

DENNIS CHANG: Ah, observer. I see what you mean.

ANDREA GLANDON: Yeah.

DENNIS CHANG: Okay, that's fine. But if she's an observer, she should be—

ANDREA GLANDON: Right.

DENNIS CHANG: —removed from this IRT meeting, IRT list. And I think we have an observer list, too, right? Don't we? But that's okay. Please take care of that.

And then the other announcement we have is ... Let's see. Sam, do you want to make an announcement?

SAM MANCIA: Sure. I'm happy to announce that, as of December 1<sup>st</sup>, I'm now a permanent employee of ICANN, whereas before I was a temp. So, yay!

DENNIS CHANG: Yeah. This is really, really good news for us, our time. Sam has been just tremendous in getting us organized and in a lot of the behind-the-scenes work and to me personally. She keeps me on track with constant reminders and keeps track of all of our action items. And we're so glad that she decided to actually join our team permanently. And I joke: "This is in spite of having to work with me," which can be quite challenging, I might say. Thank you very much. Welcome news.

Any news from anyone else?

I hope everybody is doing well.

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And just a quick reminder: Just know that this is going to be our last meeting for the year. So think about that. And I think, going forward, we're looking at the 19<sup>th</sup> of January to pick up. And we want to talk to you about that, too. And let's do that. With the workload that you're going to have, please don't hate me. I'm not trying to load up lots of homework before Christmas break like those mean teachers who used to do that. We thought that, as soon as the IPT got done with it, we would give it to you, and you would have time to consider it, review it, and discuss it with your stakeholders at home, whether it be a technical discussion policy, legal, or whatever.

So I set all these five tasks with a due date of January 7<sup>th</sup> but let me just tell you so that you don't get all stressed about it. January 7<sup>th</sup> is a date we think will work for us so that we can accept your review comments and then process them the week after and then prepare the following week so that we can have a productive meeting on the 19<sup>th</sup>. But we will go through the whole thing, and you can get a sense of the scope of the tasks. And then you can come back to me and, if there are any of these tasks that you would like additional time for review for or would like to change the due date for [inaudible] as we have done, of course, that's quite doable. And we will do that.

So we have gone through and taken the Rec 7 decision. And interpretation: we're trying to take that. And we have gone through all the sections—sections 7, 8, 9, and 10—and then looked at it more carefully this time. Of course, having had some time away from it gives you some fresh eyes. And we do have a new member who joined us after we have crafted these words.

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So that's what we did. That's why you're looking at the task for Section 7 again. So it may or not be Rec 7-related. That is, I think, probably important but not critical. If it's something that we have to change and we realize it, then we should. And that's the approach that we have taken. So we're not holding anything back. We're just sharing everything with the IRT because you're there, too, to help us, too.

So this is all one doc. So we're only talking about one document. There's some helpful things that I can show you later, but if you go down the list of action items' text here, it's 7.27. So you go to Section 7. So we're moving 7.27—nameserver IP address—from one section to another, and we'll talk about why later. And then we go to Section 9.13. So Section 9.13. So we are thinking about adding IANA ID to 9.13, and we'll discuss why that will be. And then Section 10 is the bulk of the work. And we started redlining what we had before, but it just got too messy and too difficult, so we took a different approach. We adopted this technical ... providing you fresh language in a box. We call it the box method. And we'll see if this will be more clear.

But even with this, it was difficult for me, even. And I was mentioning, I employed a technique, what I call a [inaudible] map. It's sort of my engineering habit of trying to decipher exact requirements. So I'll go through this with you today, as I promised.

And of course, you know that this is in the IRT work group, right? I'm trying to not create too many documents. We already have a ton. So whenever I see something that could be useful for our team, and if it can fit into our work—what I just added—it's a lot easier for me and, I hope, for you, too.

And then we have an implementation note on [BCD]. So that will be, as you know, the end of our document. We have [notes]. And it's about the transfer. So this is directly related to Rec 7, and Rec 7 recommendation interpretation for implementation that had been confusing. And we have been debating for a long time on how to interpret that. But the decision has been made, and it's clear. It's from the GNSO and the Board. So our job now is to just implement it. And, in a ways, it got easier because we no longer have to discuss the interpretation. We just talk about interpretation of that interpretation.

And then the last one was Note C. Oh, it's a new note. It's a transfer, again—a transfer item—to data escrow. And this is a little more ... I wouldn't say technical but probably business knowledge required for registry operations. And we have a lot of good registry operators with experience who can explain this for us and then confirm our understanding. We, of course, on the staff side have people who come from a registry background, so they've been there and they know what the registry operation is. So I think it's the same. It hasn't changed. This is what we do. Then we have the service team from staff who's servicing, adding new services to registry operation. We have a whole process for doing that, and data items related. So we'll have a good discussion about that. That'll be interesting and a learning for all of us.

So I think the reason that I laid it out (let me see) the agenda—this way (Section 10) is I know we have 90 minutes. I am kind of warned by my team—and they're probably right—that we can't possibly go through all of this detail. But one thing that we do want to do, if we have to accomplish something, is make sure that we have a good discussion on

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Section 10 and then, for the rest of the year, have a good, common understanding of the Section 10 requirements.

And this is particularly important because, in parallel, we have a team—the RDAP Working Group—who’s working on updating the RDAP profile, and we want to make sure that we are communicating with them clearly about the profile updates. We want to avoid all the rework if at all possible. As a project manager, I’m particularly sensitive to how we use our resources and make sure they go towards things that are most valuable. Productivity, just before we break, is keenly important. You’ve been working with ICANN for a while—all of you, I think—but, on the last week of December, ICANN shuts down. We start shutting down on the 24<sup>th</sup> and we come back on the 3<sup>rd</sup>.

Andrea, is that correct?

ANDREA GLANDON: Yes.

DENNIS CHANG: Okay. I should have just let you announce that, but I think that’s important for all of you to keep in mind.

So, with that, I want to get into Section 10. So Section 10 is about publication. And we looked at this, we laid it out, we looked at every data element once again, and we have decided to restructure it in this way.

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This is Section 10, of course. It's in your IRT workbook. And mainly, we have two sections: 10.1 and 10.2. 10.1 is just about publication requirements. And 10.2 is about redaction.

Now, even in 10.1, we bring up the word "redaction," but in a way, I think it works without making it maybe too complicated, but this is, I think, the most precise way we can communicate to the engineers about what they need to code.

So 10.1.1 is the straightforward "You just must publish whatever is on the list. You've got to publish and RR." Of course, I'm using it as a short acronym for "registrar," and "RO" for registry operator. So just in case you haven't seen me use that before, that's what it means.

So 10.1.2 is what I call conditional must. And there's an "if" clause there. And there's two conditions. And it's an "or" condition. So either you collect it or generate it. If you did that, then you got to publish it.

And 10.1.3 is subject to redaction requirements below, but you have to do this.

Am I missing important chats here? Just stop me. Somebody holler at me if I need to be paying attention.

SARAH WYLD:

No, Dennis. We were just praising the chart. It's a beautiful chart.

DENNIS CHANG:

Oh, this thing?

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SARAH WYLD: Yeah. This is exactly what I wanted to see because now I can put this next to the [inaudible]. Thank you for this.

DENNIS CHANG: Yeah. Okay. I'm glad that you find it useful. I was kind of torn by my team—"I need to make it sexier"—but that's not my thing. I don't know how to do this. And I didn't want to ask my team to do anything more, so I'm just sharing my pure logic.

So 10.1.3 and 10.1.4 are, as you see, both subject to redaction, but there is a subtle difference. In 10.3.1, a registrar must publish—again, a conditional “must”—if collected and generated.

But what is the difference between 10.3.1 and 10.1.2? Well, first of all, 10.1.3.1 is registrar-only. You'll notice that there's no registry operator there. And the second thing is, while 10.1.2 is not subject to redaction requirements, 10.3.1 is subject to redaction requirements. That's the difference. And 10.1.3.2 is for registry operators only. So here we are separating, within 10.1.3, the requirements for the registry operator and registrars. Before, we tried to merge and just use the conditional “Well, you guys figure out if it applies to you,” but now we're actually making it distinct and will see if this will work.

And of course, the new condition that you may not have seen is this thing called transfer: transfer from registrar (that sort of condition). It's not collected, meaning the registry operator does not collect these data elements, but they are transferred from the registrar. Or they can

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generate it, but it's not collected. So there's the distinction. So, so on down the line, registrars must follow and publish here, and registry operators must publish and transfer.

And then we have a couple of main requirements. Over here is "you must." And here are Lines 11 and 12. 10.1.5 and 10.1.6 are "may." 1 is just a "may" for both registrars and registry operators. The other is subject to redaction requirements.

Now, the redaction ... Before I move on to 10.2, are there any questions?

It may take a minute or two to soak up the subtle differences and look at the requirements one at a time and compare them. But it's important that we all get on the same page before we look at the data elements themselves—what the requirements are.

So 10.1.2 is the redaction requirement. And, similarly, 10.2.1—I said 10.1.2—is for both the registrar and registry operator. And there's two conditions here—two requirements, if you will. It's a "must not" requirement: "must not include a value," and then, also, "must indicate the value if that value is redacted." So that's the requirement for those items in 10.2.1.

And 10.2.2 is the e-mail addresses, the web form. And then, of course, that's a requirement, but you cannot identify the contact e-mails. That's a requirement. This one is for registrars. And this is that "provide the opportunity to RNH for consent."

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So 10.2.3 just talks about the consent. And then if you have a consent, of course you have to publish it.

And 10.2.4 is the requirement for privacy-proxy services.

And then 19 and 20. I want to just alert you that this is one of the dependencies that we all know for our implementation. So while we can review it—and that's fine—we are not going to be able to complete our job of 10.2.5 and 10.2.6 until we have a resolution for Rec 12 from our Board and the GNSO. So I'm just alerting. So let's not get into any kind of a policy discussion here because there's two different views of how registrant organizations are being viewed right now, and it's not for us to debate that.

And the last one is the registrant city requirement.

So that's what I would call the new Section 10 structure, requirement structure.

And now we can go to the language. And I'm going to ... Oh, Sarah? Please, go ahead.

SARAH WYLD:

Sorry. I didn't want to interrupt your train of thought there. Now that you've explained all this, I was hoping that we could talk about the comment that I left in the document because I'm still just—

DENNIS CHANG:

Yeah, we will.

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SARAH WYLD: What you've put here in the chart makes sense, but I'm just not quite there. Thank you.

DENNIS CHANG: Oh, that's—yeah—coming up right now. So that's what we're going to do.

SARAH WYLD: Thank you.

DENNIS CHANG: Yeah. That's what we're going to do. And we are going to be looking at Section 10. And let's look at all the comments we have received so far, but let's just go in order.

So here I'm going to ask for some help from Gustavo because he does a pretty good job of explaining this stuff to me and why the data elements within these sections should be here. And that is, I think, is the essence of the comment from Sarah. Let me turn it over to Gustavo. Gustavo, are you able to speak?

GUSTAVO IBARRA: Yeah. Sure.

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DENNIS CHANG: Just go through each section and, as we go down, when you come to Sarah’s comment—like, 1.1.2—then talk about the comment. But I think it’s important that we go through from the top down. And I think we have time to do this. So let’s just take our time. Go through it slowly. Go ahead.

GUSTAVO IBARRA: Could you please make me a host?

DENNIS CHANG: Certainly.

GUSTAVO IBARRA: I’m a host now. Thank you.

DENNIS CHANG: You’re welcome. I didn’t do anything, but I’ll take the credit. Andrea is backing us up.

GUSTAVO IBARRA: Okay. As Dennis was mentioning during the IPT discussions, we believe that there are two main audiences for this text. One is the implementers, for sure—the RDAP working group, the engineers—and the other is our colleagues in Compliance. They also need to be able to understand this text, and it should be clear to all the parties because, at the end of the day, they will need to enforce this text.

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So as Dennis was mentioning in the spreadsheet, let's go through all the sections. I will go through each of those sections. If you have any questions, please feel free to interrupt.

So the first section is going to be 10.1.1 at some point, but for now it's this section that I have highlighted. These are the data elements that, based on the recommendations and all the policies and so on, should be always present in an RDDS output. When I say "present," I mean the value. So you should have the key, which in this case is domain name or registrar URL. And you should have a value.

I'm going to talk on the RDS output. When I talk about the RDS output, I'm going to be referring to WHOIS 43 because apparently that's easier to understand than trying to talk about RDAP. But again, that text should be technology agnostic, should apply nicely to RDAP or WHOIS 43 without any issues."

So if you go to the WHOIS and you look for the information of the domain name on a registrar or a registry, these are the data elements you should always get with a value.

Now, Section 1.1.2 ... Those data elements are optional, but it means, with "optional," that you may not get the field in WHOIS, or you may get an empty value. That's up to the discretion of the contracted party to see if they want to show the key or they want to basically not show the field at all.

And these data elements, as I was mentioning, are optional. Why? Because maybe that registrant didn't provide DNSSEC elements because they don't want the domain name to be DNSSEC-enabled, or they didn't

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provide nameservers because they don't want the TLD to be delegated in the DNS, or the domain name has never been updated. So in this case, the updated date doesn't make any sense. And we also have the registrar WHOIS server because, according to the RA 2013, the WHOIS 43 server is only required if you offer registrations.

So these are the, let's say, two main sections that we have seen so far. So any questions? I think that these two are more or less related. We have the elements that you should always publish, and we have the elements that are optional. In the case of 1.1.2, there is no [assumption] regarding transferring the data or anything else. It's just if the registry name holder [inaudible] provide information or it was generated, like the updated date, then it should be published. Any questions?

DENNIS CHANG:

Can you click on the comment? So we can see Sarah's comment?

GUSTAVO IBARRA:

Yeah. In this case, the elements in 1.1.1 are not optional. Those are required. So that's the reason why they belong to that section: 1.1.1. And, again, this is hopefully clear to the engineers and it's also clear to our colleagues in Compliance: regardless of all the [inaudible] and extensions regarding transfer, you shall always get the data. [That] is in 1.1.1. So they don't belong in 1.1.2 because, in the case of 1.1.2, those elements are optional. And based on the recommendations and the report and so on, those in 1.1.1 are required. Always required.

Sarah?

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SARAH WYLD:

Thank you very much. Gustavo, thank you for this explanation—and Dennis also. This is very helpful. I really appreciate it. I think I understand where my confusion came from, which is always nice. I like understanding what I don't understand.

And so because we're using the phrase "if collected or generated," I was really focusing on the chart in Recommendation 10 and looking at which data elements have the star after them and which ones don't. And what I think you're saying is that it's not quite the same thing because the star does indicate if the element is generated rather than collected, but that's not the distinguishing factor that determines if it's in Section 1 or 2 here. And so, if we think about whether, as you said, [in] the top section, they're always required, and [in] the bottom section, they're not, that does make sense. So thank you for the explanation.

GUSTAVO IBARRA:

Yeah. During the conversations with the IPT, one or two was to say something like "optional," but then that will generate, we believe, more confusion because we have not used the concept of optionality in Section 10 before. So that's the reason why we used "collected or generated."

SARAH WYLD:

Yeah. [I agree].

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GUSTAVO IBARRA: Are we good?

SARAH WYLD: I think so, yeah. I just ... I guess I always want to go back to the recommendation and see where does it say that I might not be collecting or generated an update date. That's probably in there somewhere, and I just can't remember where. So I think that's just homework for myself.

DENNIS CHANG: Yeah. Good point, Sarah. I would really appreciate if IRT would be reviewing this carefully like she's doing. So that's when we bring up the drafting error concept and adding it to the list because we want to make sure that we address those things very clearly to the readers during public comment. So if something is not in alignment with a recommendation, we address that very clearly. Thank you so much.

Continue.

GUSTAVO IBARRA: I think that Berry has his hand up. Berry?

BERRY COBB: Thanks, Gustavo. Just building on what Sarah said and what I put in the chat, the asterisk denotation from the report I would never classify as a perfect representation of what actually goes on when this data flows

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through EPP from a registrar to a registry and how that would translate to exactly what is published.

And I think one of the things that I've learned, especially though Gustavo's intervention, is, at the time of policymaking or policy deliberations, I'm not so sure where had, for example, the WHOIS advisory in mind when trying to map that out. And of course, the advisory is not policy, but it does address some technical limitations on how, as Gustavo noted, values are handled in this system. For example, the updated date, I think, is a very good one. During the policy deliberations, it was understood, at least from my perspective, that that was always generated, but I think, in reality of at least today's environment, that is not necessarily always the case. And of course, WHOIS and Port 43 is one aspect of it, but RDAP is a different breed about how the protocols themselves handle the passing of the—this is the wrong terminology for RDAP, but it still seems applicable—key versus a value. And so, I think that's really what inspired this separate little section of 1.2 to account for that, I guess, flexibility or nuance in how the protocols behave.

And to Alex point, we're still trying to be technology-agnostic, but it has taken awhile for me even to come around on this 1.2 aspect. But there are instances where there is not going to be a value in these fields and we needed to make a delineation to make it clear that there's an "if" condition attached to this that is somewhat different than in the 1.1 section. And I probably made that even more confusing, but I'll stop there.

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GUSTAVO IBARRA:

Okay. If there are no other questions, then I'm going to the next sections. I'm going to skip 1.1.3 for now and I'm going to 1.1.4 because I think that's hopefully easier to read. And, again, we want to have these requirements on the data elements only once in the policy. We don't want to have an explosion of different sections within Section 10.

So here we have the requirements, as Dennis was saying, to the registrars and to the registries. The requirements are pretty simple. If you're a registrar, you must publish the following data elements. Obviously, for every of those data elements, you may have the opportunity to redact them based on the sections below. We're not saying that all of these are covered by redaction. We are just saying that, if they are covered by redaction, then you have the opportunity to redact them. But in the case of the registrars, those data elements must always be published. That means that, in the WHOIS output, you will see the key and you will see either the value, like the actual name, or you will see the word redacted or the string redacted.

And in the case of the registries, the requirement is different. The requirement is they must publish the data elements if they were transferred from the registrar. So if you go to the WHOIS output of a registry, you may or may not see the actual key because, if they are not transferring the registrant information, for example, you won't see the registrant name. You won't see the registrant's street. You can have empty values or you cannot have a [inaudible] [arrow].

So this is the way that we believe we can structure this section. And, again, we added these "subject to redaction-requirements" wording because, if we don't add that text, then we'll have multiple "if," like,

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“Registrar must publish the following data elements if they are redacted. Blah, blah, blah. If not, then this.” So we believe that we can make it simpler by just saying, “subject to the redaction requirements.” Obviously, that doesn’t mean that all of these fields are going to be below. It just means that, if they are subject to redaction, then you have that possibility.

So, questions?

Yes, Sarah?

SARAH WYLD:

Thank you. Again, the explanation is quite helpful. It’s helpful for me to understand that, just because it’s in this section (4), it doesn’t mean it’s necessarily subject to the redaction options, but because the country is the only one in that section that’s not subject to redaction, I feel like that causes confusion. I still don’t ... Now I’m of kind of two minds here because, on the one hand, I want to say we should put it up in the top section because it matches there: “must publish.” It’s not a question of “if collected or generated.” It’s just “must publish,” right?

GUTAVO IBARRA:

For the registrar.

SARAH WYLD:

On the other hand, in Section 1, it’s all the—I don’t know—more techy info. I don’t know how to articulate that, but it’s the information about the domain rather than about the domain owner. So having all the

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domain owner info in the lower-down section together kind of also makes sense. So I don't quite know what I think there, but I do feel like it's going to be confusing no matter what we do. Thank you.

GUSTAVO IBARRA:

Yeah. The issue is, in the case of the registrar, yeah, it's a "must publish." But in the case of the registries, there is the exemption by transferring or not transferring the data elements. And in the case of 1.1.2, that exemption is not there. I mean, if you're collecting information as a registrar, you must transfer that information to the registry. There is no other way. And in 1.1.4, the registry has the possibility to say, "No, I don't want to transfer this data." So that's the reason why it cannot go to 1.1.2. I mean, obviously, we can separate 1.1.4 and create a new 1.1.5 just for registrant country because it's basically that one that is not subject to redaction, but when talking with the IPT, we believe that ["subject to the redaction requirements"—] this text basically means that, if the requirement is below, then it applies. If not, then it doesn't. That's the way we are trying to make this work.

DENNIS CHANG:

Yeah. The other thing that we were considering is ... If you look at 1 Section 10, we did not want to repeat the repeat the requirement for the same data elements in a different section for registrars and then registry operators. So we're trying to balance here. Obviously, we can make it perfectly clear by defining requirements for every single data element separately, but from there ... That's one extreme. The other

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extreme is we can create super-complex requirement language, and list all the data elements. That's the other extreme. So this is sort of a balance. It did get a lot more detail. Like I said, we went from seven sections to 13 sections, and we were trying to balance where we end up.

But I do have a question for the IRT. Just wanted to get an immediate reaction now that you're looking at this. And in 1.1.4, this clause here—"if transfer from registrant [inaudible]" ... Well, I guess ... Never mind.

GUSTAVO IBARRA: Okay. If there are no other questions, then I will continue.

DENNIS CHANG: We understand Sarah's comment clearly, right?

Okay.

GUSTAVO IBARRA: Yeah.

DENNIS CHANG: Sarah understand why we have it there. Okay. Just making sure I don't miss any of the comments that you cared to make. Thank you. Go on.

GUSTAVO IBARRA: Okay. So now 1.1.3. This is the section that basically defines those data elements that are subject to a lot of exemptions regarding transferring

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the data, regarding collection. So that's the reason why we have two requirements. For the registrars, as Dennis was mentioning in his spreadsheet, we have "if they were collected or generated." And for the registries, we have the requirements that they must publish the data if those data elements were transferred or generated, in the case of the, for example, registry domain ID. And, again, we have the "if they're subject to redaction, then you can choose to redact them based on the requirements below." And these are the data elements that match those characteristics that we're seeing in Section 1.1.3.

Yeah, the state and province and postal code is also optional because there are some jurisdictions here which you don't have the states or provinces or postal codes for.

So any questions?

Okay. If there are no questions, then I will continue with Section 1.1.5, which is here below. So this is just a "may publish the [inaudible] elements." We had conversations on if a "may" is required to be in the policy but we believe it is because it's part of the report. And also, we want to have a complete list of all the data elements and what [inaudible] supposed to do with them. So we believe that, for completeness, it's a really good idea to have Section 1.1.5. And for that, we have the reseller and the nameserver [inaudible].

And, finally, this is something that we believe should also be in the policy—what registries and registrars are supposed to do with these elements—because we mentioned these data elements in the sections above, but in the real text, we were not mentioning what happened

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with them in Section 10. So we believe that this is going to create confusion in the implementors because we're not saying what happens with them. Again, we believe that these are "may," and we have generic text basically saying that registrants and registries [inaudible]. Obviously, in this case, redaction requirements may apply. And those data elements are the registrants [inaudible]. And, again, we believe that, for completeness, we shall have all the data elements listed in Section 10 so that an implementor knows what they need to do.

Questions?

DENNIS CHANG:

Yeah, I'm glad to see Sarah's comment. We kind of debated this internally while trying to be true to the recommendations language. We were questioned why we had, for example, reseller in a "may" requirement but not nameserver. And our answer was simple: Because "reseller" we had to, I think, mention because recommendation language said that, and that recommendation language did not have a "may" requirement for the nameserver.

And then we thought about what we just said and said, "You know what? That is an answer," but I'm not sure that would help the implementor. And we felt okay to add this to a "may," even though the recommendation may be silent. And we think that it is in line with the spirit of the recommendation. We're not creating a new requirement, for example, for policy.

So as Gustavo pointed out, I think it makes a better policy if the data elements, as was mentioned, [is] to be collected, and process is also

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addressed in this publication. That's sort of the logic that we went through.

Is Beth the first hand? Go ahead, Beth.

BETH BACON:

Hi, everybody. It's Beth. How are you? I was just wondering. This is not a comment on this. The chart is wonderful and I think it feels correct at first glance. So thank you very much for walking us through it.

My thought is that, for folks reading this without the benefit of Gustavo's fantastic explanation, it might still be a little confusing. So my question is, logistically, is there any reason we couldn't just put a chart in the consensus policy? I mean, keep this but then maybe reference a chart in an annex or say, "This is it in a chart form." Maybe it would add some clarity or be easier for folks: the usability. So just something to noodle on. That was my thought. Thanks.

I've broken Dennis. Oh, God. Sorry.

DENNIS CHANG:

No. Believe me, if you can read my mind, I think the whole policy is just a technical requirement in chart form. But I think I'm being educated on that, when I work with policy language, it is more looked upon like a law and you never see legislature in a chart form that comes out. And I think it's because, for the lawyers later to debate and enforcement to follow, they need to be able to cite section numbers and data elements 10.4.3, for this requirement, and 10.4. [Therefore], I think that was one of the explanations that was provided to me. And that makes sense.

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So you know what we're doing in terms of educational material on the side, in parallel. We will provide that matrix along with the policy to help the implementors to gain understanding. And of course, it's going to be a lot better than my chart. And that will be nice-looking when it gets published and easy to read. But I think that is what we're planning to do. And if other people have thoughts on this, then I'd like to hear about that, too. But that's what I understand as a policy language.

Sarah has the floor, please.

SARAH WYLD:

Thank you. I wanted to ask a similar question to Beth about if we can publish it as a chart. So I did a thing. I hope you don't mind. I made a chart and I put it in the ... If you go in your workbook—go back to the workbook tab ... Gustavo, do you have that open? Yeah. And then go to the tabs at the bottom and go to the end. Yeah. Oh, it's ["copy of."] So that's a way that we might want to organize ourselves: to include it as supplementary info. I see your point, Dennis, about it being better as ... Like, people need to have a section number to refer to. But maybe with a chart like this, people would find that useful. Thank you.

DENNIS CHANG:

Yeah, great. Thank you for adding that, Sarah. I'll study it to make sure you and I are on the same page. I don't know if you remember, but we did have this data elements matrix where we took every single data element and went through the requirement and process. And we have our homework to update that. But as far as, of course, our objective, it's

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that every document that we come across and use needs to be in [good sync]. And that's what we will do.

So, Sarah, if you happen to ... And I'm glad you added it. Just update it if you happen to update it. And just use it as your workbook. But it is our workbook. So rather than keeping a separate copy for all of us ... The way I work is I just work here. I don't have my personal notes somewhere and keeping track of things. It's just easier for me to share it with you all. And that's why we have so many eyes watching what I do. And it's comforting to know that you're all there to get it right. Okay, thank you very much.

Gustavo, do you want to continue?

GUSTAVO IBARRA:

Yes. So now we're going to section of redaction requirements. And the first section is 1.2.1. Here you have some legal text that we believe is fine. Sorry, I'm not going to spend time looking at this, so I'm going directly to Section 1.2.1. And here what's kind of complex when we were debating this in the IPT is there was a lot of confusion on what redaction means. A lot of confusion, I think, arises from the fact that, in the case of RDDS, you have an output. And in the case of RDAP, it's a [structured] language. And the output is generated by the RDAP client.

So there was a lot of confusion and, after several debates, we believe that we need to explicitly say what is required to the implementors. And what we believe that redaction means is that the contracted parties must not include the value of the data element. In other words, you are not going to include the actual name of the registrant. And, somehow,

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you need to indicate that the value is redacted. In the case of WHOIS 43, that's fairly easy. You're just going to have the string redacted. And in the case of RDAP, there is a draft that is, right now, standardizing the IETF. That is going to provide structure, let's say, to indicate which of those values are redacted.

So that's what we think it means: that a value is redacted. And, again, we believe that this language is technology-agnostic, so it should work fine with WHOIS 43 or web WHOIS and RDAP.

And these are the data elements that are subject to those requirements. In the real text, the registrant e-mail and tech e-mail was also listed here, which was kind of strange because, here in 1.1, we were saying, "Yeah, you must redact tech e-mail/registrar e-mail," and then, in 1.2.2, we were saying, "Oh, never mind. Forget about the other section. But what you need to do is publish an e-mail address or a link to a webform." So that was really strange. When I was reading, I didn't understand why we have those kinds of language.

So what we ended up doing is just removing registrant e-mail and tech e-mail from 1.1 because, in reality, what we want there is to do what this text says, which is basically that the registrar must publish an e-mail address or a link to a webform and so on and so forth. So that's what we think it should be for the way that we should structure that section.

I don't know if you have any questions.

If there are no questions, then I will continue. And, again, this is text that I think is really close to what we have in the real text, and it's basically saying that the registry name holder must have the

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opportunity consent and so on and so forth. And we are listing the data elements that are subject to this section.

1.2.4. Again, the text, I think, is really close to what we have in the real text, and it's about privacy-proxies.

And as Dennis was mentioning, these two requirements may change based on the Rec 12 conversations. So for now, we have this text. We don't know if it's going to change or not.

And, finally, we have the requirement regarding the [inaudible].

So these are the requirements that we believe should be in this section. Questions?

No questions? That's really nice.

DENNIS CHANG:

I have a request for the IRT members—not you, Gustavo, but I don't want you to spend any time on this. But this is for the IRT members who are, like Roger here, making a comment on the “or” language. If you look at 10.1 below, out-of-the-box language, the original language, there are IRT team members who made comments. And I'm just telling you right now that my intention is to just delete the old language with the new. And when we do that, all the comments disappear, right? So please have another look at your comment on the old language and let me know if it applies to the new language. So if we still have to address your concern, your issue there, I don't want to forget about it. So I'm kind of giving you a warning that we will delete the old language maybe at the end of the year or maybe even at our next meeting. I'll keep it

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here for now, but please do look at them. And if you're okay with it, just resolve it. Then we don't have to worry about it and I would feel a lot more comfortable if I didn't have lingering comments on the whole language knowing that all of it is going to be deleted and replaced. This make sense?

I guess it does. And that is Section 10. Gustavo, you feeling okay? We have half-an-hour left, right?

GUSTAVO IBARRA: Yeah. Sure.

DENNIS CHANG: So Section 10, I think, discussion ... I didn't watch you. I didn't watch the IRT team. I think we have a fairly good handle on it. Of course, you can continue to look at it and comment on it later if you like.

And one thing that I did and I will do is I'm going to ... Let's see. Section 10 chart. I'm going to take Sarah's Section 10 chart and move it up next to the one that I created, the new Section 10 structure, so they're side-by-side. I just wanted all of you to know that's where you can find it. And I have a habit of creating new sheets and adding it in the front so that I can get your attention and it's easier to find. But nothing is deleted. We always keep them. But I didn't want you to have to scroll all the way to the end to find Sarah's chart. That's one thing.

Now, let's continue with our agenda items. So let's ... What do you want to do next? Do you want to do ... Let's see. Why don't we do this—yes, you have a comment?

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BERRY COBB: Yes. If we can go back to Section 10 and the updated date, since we're here, I think it's important that we try to work this out.

DENNIS CHANG: Okay.

BERRY COBB: So click on the updated date. And, Alex, I'm kind of putting you on the spot a little bit, but you added a comment here. This is kind of one of these ones that is tricky, but we have Gustavo here as well.

DENNIS CHANG: Oh, you're talking about 1.1.2.2?

BERRY COBB: Correct.

DENNIS CHANG: 1.1.2.2. Updated date. Yeah, let's talk about that.

BERRY COBB: And I think it'll help in terms of us all trying to get to an equal understanding of exactly how things would work here because, to be honest, I still kind of have the same impression of that, when we do a WHOIS query today with either Port 43 or through a web-based WHOIS,

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we would always see an updated date. And now I do recognize that that is different in an RDAP world.

But, Alex, I think, if you could maybe speak up here on why you think this is still a requirement ... And in particular, I think it would be helpful for Gustavo to purely explain why we still have it here in this one particular section. And I'll note that we went back and looked up, in Section 7 and Section 8 ... And we're trying to draw this kind of chain of custody between collection, transfer, to publication. Updated date isn't listed up in Section 7 or 8. So I think it'd be worth our time to hash this out and try to get to a common understanding.

ALEX DEACON:

Yeah. So just real quick, I've been on leave for about three months, so this may be uninformed and wrong. But maybe, Berry, I could just ask a question to you and the team. Is updated date a required field in the Phase 1 policy?

BERRY COBB:

So, from the old data elements table—the consolidated one and what you would find in Recommendation 10—updated date is listed as an asterisk that is generated. And, for that section, it's listed as green.

ALEX DEACON:

Right.

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BERRY COBB:

So, in that general sense, which, again, is not perfection as we come to live with in working through this, yes, a statement can be made that it's required to be published in the minimum public data set.

And I think where confusion is maybe building or still exists is that the way we have dot-2 listed here means that it might not always be required. And I think it has to deal with the fact that there are some instances where the value of updated date may be blank and hence why it got put in here.

So I'll stop there.

ALEX DEACON:

Remember that we are implementing a policy. And a policy, for those of you who've been around the Internet for a while, is kind of super-high in the stack. It's Level 8, 9, 10. So it's not really about ... The technical realities of protocols, I think, we should ignore. And I find them distracting in these discussions.

What I think we have to focus on, and kind of what I focused on when I made this comment—and, again, perhaps I've misunderstood things because I've been away and I'm a bit rusty—is what the users are going to see when they actually see with their eyes and interpret with their brains the response. And if you think of it in that way, then I think ... And, also, as a user of the WHOIS for 30 years, it would be helpful for users to see, "Okay, I see the updated date field. And you know what? It's brand-new registration and hasn't been updated, and response that I see and interpret with my brain should indicate that. And once it's updated, then there's going to be a date in there." So I think, either

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way, it's required. And some indication of updated date should always be available in the response, whether it's blank or null or it says "None yet"—I don't—or it's a date. I think it's important.

So it's really about thinking about the users of an RDDS, less so how it's going to be interpreted or implemented by one, two, three, or four protocols. That's how I think about it.

GUSTAVO IBARRA:

Sure. So maybe I can step in and provide why I think this is the correct approach. But obviously we can change it in the policy.

So back in the day when we were doing advisory, we took a look at the output of a lot of WHOIS [inaudible], from all over the world, not only certain big registrars or registries. But we tried to look at all, if not most, of the output. And if you want, really, agreement, there is no definition regarding the output of WHOIS. Well, it's lacking in definition.

So we received a lot of questions [inaudible] about, "Hey, what do I need to implement regarding WHOIS and WHOIS web?" and we created an advisory. Yes, the advisory, I know, is not policy. You are correct. But what we did back in the day try to capture what we found in the wild. And in the wild, we found that sometimes the updated date could be the same as the created date if it has not been updated. Sometimes it's not there. The value is null. Sometimes the field is not there.

So the advisory ... What we did is try to capture the generic case, which is basically that the updated date is an optional field and you may see a value that is empty, or you may not see the value at all. And, again,

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yeah, this is a policy, right? And, yeah, it's high-level. But we also need to understand that this policy interacts with a protocol, and we also need to be concerned about what the protocol says about a certain field.

So, in the case of RDAP, we have an event that is called "last changed," which is basically how you map the updated date. And this is a description of that slight change. It's an action saying when information on the object is and was last changed. And, again, RDAP [doesn't] structure data. The output that you will see for the human is the RDAP client itself. Unfortunately, we cannot decide or we cannot put requirements to the RDAP client. I mean, we can put requirements to the RDAP client that is provided by ICANN, maybe, but not—ICANN Org—to all the RDAP clients in the world.

But if we believe that the updated date needs to be something in particular, we need to say it here in the policy. If we believe that—and I'm not saying this may be the best approach—it should be the same date as the created date if it's never been updated, then we need to say that in the policy because the implementors need this information.

So my recommendation is, if the IRT believes that the updated date needs to be there with certain values, like the same values—the created date—(and that's the way to go) we need to say it clearly here so that that requirement trickles down to the RDAP profile and so on and so forth.

So in the wild right now, you may see the updated date here. You may not see it. You may not see the field. It's all over the place.

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ALEX DEACON: Yeah, which is great, which is why this policy should fix that. Again, I don't agree. I think we don't need to be concerned about the protocol at this level in the policy and in the IRT output. But if we're focused on—

GUSTAVO IBARRA: But if not, then where?

ALEX DEACON: That will have to take place elsewhere in the RDAP Working Group or the RDAP Profile Working Group. What we're doing here is, again, interpreting the Phase 1 policy, right?

And, again, I don't agree. This policy absolutely places requirements on the RDAP client. To interpret it any other way, in my opinion, is wrong. The Phase 1 policy says—this is just one example—that the updated date must be published. And so, again, no matter what any advisories or other policies exist, this policy will update that.

DENNIS CHANG: It's a principle matter that Alex is bringing up, I think, Gustavo. And I'd like to hear from maybe the other members of the IRT, the implementors. If we had it in the required section in 1.1 and we didn't really tell you how to do it but you must provide it—it's just a list of "must provide"—can you, on your own, any time an updated date comes and we don't have an updated date, just make it equal to the created date and spit that back? Is that the kind of thing that you could

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do? If that's something you could do, I think that's maybe what we should do. I'm asking a question.

Anyone else want to speak about that?

Roger?

ROGER CARNEY: Thanks, Dennis.

DENNIS CHANG: Thank you.

ROGER CARNEY: You're welcome. I understand what Alex is trying to get at here, but I definitely like the way this is set up here better, just thinking about implementation and not from a client or server ... I mean, just through the whole implementation. If we move this up, to me that means whatever protocols used have to provide this value on the query. And, again, as many people mentioned, this value does not exist on a create ... I mean, you can force something in there, but I don't think that's what we want or should want. Obviously, you're changing the meaning of the field if you do force something in there.

So, to me, it seems to make more sense putting it in this section than the section above. Again, I just think that, when you look at it from an implementor standpoint, it provides the best solution. Thanks.

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ALEX DEACON: Yeah. From a user standpoint, the implementor standpoint is confusing. And so I think, while implementors should be kept in mind and they're amazing and I've been one for a long time, the user here is I think what we need to focus on. So if the updated date is not available, then the RDAP Profile Working Group should say a blank should be returned, or the value of none, or that the updated date should equal the creation date. Again, these are details that I don't think we have to worry about here. It could be dealt with in the group where those types of issues should be debated, which is not here and I think is the RDAP Working Group.

ROGER CARNEY: Yeah. Thanks, Alex. But I would say that, again, when you're making those decisions, you're already starting to force that option.

And I'm going to agree with what you've said for multiple years now. To me, this document isn't for the user. The client application is going to be for the user. And I know you've tried to get—and maybe at some point it'll happen—a display requirement document, but that's not what this document is. So I would say—

ALEX DEACON: I disagree.

ROGER CARNEY: Well, it is not. And if that's the disagreement, then we should probably start over because this is not a display document. This is a document of data, not display.

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ALEX DEACON: Yeah. I mean, if ICANN is creating policy for implementors and not for the users—the Internet community in general—I agree. I don't know what we're doing here. I just think it's a mistake to interpret this policy as just something for an RDAP server response. It doesn't make sense to me. It's not logical.

ROGER CARNEY: Yeah, I agree. This is not just for an RDAP server response because this is bigger than just an RDAP server implementation. And, again, I agree with your assertion for multiple years now that there needs to be a display requirement from ICANN. And, again, this is not it. Thanks.

DENNIS CHANG: Alex, you have your hand up. Did you want to speak again? Go ahead.

ALEX DEACON: No. Old hand.

DENNIS CHANG: Obviously, you're looking at what we thought would make sense, but I think there's an objection on the way we have it there. And I think, either way, we have to explain it. So if you believe that where we have it is not in line with the recommendation, then we'll have to add it to drafting error and have you look at that as a rationale of why it's not in the ["required" field] and if that makes any sense. But I don't know.

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So let's just do this. Your objection is noted. And let's all go back and think about that one a little more and see if we can figure out the best policy.

The thing that I always worry about is I'm always thinking, "Am I just implementing the policy or am I actually making the policy?" So—

ALEX DEACON: In this case, for updated date, the policy is very clear. It's required to be in the response.

DENNIS CHANG: Okay. Thank you.

Jody, you have ... Go ahead, Jody.

JODY KOLKER: Thanks, Dennis. I just wanted to add something here. I believe that, when a domain name is registered—and I believe this is correct at most registrars—the domain name is created for the customer. And once it's created, you have a creation date. Now, when a domain is created, it isn't created with any client locks on it, like a client-renew-prohibited, client-transfer-prohibited, client-update-prohibited, or client-delete-prohibited. Usually, registrars lock the domain name as soon as it's registered.

So I guess what I'm saying is that the updated date seems that it will always be in the WHOIS or the RDAP when the domain name is created

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almost immediately because most registrars ... I guess I don't know a registrar that doesn't lock a domain name as soon as it's registered. So the point of this whole conversation may be moot. Just throwing that out there. Thanks.

DENNIS CHANG: I'm not sure if I follow that. So are you saying that it should be in 1.1.2 or it should be moved to 1.1.1?

JODY KOLKER: I'm just bringing up a fact, Dennis. That's all I'm doing. Thanks.

DENNIS CHANG: Okay. Maybe ... Berry, you have your hand up. Go ahead.

BERRY COBB: Thank you, Dennis. So what I'm hearing is there's agreement for this approach, this structure. It provides more clarity about what the requirements are going to be. So I think that's a win in terms of not moving backwards or to not abandon this approach. But our next step is more about refining this in a way that makes sense for the implementors but still translates into a way that produces reality. As Alex puts it, what are the end users that do an RDDS query actually going to see?

And I think we're kind of stuck in limbo between what we see in the agreements today [and] specifically the RDDS specification as also

somewhat augmented by the advisory. Also, that is included in the CL&D. And we're presented with examples of what a query result would look like and what particular order the fields would be presented and those kinds of aspects. And that, in my understanding, is to provide a hint of clarity about what we might expect when we see a query.

And so I'm thinking on the fly here, but what we see here [as] it was presented today does in fact, I think, provide more clarity about what are the requirements about what needs to be implemented. But we're still missing an example that is not necessarily policy language but what we're going to actually see in reality today. And maybe that's a combination of still needing an updated kind of RDAP profile, even though I know that we're trying to stay away or stay technology-neutral ... We know that that work needs to be done, but I don't think, from an IRT perspective, that we spent much time, if it's at the bottom of this document or somewhere else, where staff is trying to replicate what a real-world output or query might look like ... And if maybe we spend some time on that, in addition to us thoroughly reviewing or confirming the draft requirements here, that might bridge the gap or serve both worlds on what we're trying to accomplish. So that's just my initial or closing thoughts. Thank you.

GUSTAVO IBARRA:

Sorry, guys. I need to interrupt here. I [inaudible]. What the user sees on the screen of his device or her device is not something that we can control. I can create right now a WHOIS client that is going to be used by whoever wants to [unload] a client, and I can get even ... Let's forget about RDAP. I can even get information from WHOIS 43 and format

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information the way that I want it. Maybe I want to translate all the keys to Spanish. Maybe I want to even try to translate the [inaudible] to Spanish because—I don't know—my client is for a Spanish-speaking population and they want them to look at that information in Spanish. It's impossible to have requirements for an RDAP client or for a WHOIS client because you don't know what is the universe of clients. And everyone on the Internet is free to do whatever they want with some data and format it the way that they want it. If the idea is to create requirements for a client so that we have some kind of uniform output, we can create requirements, for example, for the RDAP client that ICANN provides on lookupICANN.org because that's something we control. And, sure, we can just go on [whatever] site. We can just go and implement it.

So this is not about RDAP. This is not about the WHOIS. It's impossible—just impossible—to create requirements for a client. I mean, I can do whatever I want with an output. I can do whatever I want with an HTML page. I can do whatever I want with any information that is going through the Internet and I have access to. So that's the reality of how the Internet works. We cannot control that.

The only thing that we can do, if we want to have a requirement for the implementors, is, if we believe that's the case, we can try to force the update date to be the same as the creation date. And that will [inaudible] or have 100% assurance that that event or that data is going to be there in the output. But even then, if a WHOIS client decides that, when they have the updated date the same as the creation date, they just shall omit the field to the thing that is presented to the end user, they can do that. It's just how the Internet works. They can just get

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whatever they want from the Internet and format it the way that they want.

So I don't know how we can create requirements that can be enforced for a client. We can create that document with recommendations to the clients and hope for the best that they implement those, but trying to enforce them or have requirements? That's not possible.

DENNIS CHANG: Thank you. Andrea ... That is something that I'm not sure is easy to understand, but technically Gustavo is right. It's like we're trying to control the website content globally. We just can't do that. All we can do is—

ALEX DEACON: No, Dennis. Come on.

DENNIS CHANG: Go ahead.

ALEX DEACON: I just have to object to this. I mean, we can. There is a policy. It's the CL&D policy. That describes the output of RDDS clients. I assume that policy is enforceable from Compliance. I mean, I appreciate and understand what Gustavo is saying and what you repeated. I just don't agree. I mean, it sounds like we're giving up, right? And we're ignoring existing policies—the CL&D policy. And maybe I'm in the minority here.

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And maybe I'm making life difficult now that I'm back here, but I just don't agree. It just sounds really weird.

DENNIS CHANG:

It's sort of realizing the remit and the charter of what ICANN can do. That's what I'm saying. Of course, as users, we'd like to see it with our eyeballs—certain things—but I don't think that we can really confuse that with requirements that were created with the policy.

ALEX DEACON:

ICANN has already done it with the CL&D policy, so why would we continue to do it?

DENNIS CHANG:

Okay. So CL&D policy is something that we will have to review together—oh, it's already 10:30. Sorry about that. Okay, I did want to cover some other important issues, but they will have to wait. So at least, Gustavo, we got through Section 10. We have something that we have to deal with—one data element—so let's take that as our homework.

And, everybody else, thank you so much for supporting us. A good discussion. Alex, we welcome your discussion, of course. Welcome back. And I hope I'll see you again in January, but in the meantime, have a happy holiday, everyone, and a happy new year. Looking forward to 2022. Thank you, IRT. Bye now.

**[END OF TRANSCRIPTION]**