

Michelle DeSmyter:Dear all, Welcome to the GNSO Next-Gen RDS PDP Working Group call on Tuesday, 23 May 2017 at 16:00 UTC.

Michelle DeSmyter:Meeting agenda wiki page:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_HsPRAW&d=DwICaQ&c=FmY1u3PJp6wrcrw113mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWGlBLwwwehFBfjrsjWv9&m=wVNhhaJswAFras_v5lMdw1z12kR1Ky-pXn1r5qWkcf8&s=DSGzwDSQmSNj31xZLyEp6JOA0a9w65Lmbc32D5gse7M&e=

Benny Samuelson / Nordreg AB:could someone say something

Benny Samuelson / Nordreg AB:so I can test if I have sound

Volker Greimann:Houston, We can hear you loud and clear!

Benny Samuelson / Nordreg AB:ok thanks not working again

Benny Samuelson / Nordreg AB:will restrart

Chuck Gomes:I had to wait 2-3 minutes for an operator. Did others have the same problem?

Chuck Gomes:Great slide.

Maxim Alzoba (FAITID):Hello All

Michael Hammer:Similar problem Chuck.

Lisa Phifer:Displayed on screen now:

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Viviane Vinagre:Hello! It's my first RDS meeting, and I wanna say I'm sorry for just participating now, but the time zone was a mess

Michael Hammer>Welcome Viviane.

Viviane Vinagre:Thank you Michael!

Alex Deacon:Hi. Sorry for joining late...

Volker Greimann:I qam very much opposed to this purpose definition. The "facilitation of dissememination of registration data" cannot be a purpose for the collection or processing of personal data under the GDPR as the dissemination would itself need a legitimate purpose, which it cannot have.

steve metalitz:Couldn't there be more than one such data set meeting this definition? E.g., the data held by registry may be different than data held by registrar.

Maxim Alzoba (FAITID):due to GDPR we might see more THIN registries ...

Volker Greimann:due to GDPR we may see more blank whois details

Michele Neylon:I'm not dialled in yet - I will be shortly

Michele Neylon:stuck on another call

Michael Hammer:If you have more than one data set and they

conflict, which one is the one that should be used? That's really what we are trying to address.

Volker Greimann:Ultimately, Whois cannot be relied upon legally as it may be out of date, false, stolen, proxied, etc

Alex Deacon:@ volker - what dose that mean "can't be relied upon legally"? (i'm not a lawyer)

Maxim Alzoba (FAITID):could we "information provided during the last update/create interaction"?

Maxim Alzoba (FAITID):*use

Maxim Alzoba (FAITID):so we reffer to the fact that we provide only what we have

Michael Hammer:What percentage of domains have implemented DNSSEC?

Maxim Alzoba (FAITID):3%?

Michael Hammer:That sounds about right.

Viviane Vinagre:I'm just listening today, trying to undestand the debate to cotribute later in the mail lists or in the next call,

steve metalitz:@Andrew, this seems like a roundabout way of saying "authoritative" -- since it ultimately comes down to whether it is "accurate" or "official" as yojust said.

steve metalitz:*you just*

Alan Greenberg:The "data of record" says more to me than "then current".

Benny Samuelson / Nordreg AB:But domains are not owned

Volker Greimann:Whois does not give you that chain though

Maxim Alzoba (FAITID):last recorded data ?

Volker Greimann:Maxim +1

Alan Greenberg:Hand up in error

Andrew Sullivan:@Steve: I agree that it is a round-about way of saying authoritative. The problem with that term is that some people think that "authoritative" means "true": that the "authoritative data" somehow proves that the address in the data is the right address

Benny Samuelson / Nordreg AB:+ 1 Andrew

Andrew Sullivan:(or the registrant identity, or the name servers, or whatever)

Viviane Vinagre:+1 Andrew

Andrew Sullivan:that's not what "authoritative" means to Internet geeks, but it apparently is what it means for law geeks

Alan Greenberg:How do we say this is the "official" data without having a word in quotation marks??

Lisa Phifer>Note Maxim's Proposed alternative: "information provided during the last update/create interaction"

steve metalitz:+1 Scott, there is more than one "data of record" as so defined, so we need to disambiguate if we want to

identify the data that should be relied upon.

Kal Feher:it is probably important to remember that some of the thin data is actually derived (expiry dates, updated dates) and some is supplied (NS records, which could be both incorrect according to the registrant's wishes, yet still accurate to what is in the TLD zone file)

Andrew Sullivan:Maybe the idea here is better expressed as, "The data you would get for each datum if you were to ask the source of that datum"

Lisa Phifer:@Scott, you are not asking us to pick the storage location but to give a definition that disambiguates what is "data of record" correct?

Michael Hammer:Longer than several weeks.

Lisa Phifer:We have two proposed alternatives in chat:

Lisa Phifer:Proposed alternative: "information provided during the last update/create interaction"

Scott Hollenbeck (Verisign):@Lisa, No, it's not about storage location. It's about origin.

Lisa Phifer:Another proposed alternative: "The data you would get for each datum if you were to ask the source of that datum"

Scott Hollenbeck (Verisign):AKA "provenance" as others are saying now.

Michael Hammer:Some domain names might be considered works of art (re provenance discussion)

Maxim Alzoba (FAITID):last know data provided by registrant

Maxim Alzoba (FAITID):*known

Lisa Phifer:Does "provenance" reflect proof of origin and integrity?

Michael Hammer:Not all of the data is provided by the registrant.

Carlton Samuels:Not to be a pedant but the word 'information' conveys an interpretative element that could be useful to affirm. So to be comprehensive say 'data and information...'

Alan Greenberg:"then-current currentl definitive data element"

Andrew Sullivan:The reason we use provenance to confirm a work of art is what it is purported to be is because its a proxy: the idea is that if you can track who held the art all the way along, you can somehow prove to yourself that it's the real work of art by the artist

Maxim Alzoba (FAITID):as I understand the source of information is the registrant...

Andrew Sullivan:@Maxim: not always

Andrew Sullivan:the expiration date comes from the registry or maybe registrar

Carlton Samuels:@Lisa: provenance can reflect integrity, yes. It is part of the trust element that comes with interpretation

Michael Hammer:perhaps something along the lines of "controlling source(s)"

Andrew Sullivan:the object IDs come from the registry

Scott Hollenbeck (Verisign):+1 Alan

Volker Greimann:I would not make any assumption of correctness

Lisa Phifer:Proposed alternative: "definitive information"

Volker Greimann:"How about most current data"?

Scott Hollenbeck (Verisign):Shoot, I threw "definitive" out there a few weeks ago!

Andrew Sullivan:I forget the objection to "definitive" but I certainly don't object to it

Elaine Pruis:definitive is as problematic as authoritative

Maxim Alzoba (FAITID):@Andrew, yes , there could be a Registry as a Registrant, or URS or some court provided data

Carlton Samuels:definitive as a qualifier for information could work yes. +1 to Alan

Lisa Phifer:Are we looking for proof that the data is the data as provided by the point of origin for that data element?

Andrew Sullivan:No, for any given datum there is one canonical source for it

Andrew Sullivan:but each datum in the data could come from a different such source.

Lisa Phifer:@andrew for each data element, is there not a canonical source?

Andrew Sullivan:yes, for each element there is a canonical source

Scott Hollenbeck (Verisign):@Lisa: yes, and there is just one

Carlton Samuels:"Data we can take as authoritative" = definitive

Michael Hammer:taken or "considered as authoritative"?

Kal Feher:it might also be useful to ask ourselves what we want to know. do you want to know what is in the registry? do you want to know what the registrar thinks the truth should be? it feels like we are reverse engineering a purpose to fit over an imperfectly distributed data set. and those imperfections undermine our purposes.

Alan Greenberg:I am fine with "data of record" but I am not sure it is a well understood term in the wider world.

Lisa Phifer:It sounds like we may want proof that each data element matches the data supplied by the canonical source (regardless of where it is obtained from)

Adam Lanier:+1 Stephanie

steve metalitz:@Stephanie, I don;t think the Thick Whois PDP report said registry data is likely to be more accurate, only that it is authoritative in case of divergence.

Michele Neylon:that hurt

Andrew Sullivan:Greg's argument depends on his claim that a registration object is just a data set

Stephanie Perrin:Yes Steve, I am sorry I was trying to abbreviate.

Maxim Alzoba (FAITID):by setting the data the way it was set?

Andrew Sullivan:It's true that registrations are just data, then he's right, but then we don't need to talk about "data of record" at all. But I think he is mistaken about this claim

Andrew Sullivan:Note that RDAP talks in terms of "objects":
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Michael Hammer:What if the registrant wanted me to have a SQL injection?

Kal Feher:consider the situation where an NS record is different between the registry and registrar. which is correct? the registry RDS system may accurately represent what is in the zone file. the registrar 's RDS may accurately represent the registrant's desire. which is correct/accurate/authoritative?

Michael Hammer:There are (should) always constraints.

Greg Shatan:The registrant's desire is not the right yardstick.

Lisa Phifer:How about DoR = Data set that, at a given time, can be proven to match the data supplied at the origin for each data element

Greg Shatan:It should be the data the registrant is required to provide.

Andrew Sullivan:@Kal: what you're trying to find out is what is "in the system", not what someone intended

Stephanie Perrin:I like it

Jim Galvin (Afilias):@greg - sure, I get the point you're making. wfm

Scott Hollenbeck (Verisign):Getting better, Lisa.

Kal Feher:@andrew, which system?

Jim Galvin (Afilias):@lisa - yes

Stephanie Perrin:It includes the time element, the derivation of the data]

Stephanie Perrin:YEs

Andrew Sullivan:We can't use "proven" unless we want to go for something kind of loose, since whois is a completely unauthenticated protocol

Vicky Sheckler:agree w/ scott - getting closer

Andrew Sullivan:there's no way to be sure you're getting the connection you ought to

Andrew Sullivan:but ig's closer

Andrew Sullivan:I agree

Andrew Sullivan:I like the poll plan

Jim Galvin (Afilias):proven -->> asserted

Greg Shatan:Getting there, though it's narrow and doesn't deal with the upstream source for that data, which creates a GIGO problem.

Jim Galvin (Afilias):asserted -->> purported ?

Greg Shatan:But if this is about "fidelity", then it's pretty good.

Michael Hammer:What we are really talking about is registry vs registrar, not whether the information supplied by the registrant is accurate.

David Cake:I find Lisa's definition gets back to mixing questions of source of data, thus potentially confusing.

Lisa Phifer:@David, origin not source

Vicky Sheckler:not purported - too nebulous

Stephanie Perrin:This is why we should park this. Determining the likely quality of the data (and ergo who should be responsible for that data quality) comes later. Asserted works.

Lisa Phifer:If I can get the data from anywhere, but I have assurance that it matches the data supplied at the origin, that may be what we want

David Cake:I have no idea how we prove that data in the system is correct, without using the system.

Jim Galvin (Afilias):Data set that, at a given time, is asserted to match the data acquired at its point of origin

Scott Hollenbeck (Verisign):@Jim: I like that

Lisa Phifer:@David cryptographic integrity might be applied

Kal Feher:remember that there are two separate systems here at least. the registrar and the registry. they can and do disagree. if NS records disagree then the registry version is likely what you are interested in. if expiry date is different, then you probably want to pay your Registrar when they think you owe the money. so you'd opt for their version of the truth

Maxim Alzoba (FAITID):@Kal, Registry can act as a Registrant, and sometimes without Registrar

Lisa Phifer:Displayed on screen now:

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Maxim Alzoba (FAITID):for example nic.TLD for new gTLDs

Kal Feher:@maxim, true. I was just showing one complication

with the assumption that there exists a single system with a single coherent answer for thin data. your scenario should be reasonably simple to keep accurate -for all interpretations of accurate

steve metalitz:doen't rough consensus #20 answer 5.1 and make the other questions moot?

Lisa Phifer:On page 3 of handout, reviewing charter subquestions 5.1 thru 5.4

Volker Greimann:Question: Why would we still need the "Whois Server" field?

Jim Galvin (Afilias):@steve -not necessarily

Lisa Phifer:@Steve, the goal is to use that WG agreement to provide answers to these questions or determine what still needs to be answered

Jim Galvin (Afilias):@ steve - depends on what quality of identity you want - could be you have a "click wall" requiring people to at least assert who they are via an email address, for example.

Andrew Sullivan:@volker: I suggested before that what is needed is a "referral" field

Andrew Sullivan:that's true in any referral-based sstem

Maxim Alzoba (FAITID):As I understand, in Netherlands an IP address could be seen as a personal data ... so if a person is so wise to use his own noe dns server in registrations ... who knows where it lead us

steve metalitz:@Jim would that be consistent with rough #20, isn't requiring that assertion be asking for "requestor identification"?

Maxim Alzoba (FAITID):*leads

Volker Greimann:if someone wants it all, then he will have to answer a lot of captcha's

Lisa Phifer:@Michael, the levels of access referred to public, non-public, gated - but not methods of access that might be required

Maxim Alzoba (FAITID):@Volker, are you suggesting few captchas a time?

Volker Greimann:one captcha per query, one query per domain

Lisa Phifer:I abbreviated the subquestion a little but it actually says "(e.g., public, non-public, multi-tiered)"

Jim Galvin (Afilias):@steve - I agree that in our discussion we have answered the questions as shown. I was simply observing that we could have answered them differently and giving an example of how they could have been different. Thus, it is important to consider all the questions. The answer to 5.1 does not automatically answer the request, although it probably provides a strong hint.

Alan Greenberg:Is this a 90 minute meeting or are we overtime?

Nathalie Coupet:90 MINUTES

Maxim Alzoba (FAITID):in cases where LEAs violate privacy law - it is still a violation , unfortunately

Tim Chen:why is it every time LEAs get mentioned people assume they are violating privacy laws?

Nathalie Coupet:not if it is in the fight against a protected category in teh law

Nathalie Coupet:to defend a protected category I mean

Vicky Sheckler:@maxim - privacy law generally applies to personal data about natural persons. thin data in general does not implicate that type of data

Greg Shatan:I don't think any of 45 should apply to thin data.

Tim Chen:why do people keep invoking 'legally' or the law when it is off topic to the point we are discussion. I think we all understand your views at this point.

Lisa Phifer:Policy may state purpose(s) for data element access. That purpose could be implicit or explicit in a given query.

Greg Shatan:Maybe yes and no should not be the only two answers.

Lisa Phifer:@Steve, this WG need not agree to these principles - we can phrase any principles we think are appropriate and necessary in addition to WG agreements thus far

Maxim Alzoba (FAITID):if LEA access any kind of data following the procedures of access, then there are no questions

Lisa Phifer:Any objection to principle #44 - put red X in AC

Maxim Alzoba (FAITID):less then 300 jurisdictions

Lisa Phifer:Clarification: Any objection to principle #41 put red X in AC

Maxim Alzoba (FAITID):unfortunately EU is powerfull enough to punish almost all of us

Andrew Sullivan:surely if a jurisdiction says no data may be published, then within in that jurisdiction in fact no data may be published?

Maxim Alzoba (FAITID):@Andrew, I think we need an example, until then it is hypothetical

Vicky Sheckler:+1 metalitz

Lisa Phifer:Proposed revision to 41. A minimum set of data elements must be accessible by unauthenticated RDS users.

Vicky Sheckler:like metaltiz' suggestion later

Vicky Sheckler:better

Alan Greenberg:Need to leave now. Thanks all.

Alex Deacon:not sure we can know what is the "most stringent applicable privacy regime" is. I'd prefer we drop it.

Maxim Alzoba (FAITID):applicable may be

Volker Greimann:Yes Greg, that is the intent of the phrase
Volker Greimann:since if you are in compliance with the most stringent regime, you are in compliance with all of them
Nathalie Coupet:But you impose undue restrictions to everyone else
Nathalie Coupet:You can still be liable for that
Michael Hammer:@Volker, what if a jurisdiction says all data elements MUST be public?
Volker Greimann:then that clearly is not the most stringent regime
Michael Hammer:For example, on the notion that a domain registration is akin to purchasing real estate?
Benny Samuelson / Nordreg AB:No no no its not
Volker Greimann:well, the real estate register is only semi public
Volker Greimann:there is no internet lookup
Rod Rasmussen:Going to audio only
Michael Hammer:Not necessarily true. I can look up real estate records on the internet by address, owner name or other fields.
Volker Greimann:you have to physically mosey over to the local court that holds the register, apply for review of a certain piece of land in writing and then look at that.
Volker Greimann:maybe in the US.
Volker Greimann:not over here
Stephanie Perrin:ditto in Canada
Stephanie Perrin:There are important distinctions that we must keep in mind, between data being available, public and contained in a searchable public directory.
Volker Greimann:but the US have a weird relationship with data privacy anyway, see public arrest records
Michael Hammer:<http://carroll.mfcdsoftware.com/re/re-search.php>
- from the auditors office in Carroll county Ohio
Stephanie Perrin:These are distinctions that the DPAs have pointed out in their correspondence with ICANN
Alex Deacon:maybe one day we will be able to query the public real estate blockchain....
Michael Hammer:this is true across much of the United States.
Volker Greimann:see my comment above!
Michael Hammer:you call it weird, others call it normal and appropriate.
Greg Shatan:There are also rigid interpretations of some jurisdictions' policies.
Volker Greimann:I think it is a good thing that there are certain hurdles to certain data. No one should be able to googly my name and see what the conditions for my land purchase were, what mortgage I have on it, etc.

Nathalie Coupet:I agree. It goes too far sometimes

Lisa Phifer:Proposed revision to 41. A minimum set of data elements must be accessible by unauthenticated RDS users.

Volker Greimann:Me

Lisa Phifer:Red X if you do not support that proposed revision

Alex Deacon:Also let not assume the future RDS will be full of personal registrations. it will contain commercial registrations also that are not subject to "stringent privacy regimes".

Volker Greimann:We need a limitation at least on the most stringent applicable law

Volker Greimann:/me waves, points to chat

Greg Shatan:Volker is just being very private...

Vicky Sheckler:generally, thin data doesn't include personal data about natural persons

Volker Greimann:We cannot take out the reservation of barriers put in place by data privacy regimes that may be applicable.

Michele Neylon:+1 Stephanie

Greg Shatan:Can't they consent?

Michele Neylon:To every possible usage of data??

Volker Greimann:I have no problems with limiting it to those privacy regimes that would apply to a data set.

steve metalitz:@Stephanie, can you identify which is "the most stringent privacy regime," so that it would be clearer to what regime the uamended #41 would subject thin data access?

Maxim Alzoba (FAITID):I suggest we find at least one example of such jurisdiction

Volker Greimann:For example, there is no reason to assume that for an american customer data living in the US, registering through an american registrar with all data stored in the US European data protection laws would apply

Lisa Phifer:I should point out that 41 refers to minimum set of data elements and not "thin data" - the EWG's minimum public data set included more than today's thin data elements

Maxim Alzoba (FAITID):or see it as a hypothetical reason

Vicky Sheckler:@stephanie and volker - no - it raises questions about hypothetical what-ifs. if that is the case that this is just a hypothetical, then it shoudln't be included. ICANN alsready has a conflict of laws procedures to deal with such unlikely edge cases

Michael Hammer:I would assrt that there is a minimum set of data elements required for the system to function.

Volker Greimann:the other question that raises though is the technical complexity this diffwerentiation would bring with it.

Lisa Phifer:NOTE: Newcomer tutorial will start when WG call ends; agenda and slides posted at

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Volker Greimann:Vicky: I disagree. If there is even a hypothetical effect then it NEEDS to be included

Vicky Sheckler:again - as I understand it, right now we are talking about thin data only.

steve metalitz:@tim those examples don't involve thin data, do they?

Volker Greimann:only if we can exclude any effect then it can be excluded

Vicky Sheckler:@volker, not when it is not grounded in any current or proposed privacy or data protection laws

Maxim Alzoba (FAITID):possibly - if the person used own DNS servier installed at home and aded coordinates to GEO databases

...

Maxim Alzoba (FAITID):*added

Volker Greimann:Vicky: That goes without saying

Lisa Phifer:DOmains having names servers is a different issue than whether names servers are published in RDS

Volker Greimann:but any potential effect of such laws and regulations needs to be taken into consideration and included

Maxim Alzoba (FAITID):it is an example - of possibly intended behaviour of the registrant to be able to claim that his personal data was abused

Alex Deacon:@volker - specific laws sure - but not sure how this can be done with hypothetical laws.

Maxim Alzoba (FAITID):@Michele, I did not mean to troll you :)

Alex Deacon:@greg +1

Michael Hammer:@Greg +1

Vicky Sheckler:thx. bye

Nathalie Coupet:Bye

Lisa Phifer:NOTE: Newcomer tutorial will start when WG call ends; agenda and slides posted at

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Volker Greimann:Alex: certain clauses in laws are subject to interpretation. Hypothetical means in this context that an effect cannot be excluded as it falls within a credible interpretation of said law.

Michele Neylon:Maxim :)

Michele Neylon:ok gotta go
Greg Shatan:All clauses in laws are subject to interpretation.
Alex Deacon:thanks and bye!
Patrick Lenihan:Thanks to Each and All!
Maxim Alzoba (FAITID):bye all
Viviane Vinagre:Thank you all
Viviane Vinagre:amazing discussion
Andrew Sullivan:bye all
Viviane Vinagre:I'm going to join
Michelle DeSmyter:Please standby for the Newcomer Tutorial