

Julie Bisland:Welcome to the GNSO Next-Gen RDS PDP Working Group call on Tuesday, 12 September 2017 at 16:00 UTC

Julie Bisland:Agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_ZmfwAw&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QIF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=IA0ZgIjk9ECxp7GN0bbU1EZkBVGTyXnHWNy9TcnkIPc&s=TKckWai-bfiFzZYJ0JuWLS1oCT8ikujvfvfJYREbDTxs&e=

Krishna Seeburn - Kris:hi julie...

Julie Bisland:hello Kris!

Julie Bisland:Welcome, and Happy Tuesday to you and Dina! You're the winners today; early-arrival winners!

Krishna Seeburn - Kris::)

Volker Greimann:happy tuesday to everyone

Julie Bisland:Welcome Volker :)

Dina Solveig Jalkanen:Hi everyone, I have to get off the bus in a bit, will try to continue on mobile after interruption.

Dina Solveig Jalkanen:Julie, thank you - it's because I forgot I was in UTC+3 so was here an hour early.

Julie Bisland:ohhhh haha, well, that is completely understandable!

Dina Solveig Jalkanen:Yes, all those years in the university didn't help me with UTC... :)

Ayden Férdeline:Hello all

Andrew Sullivan:hi. in an airport on mobile so I expect not to speak

Herb Wayne Ombuds:Greetings all...

Chuck Gomes:Hello from the Oregon coast.

Lisa Phifer:Handout: https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_66086758_RDSPDP-2DHandout-2DFor12SeptCall.pdf&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QIF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=IA0ZgIjk9ECxp7GN0bbU1EZkBVGTyXnHWNy9TcnkIPc&s=bR7GAYzNKNEHYJknj8EWeHzd2ehtcb-6tI8lsshVNTA&e=

Lisa Phifer:Note that slide 3 depicts existing RAA data elements, including those elements

Vicky Sheckler:i think they should be supported and should be mandatory for collection

Lisa Phifer:Slide 2 contains some related agreements thus far, including agreement on country code, etc

Susan Kawaguchi:Sorry for being late!

Ayden Férdeline:Sorry I think I missed the ask, were we asked if all 3 MUST be collected? I do not support registrant street address being collected

Lisa Phifer:Sorry I meant slide 3 contains some related agreements (not slide 2)

Andrew Sullivan:I sort of can't see how this could fail to be collected, but I confess I don't care

Lisa Phifer:Chuck asked whether anyone thinks the RDS should not support postal address or phone (regardless of policy on collection)

Vicky Sheckler:they should be supported by the RDS

Ayden Férdeline:Ok, I am okay with it being "supported" - not necessarily collected.

Andrew Sullivan:@Ayden: what is the difference you're suggesting?

Abdeldjalil Bachar Bong:i don't agree with phone number collection ;

Andrew Sullivan:is "supported" to mean "optionally collected"?

Ayden Férdeline:@Andrew: If a registrant does not wish to provide the data, I think the system should accommodate that [leaving aside the question of whether or not it will be mandatory as a policy].

Vicky Sheckler:@agree w/ alan, and apologies to all for missing the last several calls.

Ayden Férdeline:Yes, that is what I meant @Andrew. "supported" = "optionally collected"

Andrew Sullivan:so "support" is "possible to collect ". got it

Lisa Phifer:@Andrew, supported simply means there is a data element defined, Chuck wishes to consider collection requirements separately

Andrew Sullivan:the data element is _already_ defined because it's in both rdap and epp

Michael Hammer:I'm not sure what "must be collected" means. Any old thing entered in the field or validating?

Andrew Sullivan:it drives me bonkers that we imagine we can do something about that. it's just a question of whether they may be exposed and whether they must be collected

Lisa Phifer:@MHammer - validation policies are not yet being deliberated on, collection in any of our WG agreements to date does not imply validation

Volker Greimann:not 'must be collected', but also 'may be collected'

steve metalitz:@Ayden, there are far more people on this call than respond to the polls typically

Lisa Phifer:@Andrew, a data element defined in today's systems may not be end up being required in a next-gen RDS - what Chuck is asking is whether any RDS is required to support these data elements

Volker Greimann:@Steve, but with polls, you have more time to ponder te question than on this call

Abdeldjalil Bachar Bong:i don't see the importance of collecting the phone number ; as user I registered many domains names but I never see the importance and nobody contacted me during the differences issues only by email

Scott Hollenbeck (Verisign):@Lisa: keep in mind, though, that EPP and RDAP are the tools we have available today. A policy without implementation support won't be very useful.

Greg Shatan:Yes, but on a call you have a chance for give and take, and discussion with other members, a necessity in reaching consensus. In a poll, you're only listening to yourself. Some people like that, I guess.

Fabricio Vayra:+1 Vicky

Greg Shatan:Agree with Vicky.

Abdeldjalil Bachar Bong:i don't see the importance of collecting the phone number ; as user I registered many domains names but I never see the importance and nobody contacted me during the differences issues only by email

Volker Greimann:@Greg, that is why we discuss here, and then poll

Krishna Seeburn - Kris:agree with vicky

steve metalitz:+1 Vicky

Michael Hammer:If collection is "mandatory", then I would propose that there be some standard required verbiage explaining why it is required and collected.

Lisa Phifer:Proposed WG Agreement (to be confirmed by poll): The RDS must support Registrant Postal Address. Similar poll question for Registrant Phone Number.

Michael Hammer:Address I agree with mandatory. Phone number I think is useful but not necessarily mandatory.

Tim O'Brien:phone number should be manditory

Andrew Sullivan:I do not believe that there is any regulation about support for possibly collecting something

Ayden Férdeline:+1 Volker - need to see this legal review

Greg Shatan:Disagree with Volker. We should first determine what should be in the database, and then see if there are any hurdles to doing so.

Lisa Phifer:Note that WG's charter envisions legal review of WG's recommendations on requirements and policy.

Abdeldjalil Bachar Bong:some time we can make the difference between postal address vs postal code address ;here in Chad most of time people don't know their correct infos about the address (street number ,avenue ...)

Volker Greimann:at this point, anything we 'require' is merely a wish list with no idea if this is realizable\

Greg Shatan:We are slicing the salami thinner and thinner.... The highest level question is what should be collected.

Volker Greimann:should we not save our energy

Volker Greimann:and exclude anything we cannot even require for inclusion?

Volker Greimann:require

Andrew Sullivan:we are approaching micron thickness of salami, indeed

Lisa Phifer:Lost sound?

Volker Greimann:and yes to Michele, but then we need the ability to differentiate, which we do not necessarily have

Michele Neylon:Volker - self declaration / identification works fine for several ccTLDs

Ayden Férdeline:The Equifax breach last week showed us how dangerous a data maximalist view is... we should be only including the bare minimum amount of data in the RDS.

Volker Greimann:self-identification is fine

Volker Greimann:@Greg: Straw horse?

Michael Hammer:Equifax is a bit different of a situation because individuals didn't provide the information to Equifax, 3rd parties provided it... in many cases without the individuals knowledge.

Andrew Sullivan:I'm happy with data minimalism. but it seems that contact of people for legal purposes is part of the point of having a registry

Michael Hammer:+1 to what @Andrew Sullivan wrote

Andrew Sullivan:and therefore address is to be collected

Volker Greimann:No one ever needed my personal details for my personal domain names for legitimate reasons.

Dick Leaning:+1 Andrew

Andrew Sullivan:@Volker: that's an absurd argument. nobody ever served me either, but that doesn't mean they don't need to be able

Greg Shatan:My registrar seems to contact me using various items of personal information. Seems legitimate to me.

Andrew Sullivan:to

Dick Leaning:contact details don't need to be personal

Michael Hammer:The fact that you haven't been served legal notice, doesn't mean that it doesn't happen quite frequently.

Andrew Sullivan:do

Michele Neylon:The Equifax breach is just one in a long list of horrendous breaches

Andrew Sullivan:breaches are a problem. nobody disagrees with that

Fabricio Vayra:+1 Metalitz

Volker Greimann:@Andrew: it is not absurd. no one should be able to connect to me unless I want them to be able to. I am not doing anything wrong, after all

Greg Shatan:Equifax shows us that failing to keep up with software patches and generally failing to be diligent are a problem.

Ayden Férdeline:The more data we keep in the RDS, whether access is gated or not, the more attractive a target it is to adversaries to attempt to breach.

Tim O'Brien:"I am not doing anything wrong" is a fallacy

Greg Shatan:Volker, if you want to be a hermit, there are ways available to do that. But hermit should not be our base case.

Volker Greimann:IP-rights advocates and web sheriffs (?) are throwing out the baby with the bath by making rules that they intend to help them catch a few bad guys at the cost of the general registrants

Andrew Sullivan:@Volker No. if you want to own or lease certain kinds of things people need to know your contact info

Volker Greimann:no they do not

Dick leaning:people may want to contct you because you doing things right Volker - why so negative - so how does your tax guys contcat you?

Volker Greimann:Dick - not through my whois data

Volker Greimann:andrew - sure, and in every such case, the collection of my data is legally mandated by law or statute

Michael Hammer:Volker, some jurisdictions may consider a valuable domain name taxable property.

Volker Greimann:if i buy a car, there is a law that regulates that i must register it

Volker Greimann:if I buy land, there is a law that regulates that i must register that

Volker Greimann:if I buy a domain - npp law

Michael Hammer:npp?

Volker Greimann:so your argument is severely flaw because the legal basis is entirely different

Volker Greimann:npp=no

Greg Shatan:Volker, I'm not so narrow-minded to think those are the only reasons for collecting and making this info available. You shouldn't be either, even though it provides you with a punching bag that is popular in some circles.

Volker Greimann:if youu want such a law, lobby for it in washington, berlin, paris, gdublin

Greg Shatan:Should we devolve this to national law? Be careful what you wish for.

Michael Hammer:I believe the Peoples Republic of China has such a law.

Volker Greimann:nicde ad hominem, Greg, but stick to the argument please

Dick leaning:Am concerned that if we dont get this right through this process that they may well be law in the future - so what do we want

Greg Shatan:You were the one who cited babies and bath water.

Michele Neylon:Michael Hammer - the Chinese government is forcing registrars + registries to get licensed etc., if they want to operate there

Lisa Phifer:Chuck, the slide suggests alternative framing - just substitute the list of Postal Address elements for "Registrant Phone + Extension" for similar possible agreements on postal address

Volker Greimann:@Lisa: See, in Cjhina, there is a law

Volker Greimann:in Germany, there isn't

Volker Greimann:1A on slide 10?

Michele Neylon:But in Germany all companies have to disclose the physical address + directors in electronic communications

Michele Neylon:more than we have to do

Volker Greimann:@Michele: On the website, not in Whois

Farell FOLLY:agree with andrew

Michele Neylon:we have to do the company address + number

Michele Neylon:Volker - yes I know

Greg Shatan:One key reason for global private sector led policy making is to avoid devolving issues to national governments.

steve metalitz:currently, in the case of privacy registrations, the phone number collected woudl be that of the privacy service

Lisa Phifer:For a privacy registration, the privacy provider's address and phone go in the Registrant Address and Phone fields today

Farzaneh Badii:so, I didn't know phone numbers are so relevant now a days. what if someone doesn't have a phone number!

Fabricio Vayra:+1 Steve

Greg Shatan:Private sector = non-government

Michele Neylon:Steve - in the public directory - yes

Lisa Phifer:For a proxy registration, the proxy's address and phone go in the Registrant Address and Phone fields

Michele Neylon:In the RDS

Andrew Sullivan:the argument from the law is, I think, an error. this is not a government regulated environment unlike auto and land registries

Lisa Phifer:That is the key difference between privacy services and proxy services

steve metalitz:but the point Michele and I were discussing is the circumstance in which the customer's phone number/address could be (1) used for relay purposes or (2) disclosed under certain circumstances.

Michele Neylon:Steve - yes - but the responsibility to handle that is with the PP provider not the RDS

Andrew Sullivan:again, however, I don't really care & won't express a preference

Michael Hammer:Agreed - Proxy registration.

Stephanie Perrin:My apologies for being late.

Greg Shatan:You didn't miss anything. :-)

Ayden Férdeline:People are more likely to have an email address than a postal address...

Andrew Sullivan:I think JG's point is good: n of m contact elements is a good model

Farzaneh Badii:well domain name registrant prolly has an email address ...

Farzaneh Badii:also a homeless person might want to have a domain name ...

Lisa Phifer:Note this WG already has an agreement requiring at least one email address at minimum

steve metalitz:@Jim we have already tentatively decided that e-mail address must be collected (#32 on slide 3)

Greg Shatan:Depends what people you are talking about. There are a couple billion people on the other side of the digital divide. Most of them live somewhere, or at least have the ability to collect mail somewhere.

Lisa Phifer:That agreement is phrased similar to 2a) here

Andrew Sullivan:I am struggling to imagine the world in which someone homeless (as opposed to displaced, note) wants a domain name

Greg Shatan:Homeless people can have postal addresses.

Farzaneh Badii:well nomadic tribes don't have mailing address and they have always had trouble with court order.

Fabricio Vayra:+1 Andrew

Farzaneh Badii:not everywhere Greg

Greg Shatan:Sadly, many need them to collect assistance checks.

Volker Greimann:@Greg: Can have, but do all?

Michael Hammer:There is a difference between contactability and contactability for legal purposes.

Greg Shatan:Well, this is the reason we collect multiple types of contact info, to maximize the chance of contactability.

Andrew Sullivan:I have to drop to join my airplane in departing. bye all.

Michael Hammer:Safe travels Andrew.

Greg Shatan:Volker, there are no absolutes.

Farzaneh Badii:so we are not obliging them to provide mailing address?

Greg Shatan:We are discussing the alternatives.

Volker Greimann:@Greg: unless it comes to the wish list for whois requirements

Volker Greimann:;-)

Herb Wayne Ombuds:must depart.... have a great day everyone.

Greg Shatan:I have no wish list. Merely requirements.

Greg Shatan::-)

Abdeldjalil Bachar Bong:in our case here in Chad we don't have the cartography of correct address and now the Gov is working to have resolve the problem ; when you ask someone postal address he will give you only the area name (near to ...)

Greg Shatan:Maybe we should ask the registrant to indicate the best way to contact them.

Farzaneh Badii:oh that's a good idea Greg

Abdeldjalil Bachar Bong:it's so hard to have the full correct address so country name ,city name and avenue name is fine

Lisa Phifer>Note the phrasing in 2a/b refers to contact roles - this was used to in the agreement on email to allow contact roles to determine what data elements are required for each role

Lisa Phifer:For example, postal address might be required for a contact used for legal purposes

Alan Greenberg:@Abdeldjalili, let's not get caught up on what the components of a mailing address are .I have relatives in small town in Ireland where the formal mailing address is their name and the name of the town and country. Period. In my part of the world, a mail mailing address was (and perhaps still is, Name and the term "General Delivery" which meant I was responsible to pick it up.

James Galvin (Afilias):@greg - that is useful information but nonetheless there may be contact methods we require, for example, a legal purpose may require postal addresses even if that is not how you want to be contacted.

Alan Greenberg:(sorry for extra I on name!)

Krishna Seeburn - Kris:+ 1 james makes perfect sense

Greg Shatan:@James,, I don't disagree. I was merely suggesting that stating a preference could maximize contactability. If another method is required, the preference would not stop that. I often tell people the best way to reach me is my cellphone. But I still collect my mail every day.

James Galvin (Afilias):@alan - funny thing about postal addresses - we have "western" bias in what such things look like. My position lately is that postal address should be an unstructured "text box" for global applicability. A service may parse that and may normalize an address, but requiring that seems impossible in the general case.

Greg Shatan:Alan, that allows us to slice the salami to sub-micron levels.

Stephanie Perrin:Is legal service a legitimate purpose of the collection of whois data? the registrars can perform legal service, and as I have pointed out many times, the distinction between what ICANN requires a registrar to collect, and what one has to collect for the RDS is different.

Abdeldjalil Bachar Bong:@Alan thanks for that clarification ;

Greg Shatan:If this group were in charge of evolution, we would all still be single-celled organisms.... :-)

Tim O'Brien:lol @greg

Lisa Phifer:@Alan, as Alan says, RAA states that certain postal address fields may left blank if not available (not applicable in a given country)

Michele Neylon:I need to drop

Michele Neylon:see you all soon

Michael Hammer:Always the optimist, Greg.

Ayden Férdeline:Is there a rough ETA for when this legal advice might be shared with the wider WG?

Greg Shatan:I suppose the survival of said single-celled organisms is a form of optimism, Michael.

David Cake:There is a well known document about problems with things technical people are inclined to believe about addresses

David Cake:<https://www.mjt.me.uk/posts/falsehoods-programmers-believe-about-addresses/>

Lisa Phifer:@Ayden, an update was given in last week's call - expected before end of this month

Ayden Férdeline:Thanks

Alan Greenberg:@Stephanie, I would think that having the registrar perform the legal delivery would be ok, just as we more explicitly fo for privacy/proxy providers. But then we have the question of whether the registrar is willing to take on that responsibility.

Greg Shatan:@Alan for P/P providers, that's a value add service....

Lisa Phifer:Note that slides 12-13 give EWG definitions for some of these additional proposed data elements

Stephanie Perrin:I am sure registrars are not keen on it, but there is a big question as to whether ICANN can claim a purpose for data collection, use and disclosure as being service of information for law enforcement purposes.

Stephanie Perrin:The DPAs pointed that out in Copenhagen.

Lisa Phifer:Question: Why might any of these additional data elements be useful to include in the RDS?

Lisa Phifer:Note that Registrant Contact ID is an existing RAA data element, not a proposed addition

Stephanie Perrin:I think holding off is a great idea, till we see the legal opinions.

Sara Bockey:Agree with Stephanie. I think we need to wait on this.

Tim O'Brien:those are another data point on how legit or potetial malicious a domain may or could be - historically, there are some registrants that are more unsavory than others

Greg Shatan:I do not agree with waiting for the legal opinion.

Lisa Phifer:We can arrange for an overview of the EWG's concept of pre-validated contacts, when the time is appropriate for that

Michael Hammer:Waiting for Godot?

Stephanie Perrin:That was because we asked them rather elementary questions.

Lisa Phifer:@GregS, I think you are saying this WG needs to define needs first, then apply data protection laws to determine constraints on meeting those needs (purposes)?

Stephanie Perrin:Which the DPAs had already answered

Stephanie Perrin:Speak for yourself Greg, I am part of the privacy enforcement group!

Fabricio Vayra:+1 Lisa

Volker Greimann:Greg, you are going to be so happy once we include privacy into the application. Everyone is going to be happy, happy people

Greg Shatan:Stephanie, you may be personally, but as a group that is not our mandate.

Abdeldjalil Bachar Bong:bye bye i need to leave because here it's time to pray ;

Greg Shatan:I want to be a happy people.

Volker Greimann:it is our mandate to build a legal system though

Stephanie Perrin:We are, however, a multistakeholder community who care about respect for law.....correct?\

Greg Shatan::-) :-) :-) :-)

Lisa Phifer:Chuck, it would not appear that #31 is impacted by data protection laws (Server Status)

Volker Greimann:build a system that is legal, i meant

Greg Shatan:I absolutely said that our system has to comply with law. Not sure why others feel the need to state that as counterpoint. But if you're agreeing with me on that point, thanks!

Greg Shatan:A kumbaya moment.

Stephanie Perrin:Failure to define the purpose has been designated as the key problem forever.

Greg Shatan:"An animal often confused with dolphins"?

Alan Greenberg:We THOUGHT it would be easier to avoid purpose for the moment, but I am starting to recognize that it was a mistake.

Lisa Phifer:The EWG documented existing purposes, and then defined contacts (and elements within contacts) for each purpose. What the EWG didn't do is decide which of today's purposes should be legitimate beyond identifying a clearly illegitimate purpose (abuse of data by cybercriminals)

Alan Greenberg:I have to drop off now to prepare for another meeting.

Alan Greenberg:Bye all.

Volker Greimann:my time here is also gone

Greg Shatan:Bye!

Volker Greimann:bye

Stephanie Perrin:Bye!

Julie Bisland:The next call will take place on Wednesday, 20 September 2017 at 05:00 UTC for 90 minutes.

Tim O'Brien:good suggestion Chuck

Lisa Phifer:Staff can take that action to distribute

Lisa Phifer:Action is for any WG members who wishes to volunteer to do so on the mailing list in the next 24 hours, to draft possible WG agreements from this call

Stephanie Perrin:I will volunteer for that drafting group.

Amr Elsadr:Thanks Stephanie.

Krishna Seeburn - Kris:bye...