ICANN Transcription
GNSO Next-Gen RDS PDP Working Group
Tuesday, 06 September 2016 at 1600 UTC

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RDS PDP Working Group on the Tuesday, 06 September 2016 at 16:00 UTC. Although the transcription
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https://community.icann.org/x/JBmsAw
The audio is also available at:

http://audio.icann.org/gnso/gnso-nextgen-rds-06sep16-en.mp3

Coordinator: The recordings have started. You may now proceed.

Michelle DeSmyter: Great. Thank you. Good morning, good afternoon and good evening.
Welcome to the GNSO Next Gen RDS PDP Working Group call on the 6th of
September, 2016 at 1600 UTC. In the interest of time today there will be no
roll call as we have quite a few participants. Attendance will be taken via the
Adobe Connect room. So if you're only on the audio bridge please let yourself
be known now. I know that we have Geoffrey Noakes. All right, great. Thank
you.

I would also like to remind you all please state your name before speaking for
transcription purposes. Also keep your phones and microphones on mute
when not speaking to avoid any background noise. With this I'll turn the call
back over to Chuck Gomes.

Chuck Gomes: Thank you very much, Michelle. Much appreciated. And welcome to everyone
to our next weekly call for the RDS PDP Working Group. The agenda is

posted in Adobe and hopefully Geoff saw that since he's not in Adobe – earlier.

If there are any questions or comments on the agenda or any updates to Statement of Interests, please let us know now. Okay, then let's jump right in to our agenda and go to Item Number 2, how to factor use cases into deliberations.

And really all I want to do here is kind of go over why we took the time to discuss the use cases and see if there are any questions or comments on them. So I'll just do a quick overview of that right now. If you have any comments or questions please raise your hand or in the case of Geoff, speak up and let us know.

And most of what I'm going to go over is on the wiki Website. Keep in mind that it was in Helsinki where the idea of discussing use cases was brought up and we decided to go ahead and spend a few weeks doing that as a means to prepare for deliberation on possible RDS requirements.

And just as a quick recap, I think some of the things that we discussed that are important to bring up now, we certainly talked about some existing Whois uses; we talked about the users who access gTLD registration data; we also talked about some specific purposes for using RDS data and the data elements that were involved. We certainly have some – a variety of discussions on privacy considerations; and throughout our discussion we identified possible problems that a next gen RDS might be required to address.

Let me remind everyone that the use cases were only intended to help us examine some real word scenarios as we prepare for deliberation. And as we are doing deliberation we may find it useful to come back to some of the use cases, or maybe even introduce some new ones that will help us in our

deliberations and help us to test any proposed improvements or additions to an RDS.

Also I want to remind everyone that the fact that we discussed certain use cases doesn't mean anything in terms of what might be or might not be a possible RDS requirement. So I think everybody understands that.

Last of all I want to say that our goal was not to create a complete set of use cases but rather to get a sampling of some that are representative of some of the uses. And I think we did that pretty well. I'm sure we'll discover some new ones we may want to talk about later on, but – and that will be fine. We stopped our meeting agenda focus on use cases but that does not prevent us from talking about some in the future. In fact, I suspect we will.

So hopefully we'll find that time that we spent the last few weeks valuable in our deliberations. And let me just pause and see if there are any comments or questions at this time on this agenda item.

Okay, not seeing any hands. I should look at the chat shouldn't I? Okay. All right, so let's go to our main agenda item for today. And we're going to talk about our work plan and the approach for our next step, which has to do with a statement of purpose.

And so to do this, as you can see in the agenda, we're going to take a look at some direction from the Board first and the SSAC advice. And in doing that, I'd like to ask Lisa if she would talk about the SSAC and Board advice. And notice that there's something being put up in the chat right now. And, Lisa, you can take over as soon as – and you can field any questions directly, Lisa, rather than me getting in the way. So on the screen you can see the SSAC advice so, Lisa, go ahead.

Lisa Phifer: Thanks, Chuck. And this is Lisa Phifer for the record. The statement of purpose and the need to define the statement of purpose came both from the

Board prior to creation of the expert working group but way back when the Whois review team's recommendations were going discussed.

As the Board looked at the Whois review team recommendations and tried to determine a path forward, it also looked at advice from the SSAC which was published as part of SAC 055.

And if you haven't take a look at that report recently, now would be a good time to do so because what the SSAC included in that report and looking at the Whois review team recommendations, and all the work that had been done on trying to provide some more comprehensive reforms to the Whois system or Whois protocol or Whois data, what the SSAC included was that in fact much of the struggle that the community was having here was a failure to agree on the purpose of the Whois system and the protocols and data that are used to support it today.

If you actually went back and looked at the SAC 055 you would see that the SSAC felt in its report, and it's good reading, I do encourage you to read it in its entirety, the SSAC felt that people were attempting to use the Whois system to meet some very distinct different needs. Public access to details about domain name registration, law enforcement access to details about domain name registration, intellectual property owner access to those details, and security practitioner access to details.

And it concluded that because the SSAC concluded in this paper, and again please read it for the full depth and nuance of the conclusions here, but that failure to agree on some of the policy reforms is really failure to agree on what the purpose of the Whois system was.

So coming back to what you see in front of you, you see that the SSAC recommended that it is critical that ICANN should develop a policy that defines the purpose of domain name registration data. This is the purpose of

the data, the purpose of the system that might make that data available to some parties.

And also further recommended that ICANN defer some other attempts to fix the existing Whois system until that key question of defining the purpose of the system was resolved.

Now the Board took that recommendation to heart and the second page of the handout that we have in front of us is actually the Board's resolution that kicked off the work that we've been doing in this PDP working group and it actually kicked off the expert working group as providing input to this PDP.

But in here you see that the Board did ask specifically that this PDP look at the purpose of collecting, maintaining and providing access to registration data and then develop policies around that – meeting that purpose actually supporting that purpose.

I think if – when we think back to what happened in our Helsinki meeting, when we started looking at very specific sort of detailed requirements, possible requirements related to the RDS, whether it's today's Whois or a new RDS, we saw the same pattern that we saw in the past, which is that – and it's very difficult to agree upon those minute details without stepping back and thinking about what is the purpose of the system in its entirety? Why should the system exist? What purposes should it satisfy specifically?

And so that was when we were asked to step back and distribute the expert working group's answer to purpose. And not to just wholesale endorse that purpose of course but to look at it and think about that as an example of the statement of purpose and the level of agreement or disagreement that we might have with that statement of purpose for the RDS.

So I'll stop there and turn it back over to you, Chuck.

Chuck Gomes: Thank you very much, Lisa. Any questions for Lisa before I share some comments? Okay, if you'll scroll down, for those of you in Adobe, to the bottom of the screen there. The last resolve clause talks about the Board forming a group of Board members that will liaise with our working group, our working group hadn't been formed when the motion was passed obviously.

But that group is functioning. We provide them a monthly report of our progress. And we're anticipating some feedback from them. We met with them in Marrakesh. We didn't meet with them because of the different meeting format in our last ICANN meeting in Helsinki. But that team is functioning and in fact we're anticipating some feedback from them based on a message received from them a couple weeks ago. So just wanted to let everybody know that that is functioning.

So any questions with regard to the importance of defining purpose as pointed out by the SSAC and affirmed by the Board? Jim, go ahead.

Jim Galvin: Thank you, Chuck. It's Jim Galvin for the transcript. I don't have a question so much as I want to add one additional comment to the excellent summary that Lisa gave. An important distinction that was also in SSAC 065 – 055 that I do want to comment to folks reading.

If you look at the end of Section 2.4 in particular, the SSAC document makes one important distinction, which I think really will help us here and that is separating, you know, third party access from the purpose of registration data. It's important to understand that whether or not you have an RDAP kind of service that provides access is entirely distinct from ICANN's understanding of why it collects data. And whether or not you support third parties is a clear line that can be drawn.

And I think that's important to our deliberations when we think about that. And I guess I'll stop there rather than being long-winded about it. Folks, I do

encourage you to go look at SSAC 055 especially the end of Section 2.4 where this particular issue is identified. Thank you.

Chuck Gomes: Thank you, Jim. Appreciate that. I want to go back to a comment in our chart – I guess it's a question that Volker asked. Purpose equals what it is being used for. Now I'm not sure, Volker, if I'm understanding that correctly. But let me make sure – be clear that just because Whois is being used for something today does not imply that we should make that a requirement.

Now we may or we may not. But hopefully everybody understands that any requirements we define are open for us whether they're being used – that are current requirements or uses or not. So I just want to make sure everybody understands that. And hopefully I didn't misunderstand your question, Volker. Certainly correct me if I have.

Any other comments on the reason why we need to deal with a statement of purpose? And I expect that this may take us – we may focus on this for – certainly more than one meeting, maybe several meetings. So okay. Not seeing any hands. So thanks, Volker, for confirming that I did answer your question.

Steve, go ahead.

Steve Metalitz: Yes, thank you. This is Steve Metalitz. I heard in the introduction here several, you know, phrases that came after "purpose." There was – and I think it might be important to distinguish among these. One was – statement was purpose of the data. The second was a purpose of the system that makes the data available.

The third was, which I think is quoting from the Board resolution if I'm not mistaken, the purpose of collecting, maintaining and providing access to gTLD registration data. I think the third one is – I mean, that's specifically what the Board asked for. But that's not – that could be somewhat different

from the other two. So I guess I just wanted to clarify that I think that is what the purpose statement that we're looking for.

And I had one other point as well, which is all of these statements refer to purpose in the singular but it's also possible that there would be more than one purpose or our people – or is there a view that there could only be one purpose for collecting, maintaining and providing access to registration data? That's more of a question, I guess, thank you.

Chuck Gomes: Thanks very much, Steve. With regard to your last question let me just give you my personal response. Absolutely, I think there could be multiple purposes. We're going to have to decide that as we – as we deliberate and go on. If we could come up with just one purpose I suppose that would simplify things. But I'm not sure that would meet the needs of the community. But let me let Lisa respond.

Lisa Phifer: Thanks, Chuck. This is Lisa Phifer for the record. And, Steve, you're absolutely right. The purpose unfortunately is a bit of related term in the materials that we're using as input. If you look at the EWG report there is both a statement of purpose for the RDS itself, and then there are permissible purposes.

And so permissible purposes are derived from that overarching statement of purpose. But it's a follow-on and not – the statement of purpose does not equal the sort of the union of all the possible purposes, if you will.

Chuck Gomes: Thank you very much, Lisa. Any other questions or comments? Okay, then the – in Item – I think we've covered Agenda Item 3A so let's go to 3B, review the RDS statement of purpose published in the EWG report. And you can see that has been put on the screen. And in this case that is the – you don't have to scroll on this one so that's the entire purpose from the EWG report. And that is from the report itself on Page 16 if anybody wants to check that.

And it was published – first published in their initial report which goes way back to 2013. And then I think that wasn't changed after that. But any of you who were on that can correct me if I'm wrong on that. But let's take a look at this.

Now, again, let me make clear that we don't have to adopt this purpose. In fact, I suspect we won't adopt it as it looks right now. This is just a point of reference. And the Board referred to this in their discussions on this issue. And so we're going to take a look at this statement of purpose for the sake of forming our own overall statement of purpose and developing possible purposes as we go forward, like Steve pointed out.

So let's start off with this. And since we have at least one person who's not in Adobe let me – it's brief so I'm going to read it. And keep in mind the preface here from the expert working group that this purpose was to help guide that working group in its deliberations. So, again, we don't have to adopt that.

But here is what it says. "In support of ICANN's mission to coordinate the global Internet's system of unique identifiers, and to ensure the stable and secure operation of the Internet's unique identifier system, information about gTLD domain names is necessary to promote trust and confidence in the Internet for all stakeholders." Now it goes further than that but let me stop there and let's focus on that first paragraph to start with. And I'll let Michele jump in.

Michele Neylon: Thanks, Chuck. Michele for the record. Just a very, very brief comment on this. I mean, as Chuck points out, this was put together by the EWG. I honestly can't remember how long it took us to come up with this but I think we tried our best to kind of balance all the different aspects as best we could.

And maybe there's something obvious missing that – but, you know, we were a finite group of people so it's perfectly possible that we did leave (unintelligible).

Chuck Gomes: Thanks, Michele. So let – any questions or comments or disagreement with that first paragraph? Jim, go ahead.

Jim Galvin: So thank you. Jim Galvin for the transcript. I would just like to draw a distinction between stable and secure operation of the identifier system and promoting trust and confidence in the Internet for all stakeholders.

I think there's – it's an interesting, you know, jump to make those two things. It's easy I think from a, you know, just sort of a colloquial point of view to say oh, those are the same thing.

But, you know, when I look at the purpose and I think about potential purpose of registration data I think it's much easier to latch onto stable and secure operation of the identifier system so suggesting that I need to know something in order to be able to ensure that, you know, the entire system of allocating a name and registering it and allocating it and then pulling it back into the pool available for general availability that seems pretty straightforward and fairly self-evident to me.

It seems like it's a little bit further out, maybe not that far a leap, but it's a little bit more of a leap to say that, you know, you're about promoting a trust and confidence in the Internet as a whole. I think that that's a benefit and appropriate thing to happen as a result of doing the first thing correctly and to the best of your ability, and that is the secure and stable operation of the identifiers of some sort.

So I just wanted to draw a wall between those two things. And, you know, point that out and suggest that might be a topic of conversations. Thank you.

Chuck Gomes: Thank you, Jim. This is Chuck again. And to generate some discussion I'm going to ask some questions that are intended to promote discussion. And so I want to break those two things down. So is the purpose of an RDS to

ensure stable and secure operation of the Internet's unique identifier system? And if so, explain that. And this is open to anybody. Alan, go ahead.

Alan Greenberg: I would say no, that is not the purpose but it is a requirement. I mean, the purpose – everything we do should be factoring in stability and security of the domain name system. But there's no reason to believe that that the security of the domain system is the only reason. There may be components of security for which we use the RDS. But I don't think it is necessarily the sole and major reason but it's certainly a requirement of any implementation.

Chuck Gomes: Thanks, Alan. Good point. Michele.

Michele Neylon: It's Michele for the record. I have to disagree with Alan because I agreed with him recently so it's about time that I disagreed with him. I mean, I think, okay, we're kind of splitting hairs about some of the terminology here. But part of the – if you go back to the grass roots of where Whois came from it was so that technical operators could contact each other.

So if your network is broken or your network is doing harm to my network, I need to be able to contact you and say, fix your bloody network. So I think that's where that part of the security and stability part came from. Now, whether alangreenberg.whatever TLD Alan has a domain name in, whether his contact details appear in the Whois or its replacement or not probably doesn't matter as long as my geeks can talk to his geeks or his geeks' geeks or the registry geeks or somebody's geeks if his network is spewing spam or is distributing malware or is DDoS-ing my network. Thanks.

Chuck Gomes: Thanks, Michele. This is Chuck again. Alan, do you have a direct response to that? If you do, go ahead.

Alan Greenberg: Yes, I do. That is certainly the origin of Whois and there is still – are still uses of Whois that go back to that origin and can be – and can be blamed on needing security and stability. But as the use cases showed, that's not the

only world that we're in today. So, yes, that is the history but I don't believe that's the – the sole thing we're building the Whois or new RDS for in the future. Thank you.

Chuck Gomes: Thank you, Alan. Chuck again. Jim, go ahead.

Jim Galvin: Thank you, Chuck. Jim Galvin. I'm going to answer your question, Chuck, by saying no. The purpose of the registration data is not to support the RDS. I think to make such a – an assertion is just kicking the can down the road because – and I guess ask well what's the RDS? The RDS is a mechanism. It's a choice for how you support your purpose. You can define your purpose without choosing a particular technology or suggesting that there's actually technology behind it.

So going back to the statement up on the screen, you know, the purpose of registration data is to support the secure and stable operation of the identifier system. The RDS is something that we build in an attempt to satisfy that particular purpose. That's the distinction that I make. Thank you.

Chuck Gomes: Thanks, Jim. Any other comments on that first part? "To ensure the stable and secure operation?" So what about the second part, "Information about gTLD domain names is necessary to promote trust and confidence in the Internet for all stakeholders." And let me handle this one a little bit differently before I give it to Steve.

Would you – for those of you in Adobe raise – put a green checkmark in there if you agree with that statement. Or a red X if you disagree, okay?

Michele Neylon: Chuck, this is Michele. I'm confused as usual. Which statement am I agreeing or disagreeing with?

Chuck Gomes: "Information about gTLD domain names is necessary to promote trust and confidence in the Internet for all stakeholders." The last part of the first

paragraph. And I'm just looking here, I'll ask you to put your – so we've got a mix of – okay, that's good. I just wanted to do a quick survey. And apparently there are a lot of people who are not sure and that's okay too. You can remove your checkmarks and Xs and so forth and let's let Steve talk.

Steve Metalitz: Oh yes. Thanks. This is Steve Metalitz. I was just going to say – and someone said earlier on that this statement reads in some ways more like a requirement statement than a purpose statement so I'm still kind of wrestling with that. I mean, one way to read it is to say that, again, information about gTLD domain names, which kind of equates to collecting, maintaining and providing access to registration data, which is what we're supposed to be defining the purpose of.

That that is necessary to promote trust and confidence in the Internet. I think – I read that as saying, well, as you design the system you should take into account, and in fact give a lot of credence to…

Chuck Gomes: Steve, let me interrupt you for a second. Not because of what you're saying but make sure your phone is on mute if you're not talking because there's a lot of background noise making it harder to hear what Steve is saying. So please, everyone, mute your phone except for Steve. And I don't have mine muted because I'm talking. I did mute mine to see if it was coming from me but I don't think it is. But please mute your phones so we get rid of that background noise hopefully. Thank you. Go ahead, Steve. Sorry for the interruption.

Steve Metalitz: Oh okay. I was just going to say that that last phrase – I read it more as this is a criterion that you should take into account and give a lot of weight to in deciding whether you have the right policies. In other words, does the way you've designed the system for collecting, maintaining and providing access to registration data promote trust and confidence in the Internet for all stakeholders. That's a very high level statement. And it doesn't, in my mind,

kind of dictate one answer or another about, for example, how much access there should be.

But I think, as I read it, it's just saying that this is – this is certainly an important factor. And even though I agree with Jim, it is a little bit of a step beyond stable and secure operation of the unique identifier system, many people who use the Internet who are stakeholders in this, don't, you know, the operation of the Internet's unique identifier system is not in front of their mind; it's more trust and confidence in the overall system.

So that's – again I'm kind of reading it more as a requirement or as a criterion perhaps rather than as a purpose, but that's kind of how I interpret that. Thank you.

Chuck Gomes: Thank you, Steve. Let's go on then to the continuing part of the statement of purpose from the EWG report. And it says, "Accordingly, it is desirable to design a system to support domain registration and maintenance which," and then I'm going to – there are five bullets there, again, for those not in Adobe.

The – and we'll take one at a time. And I'm going to do the same thing I did before, just to get a quick sense of where people are on this particular call. The first one says, "Provides appropriate access to accurate, reliable and uniform registration data." Put a green checkmark if you agree with that or a red X if you disagree.

And we'll – I'll allow a minute or so for everybody just to respond. Do you think that the – it's desirable to design a system to support domain name registration and maintenance which provides appropriate access to accurate, reliable and uniform registration data? Okay.

Quite a few agrees. I think I see one disagree. And so I don't know, Kal, I'm going to put you on the spot, if you're able to speak in – and tell us why you disagree with that statement, that would be – and you may be right, I'm not

calling on you because I think you're wrong, I just would – because you're the only one that appears to disagree with that. Can you tell us why?

Okay, and you did it in the chat.

Kal Feher: Yes, this is Kal Feher…

((Crosstalk))

Chuck Gomes: Okay, all right, I see. Okay because it's not a purpose. Okay. It's not that you disagree with the goal but it's not a particular purpose. Okay. That's good. Anybody in the – that put a green checkmark want to comment? Just raise your hand if you do. I better scroll back up so can see raised hands. No hands up. Okay.

Okay Klaus, go ahead. Are you – I think you're on mute, Klaus. Showing that in Adobe anyway. Still not hearing anything. And again it's showing that you're on mute in Adobe. Klaus. Oh there we go. Try now. Still not hearing anything. All right, maybe you can put something in the chat. Not sure why we're not hearing Klaus.

Anybody else want to comment while we're waiting for Klaus? Just in case he can get audio. Okay. All right well then let's – you can remove your responses in Adobe, your green checks or red Xs and we'll go to the next item and we'll do the same thing with that.

So the next one is, "Protects the privacy of personal information." Put a – and – put a green checkmark if you agree with that; a red X if you disagree. And I see Maxim disagreed. I wouldn't be surprised if it's for the same reason that Kal disagreed on the previous one. Maxim, can you explain why you disagree?

Maxim Alzoba: Maxim Alzoba for the record. Do you hear me?

Chuck Gomes: Yes, Maxim, can you – why did you disagree?

Maxim Alzoba: The reason to disagree is that procedures protect privacy, not the system itself. So we have to establish procedures which will protect the privacy inside of this system. And as I understand I don't see the common approach between different parties of should we protect it or should we disclose it. So currently it's not a simple yes or no. thanks.

Chuck Gomes: Thank you very much, Maxim. And note everybody that's in the Adobe take a look at Kal's statement in the chat for the sake of Geoff I'll read it. "Actually I feel the whole statement is a long way from being a purpose. A purpose statement should be giving us reasons for the existence of the system. There's no link between the system and the goals."

And in my opinion you're right, Kal. For the sake – and so we need to keep that in mind when we actually develop our – the statement of purpose that we develop. But for the sake of this discussion let's accept what you're saying as true and just continue the way we're going with regard to whether we agree with the particular requirement, whether we think that's a statement – part of a statement of purpose or not. So I think your point is very valid.

Okay, anybody else want to comment on the second one? Just raise your hand if you do. And you may remove your checkmarks and Xs.

The third one is, "Enables a reliable mechanism for identifying, establishing and maintaining the ability to contact registrants." Green checkmark if you agree. Again, don't get hung up on whether that's a purpose statement or a requirement or something else. A red X if you disagree. And don't disagree if you – if it's because of the reason that Kal originally stated there.

So this time we've got a couple disagreements. Let's go with Jim first.

Jim Galvin: So thank you. Jim Galvin. Maxim in his last comment has got me rethinking a little bit, you know, sort of the picture here in what these things are doing. These bullet points are interesting. I in part kind of agree with them so, you know, there's some value there. But to suggest that, you know, I absolutely have to be able to contact a registrant it occurs to me, as I've thought about in the past about some of these reasons for registration data, anonymity is an interesting thing which we haven't spent a lot of time talking about here. Not yet anyway.

But it always is an interesting question that one has to ask. You know, is it possible to anonymously have a registration? You know, if the consequence of simply walking in with cash and getting a name and the consequence is if I can't be reached I just lose the name, you know, maybe that's a valid overall policy here. And we haven't really explored that. And so the only reason for my saying disagree is the fact that I want that question to ultimately be talked about so that we agree as a group whether or not we're going to support any kind of anonymous registration data.

And I do draw a very clear distinction between anonymous from proxy or privacy protected data. I recognize those are two different things and I mean them as two different things. Thank you.

Chuck Gomes: Thanks, Jim. Maxim, your turn. Maxim, do you want to explain why you disagreed with the third bullet?

Maxim Alzoba: Yes, my point is that the system actually takes snapshots of factual information. And it's not real time check system which tracks if the user is still alive, for example. Yes, so we can say that it provides some means of establishing and maintaining ability to contacts, but it's not granted. Thanks.

Chuck Gomes: Thanks, Maxim. Now, Lisa, we're going to get to your point after we go through this list. But I'd like to call everybody's attention to what Lisa put in the chat. So after we go through the five bullets we're going to focus on what

Lisa suggests, some example of a well formed statement – purpose. And that doesn't – let me kind of delete well-formed for the moment. Some elements of a statement of purpose that you would support. We'll form it well as we work on it.

But so in other words, what we're going to ask for after we talk – go through this exercise with the five bullets is ideas that would contribute to a well formed statement, a purpose. Okay so keep that in mind. We're going to get to that. And some, as Jim is illustrating, are already doing that.

But let's go to the fourth bullet. Please remove your checkmarks and Xs in the Adobe. And Greg, - or Geoff, anybody that's not in Adobe please feel free to speak up if you want to jump into the discussion. So let's go to the fourth bullet then.

"Supports a framework to address issues involving registrants, including, but not limited to consumer protection, investigation of cybercrime and intellectual property protection."

Please put a green checkmark if you agree with that one; a red X if you don't. So we're on the fourth bullet. Okay. No red Xs this time. Does anybody who put a green checkmark want to speak? Okay. You may remove your checkmarks.

And the last bullet then says, "Provides an infrastructure to address appropriate law enforcement needs." Go ahead and put your responses on that one. So we have a couple – at least two disagreements on this. Volker, we'll let you start. Volker, are you on audio? We're not hearing anything. Oh okay, you're not on the phone line. So I think you can talk through Adobe but I'm not sure. Let's go to Kal.

Kal Feher: This is Kal Feher for the record. To be honest, I could have selected either. I just felt that providing that infrastructure – I guess it depends on the level of

commitment and the level of support that is implied with that kind of statement.

In my opinion, that may commit the system to a great deal more than what we may wish to provide as a system in the greater Internet community. So I just didn't feel I could support the statement without a lot more nuance to how that support would be delivered to law enforcement needs. It's – if such a statement were to appear in our purpose I'd want to see a lot more clarification on how to implement it or what its goals are.

Chuck Gomes: Thank you very much, Kal. This is Chuck again. And I want to call everybody's attention to Volker's responses in the chat. There's a couple of them there, or three of them at least that relate to this. So take a look at those please. And then let's go to Maxim.

Maxim Alzoba: Maxim Alzoba for the record. I think we might use something like "to ensure ongoing efforts to provide an infrastructure to address and cooperate law enforcement needs," because we have issue with the fact which law enforcement entity is appropriate in each case. And, yes, because registries tend to see it as local law enforcement; ICANN is just, yes, I'm not sure they have their opinion on this.

And it's better to say that we're trying to be as close as possible to the goal but we cannot say that we are providing it. Thanks.

Chuck Gomes: Thank you, Maxim. Anybody else want to comment on this? Alan, go ahead.

Alan Greenberg: Yes, I guess I want to comment on Volker's comment, at least as I read it. The bullet doesn't say it is needed to support law enforcement. It says it provides an infrastructure to satisfy their needs, which I think is a true statement. Doesn't say it's the only way of doing it. But it is a mechanism which does satisfy that need.

Chuck Gomes: Thank you, Alan. Michele.

Michele Neylon: I hate having to do this but I'm going to agree with Alan even though it does hurt me. Joking aside, I wouldn't have agreed to a statement that was designed just to serve law enforcement interests when that thing was drafted. So, you know, that – it could be interpreted as meaning that. I understand why some people are viewing it that way.

But no, I think it was one of the things that we – when we were looking at this it was like what – who wants to have access to something and, you know, law enforcement would want to have access in a lawful manner, etcetera, etcetera, etcetera. I think that's basically all we were really saying. Thanks.

Chuck Gomes: Thank you very much, Michele. Chuck speaking again. And before I go to Alan I want to go back to something Alan said when we were talking about the first paragraph. And that is that related to a requirement versus a purpose. And I can't help but ask myself on all five of these things are they really more possible requirements than they are statements of purpose?

And Alan, you don't have to respond to that people question because you had your hand up first. But I'd like others to respond to that if you would. Alan, go ahead.

Alan Greenberg: Well I think the answer to that – and you end up in a circular discussion. If we didn't have an RDS or Whois would we invent it just for law enforcement? And the answer is, as per Volker's comment, no. You know, there are plenty of other lawful ways they could get access to the information. But if we have something why make it harder for them to do it than is otherwise reasonable?

Now, yes, there has to be appropriate, you know, precautions and appropriate processes to follow but it would seem foolish if we had it to not use it for that reasons. So I think it is a use, not the rationale for it, but it, you know, it starts becoming, you know, if you have enough uses for it then that

becomes the rationale for why you want it. Any single one of them might not have, but, you know, putting them altogether suddenly becomes a rationale.

I'm reminded several decades ago, and I was working on computer software needs, and the vendor said, well if you have a particular little need I can't see building a business case to supply that for you. But if we came up with 30 needs then suddenly altogether they became a business case where they might make more money if they provided them. And therefore had a rationale for doing it.

And, you know, it's these – the kind of situation where any single one may not justify it but altogether suddenly you have a good rationale for needing it. Thank you.

Chuck Gomes: Thanks, Alan. Let's go to Michele.

Michele Neylon: This is really not my afternoon. I have to agree with Alan. I mean, but also agreeing with others, I mean, there are plenty of ccTLDs who – that do not offer any form of Whois lookup whatsoever. Some will only offer the most rudimentary, you know, domain is registered or not registered, and nothing else.

And the law enforcement can get access to the details through other means. You know, they – Whois does not have to serve that. And any replacement for Whois if they were to roll it out would not have to serve that because they're able to get it anyway. But, there are – if we're working on the basis that there would be some form of Whois or replacement for it then, you know, making it so that it works for law enforcement along with everybody else makes perfect sense because the system is already going to be there. Thanks.

Chuck Gomes: So if – this is Chuck – if your checkmarks are for Michele's statement that he just made you're welcome to leave them, otherwise please remove them so

we know what they refer to so there are a few so that's fine. And then now let's go on to Susan.

Susan Kawaguchi: I just want to respond to Michele. Name those, Michele. Which ones?

Michele Neylon: This is Michele. Very briefly, I'd have to – there's several. I'd have to go digging through but, I mean, there are several where like even as a registrar we're hardly able to get back any information.

((Crosstalk))

Michele Neylon: I'll see if I can get you a few.

((Crosstalk))

Susan Kawaguchi: Yes, I mean, I could probably come up with a few too, so, you know, don't go through that exercise. But I think those are really outliers that…

Michele Neylon: But, Susan, that's not – that's not what – I'm not arguing against you, I mean, I'm actually in agreement with you. But what I'm saying is is that in agreement with what Alan was saying as we have a system or will have a system then facilitating it, but just saying that you have to have Whois in order for law enforcement to have access to data isn't true either.

Susan Kawaguchi: Okay, I agree with that. But…

((Crosstalk))

Susan Kawaguchi: …that is a comment you make quite frequently. And I think it sort of lends more credibility to not having registration data available than it makes sense. So I'm a little concerned with that statement.

Michele Neylon: We will have to disagree on that.

Susan Kawaguchi: Over a beer.

Michele Neylon: Of course.

Chuck Gomes: First time you two have disagreed, right? This is Chuck. Thanks, Susan and thanks, Michele. And for the good discussion in the chat as well. Sorry that I can't – I'm not trying to read all of the chat which makes it harder for those that are not in Adobe but there's a lot of good discussion going on there. So I'm going to kind of head back to – Susan, is that a – your previous hand or did you have something else? Thanks, okay.

Chuck speaking. So now let's go back to what Lisa suggested some time ago in the chat. And let's talk about what – and we don't have to have a, you don't have to give examples of a formally developed or completely developed statement of purpose. But I'm going to ask it a little – at a little higher level. What are the elements of a statement of purpose for an RDS?

Now and where I'm coming from is this, when we're deliberating on possible requirements it seems to me that we should be able to go back and look at a statement of purpose, that I'm assuming we will reach consensus on, however naïve that may be, and we'd be able to test, okay, does that fit the purpose? If it doesn't I'm assuming we would eliminate it.

So what would be the elements of a statement of purpose for an RDS? And just – and let's just brainstorm on possible elements and staff will capture those in the meeting notes on that.

So, Jim, you get to started since your hand is up first.

Jim Galvin: So thank you. Jim Galvin for the record. The element of a purpose; so for me the purpose has to describe some value that is essential, critical and another word that I like to use to describe it is it's essentially self-evident that

whatever your overall mission and purpose is it simply can't function without this particular value.

So a value and a self-evident value for the data that you're collecting. To me that is the most succinct and simplest form of a purpose statement. Thank you.

Chuck Gomes: Jim, I'm not – this is Chuck. I'm not sure I totally grasp your point here. Could you rephrase it?

Jim Galvin: Yes, I'm struggling not to say what I think the purpose (unintelligible) is. Because I made a suggestion in the chat room as to my singular statement describing it.

You know, I think – this is hard, Chuck.

((Crosstalk))

Chuck Gomes: For the sake of those who are no in Adobe, state what you said in the chat please and then continue. Sorry to interrupt.

Jim Galvin: Okay. Not a problem. When Lisa asked the question, you know, does anyone have a well-formed statement that they could use to describe the purpose of registration data as a starting point, and I wrote in the chat room the following sentence, which is, "The purpose of registration data is to support the lifecycle of a domain name."

And to me, that's self-evident. I think that – I think it's hard, at least I've not in any of my discussions with people so I'm interested if anyone has some other thoughts here, it's hard to disagree with that. I think that the, you know, the domain name system simply can't function without some kind of data. You can't achieve anything else without collecting some kind of data. You know,

and then you just simply get into the question of which elements are the most basic and that you need to have in order to support a lifecycle.

So, you know, lifecycle is creation and allocation and renewal, transfers, and then deletion, right? So you've got sort of these events in a lifecycle and then you get to talk about the data that you need to manage that event and that's how you develop your elements.

So that's what I mean by a self-evident value. It's something that you simply can't escape because you really can't do anything else if you haven't got that. And I don't know if that helps or not but I think that's where I'm going to have to stop. I'll answer questions if anybody has them but I think, Chuck, that's the best I can do here extemporaneously.

Chuck Gomes: This is Chuck. And that's excellent, Jim, thanks. It helped me at least. Everybody else may have got it the first time. But I'm going to kind of interrupt our flow here just a minute because your statement with regard to supporting the lifecycle of a domain name could be an element of the statement of purpose.

And it's very direct, clear I think. So what I'm going to do to interrupt is I'm going to go back to the green checkmarks and red Xs and ask those of you in Adobe to respond. Could you support that as part of a statement of purpose that it – that an RDS needs to support the lifecycle of a domain name. Put a green checkmark or a red X if you – depending on whether you could support that or not.

Okay just scrolling through very quickly. And I'll give a few seconds for people to think about it. Certainly not seeing anybody that would disagree with that. Now keep in mind, as we're working through issues like this we will always have opportunity to come back and refine our positions or even change them.

So when I take a little poll like I'm doing a lot of today don't feel like you're locked in and you can't change your mind or you can't refine it later. But it's just to give us a sense of where we're – a quick sense of where we're at as a group realizing that we will refine it and develop it more completely later on.

So quite a few agree. Nobody disagreed. So you can take those checkmarks down. And let's go back to – now let's – we're going to capture that – that's a possible element then of a statement of purpose for an RDS. So now let's go back to the question so we have one element so far that Jim suggested. Is it any – a statement of purpose must be self-evident is what Jim said. Okay? What other elements of a statement – should – would qualify a statement of purpose so that it's useful for us?

And I apologize, I haven't kept up on the chat real well in trying to keep things going here. So if there's something that needs to be addressed somebody please raise your hand and point it out. It was going faster than I could keep up. So, Alan, go ahead.

Alan Greenberg: So I have a question. If each registry kept a private ledger, that's paper, that they write on with a pen records of who has registered each domain and when it expires, is that an RDS? Or are we talking about something which is perhaps more commonly accessible, usable, usable over the Internet, perhaps accessible by other people? At what point does a little notebook in someone's office become an RDS?

Because the lifecycle of the domain name can be handled in all sorts of ways that I wouldn't – I wouldn't judge an RDS. Maybe other people think of it as an RDS. So I guess I'd like to understand how other people are thinking about this because otherwise I'm not sure there's a lot of purpose in trying to define it.

((Crosstalk))

Chuck Gomes: Alan, this is Chuck.

Alan Greenberg: …there's something wrong with what I'm seeing here.

Chuck Gomes: So, Alan, I'm going to come back to you with my own personal opinion, okay. It seems to me that what each registrar does, or registry does, for its own purposes, is not what we're talking about when we're talking about an RDS. When we're talking about a registration data system it's one that would be beyond what any individual registry or registrar does, and would be available to more than just that individual contracted party.

So, you know, does that make sense, Alan? Is that what you're getting at?

Alan Greenberg: Well it matches exactly my view yet the private notebooks and, you know, perhaps a telephone hotline to call someone, constitutes enough to support the lifecycle of the domain name. So that's where I'm having a problem here.

Chuck Gomes: Thanks, Alan. Jim, go ahead.

Jim Galvin: So let me try – so Jim Galvin for the record. Let me try a little bit to respond to Alan and his concern. I mean, in a simple case, Alan, what you're proposing about is certainly a valid option. I would support that completely. Why shouldn't registrars just have a little black book somewhere and they write it all down and, you know, nothing else applies.

But in my model speaking about the lifecycle we are driven by the policies of the group, the policies of the community, not just what the needs of the terminal elements of the community are. So in that context the little black book would not be sufficient because for example, one of things that you – one of the policies that you can imagine that exists today that one would expect to continue is an escrow requirement.

So part of, you know, the overarching system is the ability to have independent third party access to data, you know, for various kinds of business reasons and in support of secure, stable operation of the DNS. I mean, I think that the requirement for escrow stem from various characteristics that we want in the lifecycle of a domain name. And thus the little black book, as a mechanism, is insufficient to meet that particular need.

So I hope that that helps to answer some of your question. Thank you.

Chuck Gomes: This is Chuck again. Susan, your turn.

Susan Kawaguchi: Purely from a domain name management perspective, having a little black book that wasn't accessible of my own information, my company's information, it would not work for me. I mean, we use the Whois on a daily basis just to verify that we still own the domain name, which is a critical; things happen to domain names. People make mistakes at the registry and registrar level. Probably not as much as they used to.

So from – and then renewals. All of those just for me to having a little black book written down, you know, or a – or even a chalkboard in a office somewhere having all the information written down would not work not for – not even to look at a third party's information, to look at our own information and to understand how it's being used and if it's correct.

You know, I mean, there's been, you know, I have more war stories from my eBay days because that was more of the wild west, in my opinion. But, you know, the domains – you pay for a domain name, it wouldn't be renewed. You check the Whois record and you say it hasn't been renewed, renew this. You know, it's not showing. And or all of a sudden it's been transferred to someone else and – or, you know, your registrar just picked up the wrong entity that, you know, you've said please register this in this entity's name and they've chosen a different entity of yours.

I mean, there's all kinds of reasons from purely just a domain management and keeping a billion-dollar business online to – for me to be able to validate that that information is correct, my own information is not correct, not even discussing other people's information.

Chuck Gomes: Thanks, Susan. Chuck again. Alan, you're up again.

Alan Greenberg: Thank you. Susan's and Jim's answers address what I was pointing at. And I wasn't proposing we go to little black books. But I don't think a little black book is – supports the lifecycle of the domain with examples of registration expiration, transfers and renewal. I think it's far more nuanced and far more complex and we expect more of our RDS than one could get out of a little black book. And – but the little black book does satisfy to a large extent that list and that's the point I was getting at.

The lifecycle of domain in the real world we're living in, at least for some of us, is a far more complex and nuanced thing than just the six things that can happen to a domain over its lifecycle. And that's the point I was trying to get at, thank you.

Chuck Gomes: Thanks, Alan. Chuck again. Marc, your turn.

Marc Anderson: Thank you, Chuck. Marc Anderson for the transcript. You know, I think, you know, Alan raised some really, you know, thought-provoking questions. I like the little black book analogy. You know, and it also brings up something, I've been scratching my head a little bit over is the fact that we call this the RDS, you know, this is the RDS PDP.

You know, why registration data services? Why not RDDS, you know, registration data directory services? So I think what we're talking about is the directory. You know, and I, you know, and I also think, you know, Specification 4 of the Registry Agreement, you know, is titled a little bit differently; it's registration data publication services.

You know, and isn't that what we're really talking about is the publication service that's, you know, I thought that the black book was interesting because, you know, I think strictly speaking, you know, the black book would meet an RDS but not, you know, but I don't think it would meet an RDDS or a publication service.

You know, so, you know, I thought that was real thought-provoking. Thank you for raising that, Alan. But, you know, also got me thinking a little bit about what we're calling it. You know, sometimes we get down rat holes talking about, you know, a specific word but I think those are really important conversations to have because they have a lot of meaning and a lot of people will analyze what we produce as a working group. And, you know, the words we chose will have a lot of impact for a long time to come. Thank you.

Chuck Gomes: So, Marc, this is Chuck. Would it be more accurate to define RDS as registration director service? Or registration directory system? Does that work better?

Marc Anderson: Marc again. I'm not sure it does. I think, you know, for me that still, you know, it seems incomplete to me. And I think that was the point I was trying to make is it's incomplete. It's not really what we're focused on.

Chuck Gomes: Okay. Thanks. Jim, go ahead.

Jim Galvin: Thank you. Jim Galvin for the record. I want to make a comment about this set of things that Susan was talking about. And I want to be careful not to undervalue or understate the importance and significance of all of the issues that she's raised and that she's concerned about and wanting to meet those needs.

But I think we do have to be careful here to draw a line between the RDS, the registration data system, and the RDDS, the registration data directory

service, because the purpose of registration data, we really do have to think to ourselves, is part of this purpose the fact that it has to be published? Or is that sort of an adjunct secondary consideration?

You know, the primary purpose is if we start with this simple statement of the lifecycle then we get to talk about what lifecycle really means. And I'm fine with all of that. I observed that there are not – there are other ways besides a Whois or an RDAP service by which Susan could achieve the kinds of things that she's looking for.

And I think that if you're depending on Whois to be the sole arbiter of whether or not the set of issues that you've encountered, Susan, you know, needs attention and you're depending on Whois to do that, now I realize you're probably really not, and I'm sure that you're not, especially as you said, you know, billion-dollar company you've got lots of inroads and mechanisms for dealing with this. But I think it's important for everyone to realize that, you know, those are just potential use cases of a Whois or RDAP service in order to respond to those things.

There are other mechanisms for doing that. And I would challenge whether or not Whois or RDAP or any kind of directory service is really the best way to manage the kinds of significant issues that Susan was talking about. So I mean, this discussion of RDS versus RDDS, versus publication, versus collection, you know, as was done in SSAC 055, Section 2.4 I was talking about, I want to draw a very clear line between, you know, supporting the lifecycle of a domain name and publishing anything that we do or don't know about that or any kind of access to that data outside of the requirements of managing the lifecycle of a domain name.

All those use cases we talked about are interesting and important, and I don't want to undervalue them, but are they a critical part of the purpose of registration data or not? And I think that's an important discussion for us to have too. Thank you.

Chuck Gomes: Thanks, Jim. Chuck again. And we'll have to have that discussion when we start talking about specific requirements. So that will have to come. Michele, go ahead.

Michele Neylon: Thanks, Chuck. Michele for the record and all that. First off I think Alan's question, although is a little bit extreme and possibly ridiculous, it was intentionally so because it does provoke an entire discussion around what people are actually looking for, what people need.

And I think – but I think somebody touched on something there, and I'm not sure who it was so sorry if I'm not attributing it to anybody specifically. You know, the requirements and all that are driven by the community etcetera, etcetera, etcetera. But in order for those requirements and the end product, the end service, the end policy, to be legal, not every single requirement or desire of every member of the community can be met.

Just, you know, I don't think that's possible to be perfectly honest. I mean, you cannot have fully public, fully searchable Whois with unfettered access for every man and beast and still respect privacy. You know, the two just cannot work – cannot coexist. And there's no reason why you can't have different levels of access and everything else. But the current assumption is that the current usage and the current ways that people use this data should proceed pretty much as-is in some shape or form but very much as-is.

And I think, you know, Jim Galvin touched on it as well. I mean, there's other ways to do things. The fact that, you know, we might be using a particular method for doing something now may not – it may not be that case in the future. But we're going to have to concede on some of these things because ultimately if we don't this entire workgroup will fail. Thanks.

Chuck Gomes: Thanks, Michele. Chuck again. Maxim, it's your turn.

Maxim Alzoba: Maxim Alzoba for the record. I think it's a bit early to say that we agree that it's – it should be a directory service. Because it's implementation phase so I think is bit earl to talk about. We have to resolve about utilization of data, imagine one of the countries says okay what is designed with a central storage location in United States is not good for us. We prohibit it from being used in our territory. So it might be bit early for that.

Chuck Gomes: Thanks, Maxim. Susan, your turn. Are you on mute, Susan?

Susan Kawaguchi: Yes, I was, sorry about that. So I just wanted to respond to Jim. And I did put that in the comment section. But I absolutely disagree with him. Agree with the – we need the discussion but absolutely disagree that at this point in the way the whole system works that that online look-up of data isn't critical to what I do.

There is no other way to do that in a quick – especially in an emergency situation when something has gone horribly wrong that the Whois data is there first thing you go to when you're managing domain names for a large business, and then you start using other means to resolve the issue. But, I mean, literally I've gotten registries on the phone and said, there is no Whois record for this domain. What? You know, so I've told them, you know, you now deleted my domain name for all intents and purposes, we are offline.

So I just – I absolutely disagree that there's any other mechanism at this point that, I mean, we could create something that would work for what I do on a daily basis. So I just don't want that to be discounted because if you talk to any corporate person, you know, for a big company that your only business is online and not brick and mortar, then they're going to understand the criticalness of that – of the Whois data.

Now if we change the whole system and it doesn't rely on the registry sending, you know, my zone files up to, you know, you know, out to the interewebs and, you know, the whole system, and I'm not going to walk

through it, but then, yes, maybe that would be true. But at this point in time I would challenge you, Jim, to provide a different method of actually in real time critical issues protecting a domain name without the Whois record available.

Chuck Gomes: Thanks, Susan. This is Chuck again. Marc, your turn.

Marc Anderson: Thanks, Chuck. This is Marc. And, you know, I guess I hadn't raised my hand to respond to Susan, but I will. Susan, DNS, you know, I would actually argue that Whois is secondary to DNS in that regard. And I've actually been reflecting a little bit on that, you know, there's, you know, the DNS system and the Whois system both allow you to look up information about domain names.

And in fact there's some overlap. DNS and Whois will both give you information about the name servers associated a particular domain name. So there are two, you know, different systems and they have different purposes, which is why there were two systems, you know, created initially.

And, you know, as we've had this purpose conversation today, which I think has been very good. It's got me thinking a lot and I think there's been a very thought-provoking conversation today. But I've reflected a lot about, you know, sort of the initial decision to have a DNS and a Whois that serves some, you know, that have some overlapping functionality but for different purposes.

And, you know, I think it's, you know, I think it's really interesting if we consider, you know, we've talked about okay we don't have a purpose. I think it was Steve that pointed out, you know, there isn't one purpose here. There are many purposes.

And so that's got me thinking, okay, are we trying to take this one system and, you know, meet everybody's needs and is that maybe an impossible

task and maybe we should consider splitting it up. Maybe there are more than one systems or more than one RDDSs if you will, necessary to meet the different needs of the community.

I don't, you know, I don't pretend to have the answer to that one, but, you know, the conversation today has certainly got me thinking about that, you know, especially reflecting on the fact that Whois and DNS are separate systems to meet different purposes with some overlapping functionality. Thank you.

Chuck Gomes: Thanks, Marc. And I encourage – I hope this discussion today has motivated thought for everyone. Because your assignment between now and our meeting next week is to continue to think on this and we will pick up on this kind of where we left off plus anything that happens on the list in the coming seven days. So please be thinking about that and continuing the discussion on the list.

Now to wrap it up, because we are just about out of time, I want to just share two thoughts. And there's not going to be time for responses but we can continue the discussion next week. First of all, Jim's suggested element that a purpose has to be self-evident, I've been thinking about that and I'm not sure I agree with it. But we'll discuss it next week.

Because for example, the – I think it's self-evident to a law enforcement person that they need the information but it may not be so self-evident that a – from a privacy advocate and so forth. So I'm not sure. And I may be jumping the gun in talking about requirements rather than purpose so I understand the difference there.

So so far as far as a purpose statement I think we kind of have at least no objection to the fact that a – an RDS, whatever that means, needs to support the lifecycle of a domain name. But I don't think that goes far enough. What does that mean? I mean, do we need – several people have talked about

needs. In supporting the lifecycle of a domain name does that mean in a way that meets the needs of the broader community? Again, very broad terms.

I throw those things out at the end here just to hopefully generate thought and discussion on the list. And so we can pick up there next week. But think about what elements there needs to be for a statement of purpose to be developed by this group. And we'll pick up on that next week.

Now our meeting next week, it's the second meeting of the month so it'll be at this same time. And it's going to be a really important meeting as we continue to develop a statement of purpose, which is going to guide everything we do when we're talking about requirements. That said, let me see – ask if there's anything else that we need to cover today before we adjourn the call?

Okay, well thanks, everybody. Great discussion. I hope everybody benefitted and it stimulated thought. Please continue to think about what a statement of purpose should look like and something that will guide us and help us as we deliberate on requirements.

With that said, thanks to everybody and have a good rest of the week. Meeting adjourned. And the recording can stop.

Michelle DeSmyter: Again, today's meeting has been adjourned. Operator, please stop the recordings and disconnect all remaining lines. Have a great day, everyone.

END