
ANDREA GLANDON: Good morning, good afternoon, and good evening. Welcome to the Registration Data Policy IRT Meeting, being held on Wednesday, the 2nd of March, 2022, 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 and on mute when not speaking to avoid any background noise. As a reminder, those who take part in the ICANN multistakeholder 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, Andrea. Welcome, everyone. I hope everyone's doing fine. This is trying times. I have to tell you that Owen sent me a message that he apologizes for not being able to attend today. But his entire company is at a position, or at a status, where all their work is on hold to help their colleagues that are in Ukraine. They have quite a bit of support staff there and everybody is trying to focus on providing them with support and help. So wanted you to know that. Are there any announcements that you would like to share with the IRT at this time? If not, let's get started.

First thing I wanted to do is just very quickly ... Let me see. First, I wanted to just go over the agenda. I wanted to quickly go through our implementation process, just to remind you. And then we have a very important topic, our schedule. We are finally at a point where we can

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put the pieces together and make some, I think, high confidence schedule that we can work with, setting some target timelines for all of us. So I want to share that with you. Sam has prepared some charts with timelines at different views so we'll go over that together.

Then we'll go over the OneDoc, with the idea, OneDoc, we'll just be combing through it and trying to resolve, as much as we can, all the outstanding comments. So please know that I will be really trying to close the comments and I will be asking ways to close the comments. I think when we have a clean OneDoc, we'll know that we'll be ready to go to public comment so that's a key indicator for me.

Then we have our CL and D, the last RedDoc we are going to review. Then we have some drafting error/implementation explanation items that some we'll review, some we'll revise. We'll look at that. And then we'll have AOB. Anybody? Marc Anderson, go ahead.

MARC ANDERSON: Hey, Dennis. Can you hear me okay?

DENNIS CHANG: Yes.

MARC ANDERSON: Great. I guess I have two AOB items. There's some questions raised in the RDAP Working Group about how to handle two specific scenarios dealing with redaction. As a result of that discussion—Gustavo was on that call and some other people as well—there was a request to take

this back to the IRT and request feedback from the IRT on how RDAP should handle those two particular scenarios. So I have that AOB item to raise today.

DENNIS CHANG:

Okay. Certainly, we want to support the RDAP Working Group, who is supporting us, actually. That reminds me. When I say RedDocs, I said the CL and D was our last RedDoc. But I think, as a consensus policy, that's a correct statement. We do have a couple more RedDocs that we are going to have to review. That is the RDAP profile documents that the working group is working hard to get it to us and we appreciate that.

So let's see how it goes and I may switch priorities or order of the agenda if I see that we're getting bogged down in something and we need to answer Marc and the RDAP working group's question first because I think it's important that we get back to them as quickly as we can so that work can go on in parallel on their side.

So with that, what I wanted to do on the policy implementation side, the process, is that I wanted to remind you that we are following our 13 steps. I just changed it to "we are here" state, which means that we have now defined a schedule, which we'll look at together. We're going to resolve all dependencies and prepare for the public comment. This is an exciting time and we want to start our public comment as soon as we can because that drives the rest of our schedule so that you know.

We've been looking at this before but I would remind you that it's still here. This is a timeline chart that we had in a simplistic view. But Sam

will show you something that's marked much more detailed and comprehensive.

And of course, we will keep updating the status map here. And of course, the task, this one, is done, task determination. We know what we needed to do. I think that recommendation status map, I think that is almost done. We will talk about that later. Then even here, when we start defining the policy effective date with our timeline, I think that we can mark that item completed, too. So we're making good progress. So that's what I wanted to show you.

Then let's talk about the project schedule presentation. First, I will say that I have this document that Sam created for us. Just quickly going over the sheets, we have a couple of sheets of words explaining and providing context for this timeline that we are going to use. Then we have the actual timeline. Then we have some detail, tracking all the recommendations, and another view of impact policies that we are tracking in terms of schedule.

First of all, I am going to just briefly go over this quickly because this is something that IRT already knows. Why did we write this? Because when we publish our schedule on the IRT wiki, which is where it will be published ... And I'm thinking maybe we'll do this once a month. We'll talk about that as we go. Before anybody in the community picks up the schedule and looks at it, I think it's important that they have some context.

So we prepared this. Number one is the things that we have completed—one, a, b, c, d, e, f, g kind of thing, which you all know. Two

is some of the challenges that we are dealing with, which you all very well know.

Then the other thing is number three. This is important. On 24th of February, I sent you an IRT task on this just yesterday. It was published on the 28th so I couldn't get it to you earlier. But you have a task to review that policy resolution on rec 12. It's very important because I consider that as our last recommendation where we were waiting for clarity. I think that we have clarity on everything else but you tell me and we will talk about that when we update this list together. With the resolution, I think that we can even turn this green. But we will wait to discuss it at our next IRT meeting, probably.

Then we have some things that—a few milestones that we need to go through to complete the policy and publish it. Of course, item b, this is one of those items, DPA, that we're working on, meaning that we have a team, ICANN Org and Contracted Parties, working on it. I know Alex said that he wanted to hear from someone at the ICANN Org on this. I am trying to arrange that so that Beth and someone from the ICANN Org team, because this is a collaborative effort, to come and talk to us about this.

And of course, we just talked about the RDAP working group. Marc has an agenda item that he will bring up today and we'll try to help that as well.

The other things—what are we concerned about? How are we looking at the future of this policy implementation project? That's what we're trying to share on number five. So we will publish this on the wiki here

and then I will actually assign it as a task so that you can all track it and provide us with comments. It will be probably 195. We are going to do that—try to today. And based on what happens today, I think we're ready to do that so I hope to publish it. You can read the words and get back to us.

Now here, I will turn over the mic to Sam because she knows this inside and out. She created this work for us. Go ahead, Sam.

SAMANTHA MANCIA:

Thank you, Dennis. As he mentioned, there's a couple of charts that we have to represent the work that's been done so far and what is left to do in order to complete implementation. So this first high-level timeline shows the major milestones. As you can see, it's color-coded. So the bars that are yellow represent in-progress items. Green is complete and gray is something that we've yet to start.

This is based on a lot of work that we did on the back end. We spent time mapping out the different steps that are needed towards completion, any dependencies, and the estimated time allotted to complete them.

Then, if you move to the second page, here we have the detailed recommendations timeline. This shows the various recommendations, again, color coding showing whether it's in progress or complete, and the time that we've spent working on these. We've also included comments to show where language has been put into the policy and any other relevant information. Then, I believe this continues onto

another page. Then the third way that we put a chart in here, if you keep scrolling to the next page—

DENNIS CHANG: This includes all 33 recommendations, by the way.

SAMANTHA MANCIA: Yeah. So the Phase 1 and also the Phase 2, priority two ones. Then this one is the impact to existing policies timeline. So these are all the RedDocs that we produced. As you can see, everything is complete except for the CL and D, which we're trying to wrap up, hopefully today, but as soon as possible. And yeah. That's about it on the timeline. Again, it will be posted so you'll be able to review it in more detail.

DENNIS CHANG: Yeah. So let me just Zoom in on the important, I think, information on here. That is, I think, this. When do we start? Is Beth here? She was trying to ask me last time and I couldn't answer. When do we foresee starting the public comment? We foresee that starting Q3 of this year. So this is the public comment open, right here, this bar.

This is an important question to the IRT. The community considers this as an IRT schedule and you often hear that, even from the GAC, that they share their concern about not having a schedule. Going into ICANN 73, I hope that GAC is satisfied and everybody is satisfied that we finally do have a schedule. It's really, I think, the first time we had a good handle on the external dependencies. We still do have external

dependencies but we are at a point where we can actually manage them a little better. Before it was just completely unpredictable.

So this is—we know much more. Rec 12 has a resolution and I've looked at it quickly. I don't think there is an issue but we will have to go through it diligently. But I don't think it will take months and months. We had been thinking about it for a long time so I think it will be a rather quick implementation on our side.

So Q3 2022, this year, 2022 Q3 is when we open public comment. Of course, with the public comment, there is a public comment summary report and then we have to review all comments, and consider them, and update whatever we need to do that. That is going to be a significant task. I expect a huge amount of comments—maybe not anything that would alter our implementation but we have to review them one at a time. That's our duty, I think, as an implementation team. So it will take time.

Then, we are targeting, if you look at the timeline, Q2 2023. So this year, Q3, we're going to do a public comment. Then next year, Q2, we're going to publish our policy. And the effective date will be Q4 2024. So '22 Q3, '23 Q2, and '24 Q4, in that order. Any questions about this? Do I see any hands?

Okay. If not, we'll continue with our agenda. Let's see. "Forgot to mention ..." Oh. Okay. "Quarterly basis and we will ..." Okay. Thank you, Sam. Yeah. We are going to continue to work on the schedule and refine it as we go. I will alert the IRT if we see any significant changes. That's our schedule presentation.

And let's go do OneDoc now. We have 9.2 and 9.5, IRT comments on tech contact, 9.2 and 9.5. Let me see. Tech contact. Okay so this is a couple of tech contact comments that had been lingering and we have not, I think, resolved them. Hopefully we will resolve it today.

Over here, I think I'm going to turn it over to Berry, who has been looking at this for us and has some advice, comment, input. So go ahead, Berry. Do you mind?

BERRY COBB:

Thank you, Dennis. Before I get started, just a slight announcement. Most of you probably didn't even know but for the last decade, I've been a consultant to ICANN Org or a contractor—however you want to phrase it. Starting yesterday, I'm not an official FTE. From your perspective, there's no change at all, as I've always represented ICANN.org.

So in terms of trying to resolve these little outstanding issues with regards to the escrow of the tech contact data, right now, we have it positioned as a "must-if," and based on Sarah's and Marc's comment, are suggesting that it should be a "may." So I'm going to verbally describe how we got to where we're at. Then, as Dennis noted, hopefully we can come to some sort of conclusion about this.

I classify this as a second cousin to what we talked about with respect to the name server IP addresses or the DNSSEC data elements. Coming out of those discussions, it was understood that we can't just rely on the tables that accompany the recommendation. It requires going through the data elements tables, defined by the purposes, understanding the

processing activities, so on and so forth, to get the full context of what we're trying to accomplish here.

Like those data elements, name server IP address, and DNSSEC aspects, this one is similar in that if the registered name holder were to enter data, it essentially triggers the consideration of additional processing activities across the other processing activities. What does it mean for transfer? What does it mean for transfer to escrow? What does it mean for publication, so on and so forth?

But what is different about the tech contacts is that the EPDP Phase 1 did specifically opine on changing existing requirements here. So really, maybe we even classify this as a third- or fourth-removed distant cousin than necessarily a second cousin than necessarily a second cousin because you'll recall from our discussions that, first and foremost, it is optional for the registrar to even offer to the registered name holder the availability of these fields to fill in.

At this point, we have no visibility as to what the marketplace will look like post-policy effective date. So we need to define the policy here the best that we can. So we won't be sharing this on the screen. But after the call, I invite you to go through the final report, and specifically, appendix d that contains the data elements tables.

But where you'll see the tech name, phone, and e-mail popping up is starting off in purpose two, which was all about the security and stability of the DNS. You'll recall that that particular purpose wasn't adopted by the board at the particular time but it was later confirmed in

Phase 2 as additional topics for consideration during our SSAD discussions. But you'll see the processing there in purpose two.

It's also denoted in purpose three, which was about contacting the domain owner or the registered name holder. Then of course, for our discussion here, it pops up on purposes 4a and 4b, which deal with the escrow of the data elements for registrars and registries. As I noted, first and foremost, the EPDP opined that this is optional for registrars to offer. And of course, the quantity of fields with respect to the tech contact was greatly reduced down to name, phone, and e-mail.

What is interesting about this is a series of ifs. If we were to use programming language, it's "if-then, if-then, if-then." So when we think about this in reality, if the registrar does offer for these fields to be offered to the registered name holder to be completed, and if the registered name holder, or its designated agent, or whoever is managing the domain populates the fields with values—such as technical administrator, some 800 phone number, administrator@company.tld, those kinds of things—then there's a requirement for it to be published, assuming that there's agreement from said registered name holder.

We're not getting into the publishing thing but just to reemphasize that there are downstream considerations for the processing activities. So from a staff perspective, and why these showed up as a "must-if" requirement is for that very nature—that because it was offered, because the registered name holder supplied values for these three data elements, then it made sense that they should be escrowed.

But what we need to consider or discuss is what are the impacts on the current environment. Unlike the name server, IP address, or DNSSEC elements, we did not—or the EPDP did not—opine on anything to change the existing requirements. But the existing requirements with respect to escrow of these fields are somewhat different.

It's our understanding, from a registrar perspective, that it's not a requirement to escrow the tech contact today, although some may do. I don't think we have verification on that. From a registry perspective, to be quite honest, I've never understood what registries are required to escrow other than everything. But I'll defer to Marc Anderson, opining specifically on what exactly is escrowed or not.

So when we look to considering whether this should remain as a "must-if" or be migrated to a "may" is really about, without treading on trying to discuss policy here, is the escrow of these fields necessary or not.

So I think, from a registrar perspective, if the registrar offered it and the registered name holder provided those fields, does it make sense, from an SSR perspective, that if this data were escrowed, and in the case of a failing registrar, would this be useful in trying to restore that domain name and obtaining contact with the registered name holder or not. So that's what's on the table from a registrar perspective about "must-if" versus may.

Then of course, from a registry perspective, while it's likely an existing requirement for most gTLDs out there today except the few that do not have this data transferred to them, of course, now it's even more complicated for us because Rec 7 basically allows or makes for the

registries and registrars to determine the lawful basis and a data protection agreement in place for the transfer of that data. But it's not necessarily an ICANN requirement. So it's quite likely that the registry would not be receiving this data, which of course, will change the existing requirement for most registries from today.

So I think that concludes my verbal overview of this. If we need to, we can put this as part of the implementation interpretation document and I'll stop there. I'll turn it back to Dennis to manage the queue.

DENNIS CHANG:

Steve Crocker had his hand up first. So go ahead, Steve.

STEVE CROCKER:

Thank you very much, Dennis. And thank you, Berry, very much. I don't understand any circumstance in which the registrar collects data and does not escrow it, just as a very simple statement. I understand the conditionality that they may not collect it. Or they may offer it and the registrant might not provide it. But if they offer it and if they collect it and the registrant provides it, I don't see any commonsense interpretation for the idea some data would be collected by the registrar but not escrowed, full stop.

So the distinction between 9.2 and 9.3 makes no sense to me. There's a separate discussion to have about what data gets transferred from the registrar to the registry. But my comment at the moment is just focused on the escrow requirements on the registrars. Thank you.

DENNIS CHANG: Thank you, Steve. Marc?

MARC ANDERSON: Thanks, everyone. I have a few things to say on this one. I'll say I have fond memories of the discussion on registrar escrow. We had that discussion at ICANN's offices. It was my very first time at the ICANN offices and it was our very first breakout session. So I have fond memories of this meeting to discuss. This may help Steve Crocker's question.

But just generally speaking, when we had a small breakout session to discuss this, GDPR was very much on our minds as we were considering these recommendations. The data minimization principle was something we considered during our deliberations. So we had a discussion with registrars there. What data do you need to restore a registration? If, in the event of some kind of failure, you have to restore a registration, what is the minimum data that you must have in order to do that?

One of the things that the registrars told us very clearly is that it does not matter what data is in that tech field. In an escrow record, they would not use it. They would instead ask the registrar of record to populate that data with fresh information once they established contact with the registrar of record. So we heard very clearly from registrars that not only was that data not necessary, even if it was there, they wouldn't use it in the process of restoring a registration.

I'll also say, then why transfer it at all? We also heard from registrars that some registrars are currently escrowing that data and would prefer

not to make changes to that system and want to have the “may” option to continue to escrow that data. So that led to the recommendation that it be optional at the discretion of the Contracted Party.

And that is, in my view, clearly in the final report. I don't know if anybody has it handy but it's in the final report. Let's see. Purpose 4a is the registrar escrow purpose. The table on page 117 covers that. And if you go forward, up to page 122 in the final report, it talks about ... 122 has the collection, transmission, and disclosure of tech fields.

As I think Berry and Dennis mentioned, the collection is optional. The transmission and disclosure clearly says optional-CP, optional at the discretion of the Contracted Party. So the intent is clearly here, that it's up to the Contracted Party to decide whether it should be escrowed or not. I hope that's helpful context for everybody.

DENNIS CHANG:

Thank you, Marc. And thank you, Sarah, for your comment. I note the data minimization and then your agreement with Marc's comment. Steve Crocker, go ahead.

STEVE CROCKER:

Thank you. And thank you, Marc, for walking through the history of that. Let me play that back in a very selected way. Let's imagine that a registrar collects the information, chooses not to escrow it, suffers some disruption of service, uses the escrow to repopulate its records, so that data is now missing. What is the action that the registrant will understand?

The pause that I just put in there is for, I hope, the realization to set in that here is what it looks like from the registrant's point of view. Arbitrarily and without any kind of notice, those fields disappear from the registration. That is, the registrant is registered, has continuous service and everything, but because of an internal disruption of the registrar, those fields wind up being effectively erased on the spot. So that's the service that's being provided.

My question, then, is okay. If that's the decision that's being made for a somewhat peculiar conjunction of reasons here, having to do with minimization arguments on the one hand and not wanting to change the way systems work and so forth, what is the expectation of whether the registrant is informed that that's the way the registrar is working? Thank you.

DENNIS CHANG:

Thank you, Steve. Roger, perhaps you can answer Steve's question as well, in addition to your comment. Thanks.

ROGER CARNEY:

Thanks, Dennis. Yeah. Maybe Steve can help me. I just want to understand his scenario. Maybe I heard it differently or not. But I think what Steve was saying is if a registrar has an interruption, and possibly loses some data, and wants to recover that data, is that what Steve was saying?

STEVE CROCKER:

What I'm saying is if they have an interruption and they recover the bulk of the data, what does that look like from the registrant's point of view? One answer is it might be transparent to the registrar because that's what the recovery process was for, is to be able to get back in business without much of a hiccup. But in this particular area, that data will not be restored. So it will look to the registrant as if, I guess, the 9.3 fields have just simply disappeared without the registrant having caused that.

I just want to bring to the surface that that's what it looks like from the outside. Most of the discussion that's taking place in this forum is from the inside. And I wanted to bring those two things together. Thank you.

ROGER CARNEY:

Great. Thanks, Steve. I would say, on that, that I never thought escrow would ever be used in that way. I suspect that if a registrar had an interruption, lost data, however you want to say whatever it was, their business continuity would be the responsible section of that. So they would have backups and recovery modes that would handle ... I wouldn't see a registrar failure going to the escrow, ever, in my opinion, unless it was actually going to a different registrar. So again, that was just how I would perceive it and I don't think that any responsible registrar would ever depend on the escrow for a backup. Thanks.

DENNIS CHANG:

Roger, are you done? Did you have another point to make? That just sounded like answering Steve.

ROGER CARNEY:

Yep. That was all I had, Dennis. Thank you.

DENNIS CHANG:

Okay. Thank you. Thank you for your input. It is interesting. I'm trying to, of course, in our primary role of interpreting and implementing, the only thing that we are trying to do is be true to the recommendations. Either we are aligned with the recommendation, or if we're not, then of course, we have this drafting error and explanation document that we use to document this. I was thinking about, if there is some differing interpretation on this requirement, we may have to add to the explanation.

But if the recommendation, as you read it, and as Marc has explained, already says that this is not a "must" but a "may," unless we agree that it's an error, I think we have to stay with "may."

Then of course, when we put this together and have discussed it in the past, 9.2, I had the understanding and interpretation that optional was in more or less the collection and offering of the collection. Once you have it, if you have it, you have to escrow it was the way I understood the requirement. But those of you who were at the EPDP Phase 1 and who understand the intent of that requirement, as you can point to the final report where the requirement is documented, then I think we have to follow that, even though it may not make sense for us or we may even disagree.

So that's what I'm coming down to. I think we have, now, sufficiently discussed this item. If you have other information, please. My request is go to the final report or Board resolution and find me some

recommendation language, or resolution language, or scorecard language that we can point to. I use the term “authoritative anchor” with my team because that’s what we must be pointing to. So every requirement that we put onto this policy, we must be able to trace our requirement to that authoritative anchor.

So I will conclude this topic here. Thank you, Berry, for the explanation. That was very, very detailed and you know the history. And thank you, everyone, for your input. We will take that under consideration and we will come back with a decision. Then, next time when we get together, we hope we’ll be beyond this. Thanks, Berry, for your help again.

Okay. So next topic is b, c, d revised. So this is a OneDoc implementation note, b, c, d. This is the implementation note that we had issued as an IRT task to you and wanted ... Okay. We’re done. Okay. Thank you for the suggestion, Steve. We’ll take that into advisement and see how that fits with the recommendation, again. I’m not sure how to make suggestions to the registrar and not make it a requirement because we don’t have the authoritative anchor. But maybe we can consider using an implementation note as such as here, as a suggestion. Thank you.

So let’s move to b, c, d. We reviewed this before and you needed more time to look at it. I didn’t see any more comments or questions so unless someone wants to talk about it again ... There’s Beth. Okay. Hi, Beth. Go ahead, Beth.

BETH BACON:

Hi. Dennis. Yeah. No, it’s my apologies. We were going to talk about this internally with the registries and registrars, as we told you we would,

and we didn't do that. It's on our agenda for our next sync-up call so I really do apologize. This is 100% on me. I forgot to add it to our agenda. But we will put it on there and look on it through the light of all the good information that Amanda gave us last time.

DENNIS CHANG: Okay. When is your sync-up call?

BETH BACON: We have one on Monday, I believe. Correct me if I'm wrong.

DENNIS CHANG: Next week?

BETH BACON: Yeah.

DENNIS CHANG: Okay. We'll give you another week so please come back—

BETH BACON: Not this Monday because of ICANN 73. But yeah. We'll do it next Monday.

DENNIS CHANG: Oh. Not this Monday but the Monday afterwards. Okay.

BETH BACON: Unless you guys want to cancel ICANN 73 and then we can totally have it.

DENNIS CHANG: Let me see. Do I want to cancel ICANN? No. Okay. Thank you, Beth, Sarah. Yeah, Sarah, Beth making that clear. We'll adjust our due date to accommodate you. No problem. I don't think it's something that I'm really worried about in terms of messing up our schedule or anything like that. I hope we don't find that. But as soon as you seen any kind of an inclination that that might happen, tell me right away. Okay. Thank you.

And the next item is 10.2. This one is due on March the 2nd so that's today. Okay. Let's see. 10.2. That means that we want to see if we can resolve these comments today. Now, this is a bunch of changes that Gustavo has suggested. Didn't mean to make any requirements changes. The requirements stay the same. But he did go through it with his keen technical eye and wanted to make sure that it was clear for the implementers. So he added these rather repeated words. But still, if you look at 10.2.7, that it is clear who has to do what.

So I am looking for comments. Were there any comments, Gustavo? Did you notice anything from the IRT on 10.2?

GUSTAVO LOZANO IBARRA: Can you click on 10.6? I think there was a comment from Sarah, if I remember correctly.

DENNIS CHANG:

Oh. Sarah has a comment. Oh, “I agree.” Oh. Sarah’s comment was basically that we’ll just have to review it when the Rec 12 comes out. So now the Rec 12 has come out, we will review it definitely. That’s what I was alluding to. But everything else is fine.

So here’s what I’m going to do—what we’ll do. I’m going to ask Sam to accept all the suggestions on 10.2 with a note on 10.2.6. Just a note that to be reviewed with Rec 12. But everything else, we will accept and make a clean 10.2 out of it for this IRT call. Is that okay with everyone? Okay. So that means we’re going to have a clean section 10. Thanks, Sarah.

Next item is F(c)—a new comment on F(c). Okay. So this is the retention of registration data implementation note. So Sarah has a comment and she’s suggesting that we remove this implementation note, F(c). But I remember that we added F(c) because the policy language that we have here, which we all agreed to on the retention requirement, this is already agreed to.

So there’s no question about our requirement. But with this language in the requirement, there was a confusion. That was quite a bit different in the way it was interpreted. That’s why we added this for clarity, to avoid any confusion in the future or different interpretation. Sarah was her hand up so go ahead, Sarah. Explain it to us.

SARAH WYLD:

Thank you. Hi. Just a couple of notes here. First, I do want to make sure that it's clear that this is not really a new comment or a new suggestion. This is something that has been brought up a couple times. I know Roger also left a comment to the same effect in the Google Doc. The date on the comment that is visible is recent because it's been mentioned and resolved a couple of times as we go through figuring out the best way to address it. So just to make sure everyone knows it's not a new idea. It's just not yet resolved.

I would say I think that this note, F(c), is confusing. I think that it's just going to bring up more questions for the implementer and not help them with how to deal with it. The policy language itself is clear. The policy language matches the recommendation. And I think if we just let it stand on its own and take out that F(c), we'll be good to go on this point. Thank you.

DENNIS CHANG:

Does anybody else have a comment? The reason that we closed the comment last year was because I thought we agreed that the discussion for wanting to have a retention requirement for the data item or information in the RAA was out of scope for this policy and we decided that if we are to have that discussion, it wouldn't be an appropriate IRT discussion. It will be a separate registrar RAA amendment discussion. That's why.

So can you tell me that words in here, in F(c) is misaligned with the policy requirement or recommendation language? Which part of this note?

SARAH WYLD: Dennis, I think the whole thing is confusing. So the words “for purposes of clarity” are not confusing words but the entire statement put together is going to raise questions of, “What else is there? What else should be?” Those questions are answered elsewhere. The RAA remains in effect. I just don’t think any of this is helpful. And honestly, I haven’t really heard from other members of this team saying that it’s helpful. Thank you.

DENNIS CHANG: Roger?

ROGER CARNEY: Thanks, Dennis. Yeah. I have to agree with Sarah that, even being part of this IRT for several years, that I have to reread this multiple times to get to the point that I think I understand it. And again, I think that we’re talking about policies and contracts that are outside this policy, which it starts to get really convoluted when you start trying to draw links to add clarity. It just doesn’t seem to add clarity. To me, it does not. Again, like I said, I had to read it multiple times to try to get the understanding pulled out of it. So I think for someone looking at this that’s not been involved over the years is really going to struggle with this. Thanks.

DENNIS CHANG: So it’s confusing but there’s nothing that this says that is not aligned with the policy recommendation? Because I remind you, the reason that

we had to write ... We worked on this language for a long time and very carefully crafted because there was confusion.

And there was an argument that came up, that said that the interpretation of the policy requirement could be read so that we actually are replacing all retention requirements in the RAA with this policy. That's a very significant and dangerous interpretation and we could not let that lie. We had to face the decision. Is that what it really means or are we just talking about TDRP data and registration data? So if there's someone else ... Sarah, go ahead.

SARAH WYLD:

Thanks, Dennis. This policy is about registration data. The RAA is bigger than only registration data. This policy tells us the retention requirements for registration data. If there are retention requirements for registration data that need to occur, those requirements cannot be in an implementation note.

So if we are losing any kind of policy or contractual requirement that we would be able to maintain with this implementation note, then we have a problem because the implementation note is not a policy or a contractual obligation. It's just helpful information. And in this case, unfortunately, it's more confusing than helpful.

So we have the policy language that speaks to the retention requirement for registration data and we have the RAA that speaks to retention for other data. But this implementation note doesn't create or remove any obligations. It's supposed to be clarifying. For me, it was just confusing. I have two different documents where I've made logic

charts to try to figure out what it means. In the end, it was just simpler to look at the policy requirements and to look at the RAA. Thank you.

DENNIS CHANG:

Okay. Maybe you can share that logic document. I know you like logic maps. So do I. And that will be helpful because it was a big issue last year. I thought that after the Phase 2, Rec 21 came out, it became abundantly clear that we are talking about TDRP data only and for 15 months only. We are not going to say anything or allow any room for misinterpretation that all the other data retention requirements are wiped out with this policy because that was what I heard.

So you're saying that that is no longer the case, Sarah? I thought you made that clear to me. So that's what I understood, that the policy language, as we have it today, could be interpreted as that other data retention requirements in other documents, such as RAA, are wiped out with this policy. Roger, go ahead.

ROGER CARNEY:

Thanks, Dennis. I think Sarah said it right when you started talking last time. I think the important thing we're trying to get here is this policy is about registration data. The recommendations in Phase 1 and Phase 2 were about registration data. And we need to leave it as registration data. But this implementation note is bringing into question other policies and other data. I don't see how that adds clarity to anything when we're being very specific that the only registration data that has retention requirements is the transfer dispute data.

Again, to me, it was clear in Phase 1 that that's what that said. And Phase 2, again, said this almost exact same thing—that that is what is clear to me, when I read Phase 1 and Phase 2, that this policy and the recommendation is that the only registration data that has a retention policy is the data that's affected by the transfer dispute mechanism. Again, I think this clarity in this implementation is trying to draw lines to other retentions when that was no discussion in the EPDPs. And again, it doesn't seem appropriate in a policy about registration data. Hopefully that helps. Thanks.

DENNIS CHANG:

Yeah. That does help, Roger. Everything you've said, 100%, I agree with. I'm trying to say the same thing in the implementation note—exactly what you said. I hope that there is no misunderstanding about us agreeing on what the requirement is. I think we already do. But because of the prior misunderstanding or interpretation risk that I was advised of and had to deal with, I have to still do something about that. I cannot just ignore it.

So what I'll do is ... Thank you for all the good words. Let me see if I can use some of those words that you said, then, if we can approach this in a different way. But we do have to not ignore this, but face it—that is, I think, an important part of our job—and not leave it subject to interpretation later when we are doing—after the implementation, then the enforcement phase. So that's what I'm trying to say. I have a responsibility to make that very clear in our policy document here so that we help those who are trying to work with it during

implementation and enforcement too. Let me see. Sarah has her hand up and Roger again. Go ahead.

SARAH WYLD: Thank you so much. I appreciate being able to speak to this so many times. We have the non-exhaustive list of examples not covered by the TDRP, which we did not review as a team, I think. I think we decided not to look at it.

DENNIS CHANG: But do you remember why?

SARAH WYLD: Pardon me, Dennis.

DENNIS CHANG: Do you remember why we decided not to look at it?

SARAH WYLD: Because we don't want it to be in scope for the public comment. And I still think that it's not necessary, yes. But I'm bringing it up now just to mention why I don't want to produce a new logic chart. It's all in here. So when we looked through these data elements and this list of data types, the only thing that is not a piece of registration data or something that—yeah, is the abuse reports—number nine on the list, abuse reports. So seems to me that the abuse reports are the only thing that this implementation note, F(c), would refer to.

Clearly, it's important to keep this note F(c). I'm hearing a lot of concern about what people might not understand if we lose it. So maybe we could make it more clear and specific by just referring exactly to the only thing outside of the registration data that does get retained. Thank you.

DENNIS CHANG:

Thank you. Roger has a hand up again. Go ahead.

ROGER CARNEY:

Thanks, Dennis. Kind of tagging on with what Sarah just said there about maybe keeping this in a form of F(c) here. But I think keeping it as is seems—again, why I have to read it multiple times. It's very circular.

Can we just get to the point that says, "This policy only affects registration data elements," when we're talking about ...? That's it. Actually, this policy is for registration data elements only and the retention piece of this is only about registration data. We don't need all the other references of other retention policies or anything. If we're trying to be clear here, let's just say, "Retention referenced in this policy is about registration data only," and just leave it at that? Just my thoughts. Thanks.

DENNIS CHANG:

Okay. Yeah. That's sort of what I'm thinking and I think Sarah has a good point, too. If we can identify something, maybe we identify some specific item. But yeah. It is tricky because last year, this was one of those hugely worrisome items. I could have just ignored it but I just

didn't feel good about that. We worked on these words. I guess we haven't reviewed it in a while because we had other priorities.

But now that we're getting close to cleaning up our OneDoc, we do need to deal with it. I will go ahead and take the action and come back with some other suggested wording, which is completely aligned with what Roger said and our understanding of the requirement.

Okay. What is this Google Doc? Are you trying to help us with something? This is a non-exhaustive list. This is the one that ... Okay. We invited you to look at it and we decided that ... There is nine items on here and it's a non-exhaustive list. We could add more and add more. I stopped the effort because I said that this was now out of scope. Our job is not to review the RAA data items to see if they are or are not registration data. I thought that was out of scope. But maybe if we have to face it.

But let me think about this and get back to you. Roger, did you want to say something?

ROGER CARNEY:

Thanks, Dennis. Yes. Just a follow up and something you mentioned because of something Sarah mentioned. I'm doing to disagree with Sarah's suggestion. Probably why we disagree or pulled this document away is I don't want to start trying to list anything in here just because of that problem. I want to be specific and just make it clear that the retention requirements here are about registration data only.

Again, we don't have to talk about other retention policies or other retention requirements in other policies because I think that gets convoluted. So I think if we have an implementation note that just is, "Retention requirements are about registration data only," and I think we can leave it at that. Once we try to start pulling in an example or something, then I think we're going down a path that we just can't end up ever finishing. Just my thoughts. Thanks.

DENNIS CHANG:

It's a good thought, Roger. I see on the chat Sarah agrees with you. Let's see if we can move forward with the suggestion and we'll come back to you on this one. So this one is still outstanding and something that we have to work. I sure hope, and I believe, that it is something that we can work at IRT level, meaning that it does not have to be escalated to a point where we lose control. I don't think we want any of that. Third quarter of this year, we are planting that flag for everyone to push to get the public comment open. I've heard from our colleagues that they all want that and we're going to try to make that happen, of course.

Now, this is 10:11. CL and D. We have to do this, right? Let's get this done. After that, maybe we can go to the RDAP working group stuff that Marc wanted to talk about. Go ahead. We've reviewed this before. Is there something that you wanted to talk about? Do you want to share or are you okay with this, Gustavo?

GUSTAVO LOZANO IBARRA:

Yeah. Maybe let me see if I can share. So if you can make me cohost, that will be great.

DENNIS CHANG: Yeah. Andrea?

ANDREA GLANDON: One moment.

DENNIS CHANG: Thank you. Let me see.

GUSTAVO LOZANO IBARRA: Okay. Can you see my screen?

DENNIS CHANG: Yes, I can. Thank you.

GUSTAVO LOZANO IBARRA: Wonderful. As you remember, in the CL and D policy, we have an example of how the output of WHOIS 43 or web WHOIS may look like. We added that example back in the day when we were drafting the CL and D policy to make things easier to implementers, like to have an example of how it looks like, basically. We believe that we should have now three examples in the revised CLD policy because we believe that these three examples should clarify things, again, for an implementer.

So with that in mind, the example A is for a registry. Remember, CL and D policy is for registries so these examples are output of the WHOIS 43 and web WHOIS of a registry, not a registrar. The example A is for a

registry. We call it the full transfer, not subject to redaction. So in other words, this example is for a registry that is getting basically most, if not all, the potential data elements from the registrar. This registry doesn't support registrar registration data or reseller data elements. And in this case, the domain is delegated, is DNSSEC-signed, and there are records for the domain name.

So this is how the output should look like, based—oops, sorry about that—based on the interpretation of the registration data policy that we're working on plus the addendum one that is included in that policy. So as you can see, when there is no data or value for a specific data element, we have the key—like an example of the registrar registration expiration date or the reseller—and we have an empty value. So this is the first example.

The second example, which is B here, is basically the same as A. But in this case, the registry is redacting all the fields that are subject to redaction within that field. So as you can see, this output will look like what you have on your screen. You have some of the things—well, most of the data elements—redacted. But still, you have some values there, like the state and province, country, and so on and so forth.

Finally, we have example C. Example C is a registry that is basically not transferring any data from the registrant entry that's contact information. Well, yeah. But you can see it here. Basically, we called this the minimum query output. This is, again, for a registry that is not transferring, basically, any contact information. You can see the example on your screen. In this case, you'll see that most of the keys didn't contain any value because basically there is no data but we have

data for what some people used to call the technical elements, like the domain status and so on and so forth.

So those are the three examples that we believe could clarify things for implementers. The floor is open. Please. Dennis, if you can help me with the queue.

DENNIS CHANG: Yes. Steve Crocker.

STEVE CROCKER: Thank you. Two questions. One is this is text-based, I take it, as opposed to structured fields? And a similar sort of specifications are done using RDAP or other mechanisms that are also exploring down the same line, like how to specify that a field has been redacted as opposed to the word “redacted” being the value of the data.

The second thing is it looks like it’s not possible to tell, given a response, whether or not the data was collected and is not being made available because it’s been minimized or the data was not collected and didn’t exist. Do I have that correct or is there an implicit way to understand whether or not the data exists but has not been forwarded, separate from the fact that it’s been redacted.

So there’s three possible states. The data hasn’t been collected. The data has been collected but it’s redacted. The data has been collected but it’s not being forward because it’s being minimized. I’m not sure that it’s possible, on seeing a response, to understand which of those three, in the event that the data isn’t there.

GUSTAVO LOZANO IBARRA: The examples are the local view of the registry database or the database of the registry. So when you see a key with an empty value, that means that the data is not in that database. It's not about if the data was transferred or not. It's about the locality of the data within the registry. I don't know if there was a requirement in the EPDP report that those three states—like a specific state mentioning if the data was collected by the registrar but it was not transferred to the registry—should be a state that should be there.

DENNIS CHANG: I don't know if there's a requirement and Sarah is saying the same thing. Steve, did you have any more questions? I want to move on to Marc's question from the RDAP Working Group. I'm happy to provide more time to assist you on the 2nd. But if you'd like to take another week to review this, that's just fine with me. This is the last RedDoc. We're almost done so we're anxious to get this one done, too. But we can take another week. Marc Anderson, go ahead.

MARC ANDERSON: Thanks. Gustavo, thanks for the explanation on this. I do have a question. The reseller field, as you know, is an optional field. As far as I know, there's not an obligation to include that in the response. Is that your understanding as well?

GUSTAVO LOZANO IBARRA: We were debating that during the IPT. Based on the text that is currently in the registration data policy, we believe that if the data element is mentioned as part of that set of elements that are covered by the policy, then the addendum one is going to cover those. A reseller is one of ... I know that is a “may.” I know that is only that registries support that in EPP and so on and so forth.

But from the, let’s say, perspective of section 10, the interpretation that we have based on that reading and the addendum one, is that if that element is part of the universe—let’s say you have all the elements that are mentioned in the policy—then the key shall be shown. That’s the interpretation that we have.

MARC ANDERSON: Okay. Thanks for clarifying. That’s what I was afraid of. It’ll be no surprise to you that I’m going to disagree with that interpretation. I think that’s making up a new requirement where one does not exist or is not implied. I don’t know if it’s worth getting into that now. I know we’re short on time.

DENNIS CHANG: Yeah. That’s a significant point, what you just said. So please make it clear for us what you’re disagreeing with—whether the example or the policy language that makes it a requirement. So let’s make that clear and let’s face it.

But while you have the speaker, Marc, I want you to go ahead and ask your questions to the IRT about what the working group is struggling

with—the RDAP working group—so maybe we can give you some idea where the IRT is for you to take back to the IRT. Go ahead.

MARC ANDERSON:

Sure. Thank you, Dennis. This is from the RDAP Working Group where we're talking about how to implement RDAP—the policy recommendations from this OneDoc. Two things came up on our last call. And bear with me because you're hearing it secondhand from me so my apologies if I am unclear or don't do a good job explaining any of this.

The first one has to do with the redaction of the phone and phone extension fields. Actually, if you can just stop right there, that's perfect. In WHOIS, which I think many of us are more familiar with, the registrant phone, phone extension, fax, and fax extension are each separate and unique fields.

In RDAP, however, the phone and phone extensions are displayed as part of a single element in response. That's because the RDAP response incorporates a vCard as its specification for transferring that information. And in vCard there's a standard for how to display the phone and the phone extension, if it exists, in a way that's easily understood and recognizable by a client. So the registrant phone, and if it exists, the registrant phone extension are returned as part of a single element rather than two separate and distinct elements, as we might be used to in WHOIS. That's fine and good.

But where this became a question for the RDAP Working Group is when we were talking about redaction. The question came about. Would

there ever be a scenario where the phone or phone extension would be redacted but not both? Because if there was ever a situation where you would redact the phone but not the phone extension, or the phone extension and not the phone, then that would be difficult to accomplish in RDAP because they're both included in the same element.

Generally speaking, I think it's a very unlikely scenario that you would redact the phone. You would redact either the phone or the phone extension and not both. But basically, based on the conversation in the RDAP Working Group, we felt like we couldn't make that assumption and that we should take this back to the IRT to confirm. So I hope I did a good job explaining that one. I'll pause to see if there are any questions or comments. If anybody was on the conversation who wants to chime in, please do so.

GUSTAVO LOZANO IBARRA: I think it was clear, Marc.

MARC ANDERSON: All right. The other one also had to do with redaction. It had to do with the redaction of the registrant email address. We had quite a discussion on this because the registrant email address is a bit of a unique scenario because where you do redact the registrant email address, you're required to either provide a pseudonymized email address with some additional requirements for contacting the registrant or a link to a web form, also for purposes of contacting the registrant.

So in RDAP, the registrant email address is specifically defined. You can't include a URL link to a web form in the registrant email address. So a different RDDS element has to be used to indicate that there is a link to a web form for contacting the registrant. I think that part was fine.

But the question was primarily around when the registrant email address is redacted, should that be indicated as redacted in the RDAP response? We have a new RDAP response that indicates whether fields are redacted or not. So should the registrant email address be included in that redaction and then how is that handled when, instead of a registrant email address, it's the pseudonymized email address that is provided as opposed to a link to a web form? I think I confused myself in explaining that so hopefully Gustavo has his hand up and he can clean up my poor attempt at an explanation.

GUSTAVO LOZANO IBARRA: I created an example to explain these to the IPT so I'm going to show the example the screen. Hopefully this makes things easier. Who knows? I'm going to highlight some text. These are the three potential, let's say, outputs. Imagine that this is WHOIS 43 to make things easier. As you can see, we have example A, in which the real email address of the registrant is being shown in the RDDS output, and we have example B, in which there is an anonymized email address because the email address has been redacted. In the case of that registrar, the redaction options are, as Marc mentioned, an anonymized email address or a web form to establish the communication.

As you can see, it's not possible to differentiate when you get a real email address or when you get the anonymized email address. The question that maybe could clarify things for the other working group is was there an expectation that the end user should be able to differentiate between these two cases?

For example, something like this—like when you have an anonymized email address. You add something. I'm using "redacted." Maybe it's not the correct term. Maybe it's something else. But to signal that A, this is an email address that is not a real email address, we are following the redaction requirements and we are providing you with these, let's say, proxy or whatever technology is being used for the email address. So I don't know if that clarifies things, Marc, hopefully.

MARC ANDERSON:

Yes. Thanks for that. I appreciate you bailing me out there and that's a good document for explaining the different scenarios. So yeah. As Gustavo said, in port 43 WHOIS, it's much more straightforward. You have a field and you have data in that field, whether it's the registrant email, the anonymized email, or a link to a web form. But what are the expectations in RDDS? There's really two questions.

As Gustavo pointed out, in port 43, there's no indication that it's been redacted or not. So what should RDAP do? Should RDAP indicate it's redacted if there's an anonymized email address or web form in its place is maybe the first question. Maybe a sub-question to that is should there be any way to differentiate? Is there anything special or

specific that should be done when there's an anonymized email address as opposed to the registrant email address?

DENNIS CHANG:

Thank you, Marc. This was more involved than I thought. So what we will do is this. We will go ahead and maybe use this document that Gustavo has created and send it to the IRT with some specific questions as you have asked. I hope it's a yes or no question but maybe it isn't as simple as that. But now that you brought it up, we have not seen a response from the IRT. But it maybe is because they're still trying to digest what was just presented to them.

So let's do that. We'll turn it into an IRT task for that review. Let me go over this with Gustavo later and give it out as a task. Is that okay? I just got time check from Andrea. Is that good with everyone? We need to, I think, wrap this up. Thank you so much for everybody for participating. And I see a hand up. Whose hand is that? Gustavo.

GUSTAVO LOZANO IBARRA:

Oh, no. Sorry. It was—

DENNIS CHANG:

Okay. Thank you so much. We'll be in touch and I'll see you, actually, next week—Wednesday. So we'll look forward to seeing everyone in a public session and we'll be in touch on the email. Bye-bye now.

[END OF TRANSCRIPTION]