
SINGAPORE – Exploring Replacements for WHOIS - The Next Generation Directory Services

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ICANN – Singapore, Singapore

MICHELE NEYLON: I think we can just skip the video due to technical difficulties. The video is available on the ICANN website. It's linked to from the EWG wiki. Fabricio Vayra, who is an IP lawyer by day and a film actor by night – you could probably find him on YouTube, his greatest hits – anyway, he can do this all day, so we can move on.

UNIDENTIFIED MALE: [inaudible] is now. Maybe, Rod, if you can get to this next slide?

ROD RASMUSSEN: Next slide? Sure. Alright. There we go. One more. Thank you.

So we have, just to update folks on what has been happening since Buenos Aires, which obviously we had the dialogue there. We had a workshop and a good discussion, I think, on many topics on many topics in Buenos Aires. We had a public comment period which closed the end of February around our interim update on what was our progress at that time.

Over the winter, we had a series of research projects undertaken to delve a little deeper into some of the questions that we had as a committee, and frankly the community has had as well. I think we've received some very interesting feedback on many of these topic areas.

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

I'm going to refer to my notes here on exactly the turnout and all that on what we got.

We had a WHOIS data validation and verification practices survey. This was to more fully understand what the existing validation and verification processes and practices were in the industry. This was sent to all ccTLD operators. ccTLDs have a quite wide variety of methodologies and requirements around validation, some quite strict and some, obviously, quite loose.

We had ten responses, seven of those expressing an interest in further follow up, which is very promising. We will be publishing a summary of that information. It was very informative and eye-opening to see some of the extreme measures that some ccTLDs go to to get verification that a registrant is the, in fact, individual or organization that they claim to be in order to get a domain name registered.

We had a WHOIS data validation and verification commercial services request for information. This was not the kickoff of a formal RFP process or anything like that. This was around gathering information from the industry. It was sent out in order to get a handle on the commercial tools, costs, and feasibility around validation and verification of information in order to both inform our look at the next generation directory services as well as help do some inputs around the 2013 RAA.

That was sent to any provider of data validation and verification software and services, and that was quite a wide range of commercial entities out there. That was educational, I think, for all of us. I know I learned about a few services I had never heard of before that were doing very interesting things around validating things for various levels



of types of organizations or people or things like that, including law enforcement, which was quite interesting.

We had eight submissions from that RFI. We will, of course, be publishing a summary of that activity as well.

We had an RDS user accreditation request for information (RFI). That was to examine existing accreditation and authorization schemes used by likely RDS communities. This was focused on the communities that might be able to vet their members as far as being able to accredit them for access to the system from a user perspective and looking at that gated access component we've been talking about.

We had three submissions on that one. We didn't have a good, long turnaround time on that one. It was kind of unfortunate, but I think the three we got were very informative as well. We will be publishing some information there. I know there was further interest in various other communities on that, and we may get some more input post this period on that as well.

We had an RDS model cost comparison. This was actually done to understand, given a certain set of assumptions, what the cost implications and differences are between the two major proposed models in our preliminary work, which are the aggregated model and the federated model of looking at where data resides and the like.

IBM Global Services provided a very thorough – I do a lot of engineering work in my day job as far as managing requests like this, and this was very impressive the amount of work they turned around in a very short period of time. It was very thorough.



They gave us an initial analysis at the meeting here, and we will be publishing a summary of that information as well. But they did a fantastic job of really breaking down a lot of how this might work and what difference and where the challenges are, gaps etc., between the two different models.

We also then had a WHOIS privacy/proxy service provider practices questionnaire. This was in order to more fully understand the existing privacy/proxy provider practices. This was sent to all registrars and to the dozens of known non-registrar privacy/proxy services.

We had 58 responses on that, which was quite a nice number, 11 of which provided very detailed practices – some very interesting responses in how the practices and processes work or do not work. We will be providing summary information of that.

That also will be referred over to the Privacy & Proxy Working Group as well as excellent input into their work, I believe. I believe that's what's happening on that one. We definitely want to have the community take advantage of knowing at least the summary information around how these things work.

That's the various studies – could I get the next slide please – that have been undertaken over the last four or five months since Buenos Aires. Next slide, whoever has got the slides. Thank you.

So we reconvened here in Singapore. We had a couple of scheduled days this week. We actually added a day while we're here, so we spend an extra day over the weekend pretty much all day working through a lot of the issues.



Going forward – and this will be talked about next in the presentation here – we have this risk survey launched. We want to get a lot of input from the community here on this in thinking about the risks and benefits of doing the various models we’ve come up with and thoughts around that so we can make sure we’re not leaving any big gaps out when it comes to proposing these models and all the various things around them.

And then we are going to be working on that through the next few months in order to get a final report is our goal to the ICANN Board in June. As a reminder, this is a recommendation report that is going to the Board. This is not any sort of declaration for how it is to be done. This is our recommendations, and will have multiple options in various areas.

One of the reasons we’re doing the risk survey is to actually have the community provide, make sure we’re giving those costs and benefits, the pros and cons, of the various types of approaches that we're going to propose.

From there, we're going to the regular policy development process, and we shall see what happens.

So I will pass it on to the next person to do the presentation.

STEPHANIE PERRIN:

Hi. I’m going to go very quickly because I think Rod has given a very good intro to the risk survey that we have put up. This is not to be confused with the full risk assessment that we recommended in the last



update report in Buenos Aires. But we can't think of everything, even though we've certainly been at it awhile trying.

So the purpose of this risk survey is to fan it out to the broader community. We encourage you to get to your stakeholders and get them all to fill out this survey and to see if they can really think about any risks that we might not have thought of across a range. And I believe it's Fab that's going to speak about the particular kinds of risks. If we could have the next slide.

You see the URL there, but if you go to the EWG corner of ICANN, you will find the link to the risk survey, and it's quite quick. We would encourage you, though, to fill in the – there's a lot of room for things we didn't think of. Don't be bound by the questions themselves.

Once the risk survey has been accumulated, then we will do the preliminary analysis and try to get that included in our final report. I would like to stress that I really think that we need a formal risk assessment with a fairly broad scope because, even though our mandate was to look with a clean slate at the WHOIS new version.

Once you start making changes, it impacts all over to various other instruments that are tightly tied in the ecosystem. So you make a change in the WHOIS, you've got to make a change in the accreditation agreements. You've got to make a change in the contracts. So we'd encourage you to think broadly when you identify the risks. With that, next slide.

I think, really, the simplest answer to the invitees is everybody because everybody's going to be impacted on this. There's not too many people



who aren't impacted by the Internet anymore, so let's just say anyone. With that, I'm going to try and gain back some time and pass the baton over to Fabricio.

FABRICIO VAYRA:

Next slide, please. I'll go quickly as well. With the risk assessment, what we're really trying to ask participants is give us a sense of what are the risks, what are the benefits. Really, we're trying to get at ways to reduce risk, increase benefits.

I mean, as you heard Jean-Francois mention at the beginning of this, we're trying really hard to make sure that what comes out of this work is better – a better way forward, a better way for the entire ecosystem. As Stephanie mentioned, in order to do that, no matter how long we've been at this, there are limitations to what we can ultimately list out.

So you see examples here from both technical, legal or financial, operational, security or privacy. We're trying to get at how things that the proposal may impact your privacy costs processes, even down to speed of accessing data.

I thought we'd go through real quick some examples of what the survey looks like so we can just talk about what you'll see. If you can do the next slide, please.

Here's an example. We have potential risks, and the next slide will be potential benefits. The reason we put this up here is not so much so you'll focus on the text here – because it's, obviously, rather small – but really just want to highlight.



I've gone through this myself, and the way that you should really think about this is you're going to be asked a lot of questions, and there's columns going through. Think of it as a funnel. You start with the first column that says: what might impact you? It's a really broad stroke.

From there, you start to funnel down. What are the two most important of those? Then from there, it's: what are two that are actually likely to happen of those?

It's a very interesting process if you go through and answer honestly because it helps us see the entire landscape and then start to identify by group what's really likely and what they really honestly feel is going to be their important issue of all the possibilities coming out of this.

But don't feel limited to what's asked also because you'll notice that on both of these slides there's the "other" section. We encourage you to put the other because, again, even though now we're asking questions, even in our questions, obviously, there's limitations what we can come up with. Please, feel free to put that in. If you want to just switch to the next slide.

Again, these are the example of benefits. You'll see, again, the same types of columns that filters you through, and there's an "other" section. I just encourage you, and I found it was a very interesting exercise for me when I did this.

I take the time to explain it because I remember for the first two pages I started wondering, what are we trying to get at here? I found myself very quickly going through and saying, "Okay, for my employer, what matters?" Once I started doing the entire landscape and whittling down,



I could see that at the end of this you would find a real honest assessment of where to target issues and how to best address them.

So please go through it and take the time. It's fairly quick – I'd say 25-30 minutes – to go through it, and I think it will be very helpful to us to fill in the gaps.

And it goes to you.

MICHELE NEYLON:

Yay. Woo hoo! Right, next slide, please. What we're looking for here is honest input, honest feedback. If you touch upon WHOIS either as a registrant, a service provider of any kind. If you use WHOIS data. If you use WHOIS data directly, indirectly. Maybe you've got some cool, shiny product or service that repackages WHOIS.

We don't know everything single thing. I mean, we're aware of a lot of things but not everything. So go through this. Go through the questionnaire. It will take you a few minutes, but just give us your honest thoughts on things that are going to help you, things that are going to make your life miserable.

As the schedule this week has been – how can I put this diplomatically – mildly disrupted by other events, this session today is shorter. So instead of going into great depth about various things that we've looked at over the last few months, we will be running a couple of webinars in early April.

Of course, that will be publicized via the normal ICANN channels. I believe we will be trying to schedule them so that they are as



convenient for everybody as possible in multiple time zones and all that kind of thing. You can feel free to join those. You can get to hear my dulcet tones yet again because I know you all love that. I'm sorry, Fabricio's dulcet tones, not mine.

UNIDENTIFIED MALE: Michele, I think there was one hand over there.

MICHELE NEYLON: I'm sure that somebody who has control over these things can rectify that. Yes?

UNIDENTIFIED FEMALE: If you go to the EWG section of ICANN, you can get to one that works. I'm a non-techie, so I have no clue why that doesn't work, but I got there today.

UNIDENTIFIED MALE: No. Tony has said reporting is not there, so we need to get it fixed.

MICHELE NEYLON: Okay, well, we can fix that. Thanks for pointing that out. A functioning link will be provided. Okay? Okay, so if a nobody does any front running on the URL, we will be very upset. It will mean that we're going to have to – Oh, my God! – create another PDF.

But, okay, so rather than bore you to tears reading off another slide, which just says I think – what is the next slide? It says something like



“Questions?” or something equally – yeah, there you see: “Questions? Comments?” So I’m throwing this wide open to the floor. Would you please, for the sake of transcripts if there are any or remote services if there are any, state your name and try not to speak at a mile a minute, even though I never obey that rule myself. Go ahead, please.

KIRAN MALANCHARUVIL: Hi. This is Kiran Malancharuvil. I’m with MarkMonitor. I just noticed, I tried to explore the survey today earlier today from the microsite. It would be helpful to have the questions printed ahead of time so that organizations can read them and prepare answers rather than having to go through SurveyMonkey and answer the survey in real time. I don't know if that’s something that you guys can prepare.

MICHELE NEYLON: That’s not a problem. That shouldn’t be a problem at all.

KIRAN MALANCHARUVIL: I just don’t see how organizations would be able to just...

MICHELE NEYLON: That’s fine.

KIRAN MALANCHARUVIL: Thanks.



MICHELE NEYLON: Come on, more of you. There’s lots of you in this room. I can feel the air conditioning system – oh, behind. See? I can’t see behind because all these bodies in the way. Amr, please come up to the microphone.

AMR ELSADR: Hi. My name is Amr. I’m with the NCSG and on the GNSO Council. I have two questions. One is regarding one of the recommendations you make in the status update report. It’s a great report. I think there are lots of improvements to the current WHOIS model. The other question is on the process that Rod spoke briefly about earlier.

The question on the report is regarding one of the requirements of secured protected credentials, and that is the requirement for attestation from an organization in order to be eligible to have that. I know NCSG submitted a 17-page comment on status update report, but this was not included.

MICHELE NEYLON: Fine. Thank you for that.

AMR ELSADR: Just to avoid an 18th page. One of the examples that you used in the status update report as a possible at-risk registrant that might require secured protected credentials was those who need to practice political free speech.

I’m thinking about bloggers. I’m from Egypt, and I know a lot of bloggers who, previous to the uprising in 2011, were anonymous bloggers. One of them I knew who I met two days after the uprising in January 2011,



was picked up by security forces and beaten up and then let go because they discovered who he is despite using privacy proxy services.

I can see that there might be a problem for anonymous bloggers, as an example, to get this required attestation to be eligible for this. I was wondering if you considered that at all. I couldn't come up with a solution, which is why I didn't include it in the comments.

MICHELE NEYLON:

I'll let Stephanie speak to that. Also as well, if anyone has input or ideas and wants to share them with us and doesn't get a chance to do so this afternoon, we're not hard to find. There's plenty of us, and Stephanie's wearing red, which means she's really visible.

STEPHANIE PERRIN:

Thanks. There was a limit to how far we went in the recommendations in terms of gathering advice because, after all, we're making recommendations. We're not implementing. Clearly, if this recommendation is accepted for implementation, there's an awful lot of difficult decisions.

Now, having spent my life in government, I know that I can easily sort this pile. The real easy ones are the people that have been given a new identity by their governments. That'll be easy. That group, first off the boat.

Then there are the reporters because there are international organizations. They report on reporters being killed. They can easily attest to who's a reporter and who's not.



Bloggers are going to be difficult, and if you have ideas – because, unfortunately, if we start giving secure anonymous credentials – and, of course, the remedy, the mitigation for that particular risk is that if somebody you give a protected credential to does something bad, then there’s an expedited takedown with less process. It goes with the territory. So that’ll cover potential criminal activity.

But figuring out how if we give everybody who says, “I’m a blogger” a secure protected credential, we are bound to catch some criminals in there. So we need some sort of attestation, and as I say, it’s going to be really hard for free speech. So all advice welcome.

MICHELE NEYLON:

Before we get into this, just to remind you all, the way the EWG report is going to be structured is it goes to the ICANN Board. The ICANN Board should then take recommendations and then send it to PDPs. And I think it’s at that stage that you can get into those finer details because it’s not for us to decide at our level whether every single possible scenario has a perfect solution or whatever.

They’re valid. Please, I know I’m a dirty, filthy registrar and you want to kill me, but beyond that.

STEPHANIE PERRIN:

No. We’re basically looking at feasibility. We think those groups that we described in the report are perfectly feasible. Some are harder than others.



MICHELE NEYLON: And it's not the ultimate list because the report would have been hundreds of pages longer.

AMR ELSADR: I do appreciate that, which is why I didn't include it in the comments because I couldn't come up with a better idea. I was just wondering if you thought about it at all, what you had to say about it.

That takes me to my second question on the process issue. You're making these recommendations to the Board, and my understanding is that there's going to be a final issue report following the preliminary issue report that was published in March of last year.

I find this to be a bit problematic from a process perspective. The GNSO's PDP says that you need a preliminary issue report with a 30-day comment period following that. And within 30 days following the close of the comment period, you issue a final issue report.

Now, this is a bit of a strange situation because you had so much substantive work being done between the preliminary and the final issue report which is going to come out as a Board-initiated PDP.

It doesn't give the community an opportunity to comment on the initial report with the substantive findings, which will in turn influence the charter of the working group that will be form, which will in turn influence what is in and out of scope of the discussion.

MICHELE NEYLON: Okay. Wow. That was a detailed process question. I'm not even going to try to answer that. What I will do is I will punt it over to Marika.



MARIKA KONINGS:

Yes. I'm over here. Hi, Amr. I know we already had a discussion over the weekend as well. This is Marika, supporting the GNSO. Basically, the PDP manual says as well that there's a way for staff to ask for more time from the Council in specific circumstances, which is what happened in this case.

I think also to emphasize that the public comment forum on the preliminary issue report is intended to make sure that staff captured all the information necessary and in certain cases where a PDP or an issue report was requested by the Council for people to comment whether or not they think a PDP should be initiated.

It's not actually to argue about whether the information in there is a good idea or a bad idea. The preliminary issue report and the final issue report are really intended to lay out the scope of the issue and provide all the relevant information, which is then used for the chartering effort or the drafting team to develop a charter based on the information that has been identified.

As I understand, these recommendations will also go out for public comment. As we discussed as well, the Council always has the option to do another public comment forum or as part of the working group deliberations so people can actually provide input on the substance of it.

But the issue report itself is more a compilation or gathering of all the relevant information and some of the questions we tried to identify that would need to be answered as part of the PDP process itself, but not

necessarily to actually debate the validity or substance of any information that is in there.

AMR ELSADR:

I think that would be great if there is another round of public comments because my concern is not whether this should or shouldn't be policy. It's actually what the information that should be addressed in the issue report contains. If there is another round of public comment with the context of there's going to be a final issue report, then I think that will be fine.

It's just that, well, this is the first Expert Working Group – I've had to deal with at least – and I'm not aware of the ad-hoc nature of the process. And it did raise some questions and concerns, but thank you.

MICHELE NEYLON:

Okay, we've got one question from remote, and then Rudi.

MATT ASHTIANI:

Hi. Just two things. Firstly, please remember to state your name before speaking for the transcript record. Secondly, the remote question. This question comes from Steve Metalitz. He asks, "In completing the survey, what assumptions should be made regarding how RDS will be implemented?"

MICHELE NEYLON:

We are not deciding on implementation. We're going to present a number of recommendations. We've been looking at strengths and



weaknesses. I can't second guess though. Do any of you want to speak to which version of RDS we're looking at? No? Perhaps? Maybe? Stephanie.

STEPHANIE PERRIN: I think in framing your response to the risks, you have an opportunity to stipulate which model. You could say on the one hand, if you do this, say you have the, not disaggregated, but the...

UNIDENTIFIED MALE: Federated.

STEPHANIE PERRIN: ...federated model – thank you – it'll look like this, and these are my risks. On the other hand, in the centralized model, it'll be this. I think you have lots of space there. That, I think, is the best approach.

But it's a very good point, so we should maybe include a warning at the beginning because if we get risks stipulated and we don't know which model they're talking about, that's going to be quite challenging to interpret. So thank you for that, Steve.

MICHELE NEYLON: Okay, Rudi, please.

RUDI VANSNICK: Rudi Vansnick, NPOC. I'm the co-chair of a PDP working group that will be impacted by the work you're doing. It's the Translation and



Transliteration of Contact Information PDP. We had our morning session where we got already some information from the working group. I'm looking into the localization versus the internationalization aspect, which means the topics of translation.

As far as I understood, there has not been really in-depth discussion or study on what would be the impact once you start doing this. Because it could mean that you need more than one address record in the WHOIS. You could have two/three records for an address.

For instance, I'm taking my country as a sample. We have three national languages. If you translate, you could have the need for three records in RDS, which is a big impact. Related to that, I'm interested to know in how far eventually you're going to look into that issue furthermore.

As a second question, I've understood there is an interim report coming out after the Singapore meeting that would help us to collect a bit more data for our working group in order to start producing.

UNIDENTIFIED MALE:

I'll just try to address this very quickly. A couple things. First off, I think with respect to the specifics of this particular topic, we may not have gone into it in huge depth. In terms of timelines, we're now finishing up. We've done interim reports and everything, so we're not going to go down that route anymore. I mean, Rod, do you want to add something?

ROD RASMUSSEN:

Yeah, actually this came up. You may not have been there. We did talk about this just the other day.



UNIDENTIFIED MALE: I might have had to leave the room. You know, I do other things.

ROD RASMUSSEN: You have other obligations, absolutely. All of us do, and so there's a little bit of in and out as we all have in ICANN meetings. Speaking specifically about this – and I put this as a blanket statement – there's a lot of other policy development work going on that touches on various aspects of WHOIS within the community. We're well aware of that.

From our perspective, we're trying to build the overall framework for this next generation. So whether it's this or some of the privacy proxy things or some of the other things that are going on with some serious nitty-gritty, get down in the weeds and figure out how this is going to work kind of stuff, I think our approach is let's talk about the overall system and implement a system that will reasonably allow for implementation of whatever comes out of those policy development processes.

In the case of the translation/transliteration issue, yes, there may be a substantial impact if you store all those fields in a centralized system as impacts on the entire way you do it as a system and things like that. However, it's still just database entries, right? It's just a number of them got tags and fields and things like that.

What we're trying to do is create the framework where you could go either way with it, whether you do it as an endpoint, it's only displayed kind of solution. Whatever it ends up being, the overall architecture of



what we're talking about should be able to handle whatever the policy process comes up with as a final recommendation there.

We are not going to try and dive down and do the work that's going on in other PDP processes right now. That's self-defeating. We're just trying to integrate with that work and make sure the whatever we're doing doesn't really create major impediments for whatever that policy is.

MARGIE MILAM:

I think you're referring to the initial report of another expert group that's dealing with internationalized registration data that I think Jim Galvin is heading up. I understand they are publishing an initial report right after Singapore. That might be what you're referring to.

MICHELE NEYLON:

Kiran, please.

KIRAN MALANCHARUVIL:

I'm sorry. I would have asked this question earlier, but I thought the questions were limited to the risk survey initially. Sorry.

We're looking forward to discussing a lot of substantive opinions once this goes to community discussion. But there was one thing in the status report that we thought it better for the Expert Working Group to address. That was an issue that we had or a concern around the data element registrant type. I also noted that the NCSG flagged this issue as well in their comments, which were comprehensive and very helpful to understand their point of view.



We think that at MarkMonitor that the wrong question is being asked in response to registrant type. I think that rather than asking whether you're an individual – a natural person – or a legal entity is actually not the right question in that regard for what we would assume that the system would be using registrant type to address.

The reason I think that, as the NCSG rightfully pointed out – and this might be the only time I ever agree with them, Kathy – but they rightfully pointed out that you can be a legal entity and still be engaged in noncommercial free speech.

So a better question is actually not registrant type but what you're using the website to do. Which I understand then this gets into a lot of questions about whether that's out of the scope of what we're trying to do here at ICANN. I think that is rightfully debated once this goes to the community.

But what I would like to see rather is a data element that addresses what kind of speech you're doing. Because noncommercial speech is maybe protected. I won't say it's protected. But you can be a natural person or a legal entity and be engaged in commercial speech, which then is a lower tier of protection, even when you're dealing with something as robust as the United States First Amendment rights.

So that's something, and I may be actually totally misunderstanding what that field is meant to address. But I didn't get that from the status report either.



MICHELE NEYLON: Well, we've been iterated a bit on this in the last few weeks, so I'll let Lanre speak to it.

KIRAN MALANCHARUVIL: Alright. Thank you.

LANRE AJAYI: Okay, thank you very much. I think the reason why we put that one there is to label the registrant to determine the default way it wants this element to be treated. The data element can either be public or gated and can decide to make that data element public or gated by default.

So when you choose individual, some data elements will be made public by default, or there you have a chance to move it to gated. When you choose legal entity, some data elements will be made gated by default.

I think that's what we tried to achieve by that question, so it's flexible. Even when your data is gated by default, it can be opted to public at a later time.

MICHELE NEYLON: Stephanie?

KIRAN MALANCHARUVIL: Right, well, so I think at that point that we would just ask that there needs to be then an additional data element that deals with what kind of speech that we're dealing with. Again, we may reach as a community when we discuss the substantive part of it a conclusion about whether or not that's appropriately included.



But we think that what you're using it for and what kind of speech you're engaged in is actually going to be really important for what elements of WHOIS are going to be given to which person according to the level of gated access that they receive.

MICHELE NEYLON: Stephanie?

STEPHANIE PERRIN: We were shying away from getting into content. In fact, the categories there, as Lanre said, if you are a business and it is in your best interest to have data out there outside the gate and you choose to say – and, I mean, obviously we have Susan here from Facebook. She wants all her data out there, and she wants to make sure that data isn't changed. She's quite different then from my little business. I want it protected, and I'm going to hire somebody as a proxy service provider.

There's this flux between your different options that you are allowed to do, but we're not going to get into speech because that would be way beyond what our remit is in terms of domain registration.

KIRAN MALANCHARUVIL: I would say that's a nice statement in a vacuum, but there are so many things in the status update, in the report, that do deal with speech like the secured credentials that the gentleman – I don't know his name.

MICHELE NEYLON: Well, that's a matter of privacy. That's not a matter of speech.



KIRAN MALANCHARUVIL: Right.

MICHELE NEYLON: I mean, the thing is...

KIRAN MALANCHARUVIL: Actually, yeah, your status update mentions free speech and the First Amendment like a zillions times too. Sorry.

MICHELE NEYLON: Well, we could spend the next three hours going backwards and forwards on this, but I don't think it's...

UNIDENTIFIED MALE: Kiran, let me just say I think it's an absolutely wonderful question, and I'm very happy that the NCSG also commented on this. It's actually very validating that you're asking this and pushing so hard on it because we've actually in the past year and a half spent days – and quite literally days – sitting in a room less lit than this hungry at times and probably well too caffeinated arguing this exact point.

We've gone back and forth, and so I think what your suggestions highlights is that, in keeping with what Rod said about how our report's written, maybe this is one of those things where we do what we have to do with our report in some instances. Which is to say, the system should be built as a principle to identify or ask the right question, which leads to this result.



These are two possible things because what you're noting is something we've actually thought about and debated. And there's the alternative, right? There are multiple ways of getting at the same thing.

So I think you're highlighting a very good point, which is this might be one of those situations where we just have to say that the system needs to be built in a certain way functionally to scale and to have a certain result, and how we get there is left to the PDP process and the community to actually resolve.

So thank you for nailing that down.

MICHELE NEYLON:

[Carsten] and then Milton. Oh, you're okay. Milton, go ahead.

[MILTON MEULLER]:

It sounds to like you're saying you think you dodged this question of content by making a default that it's closed and then allowing some people to make it public, but I don't think you have. I think if it's about content, you just don't collect it. It's actually a violation of freedom of expression to force somebody to tell you what content they're going to be doing or what kind of content they're going to be doing. So I wonder, did you debate that in these long, arduous discussions?

UNIDENTIFIED MALE:

Which is exactly why the report says what it says, which is exactly why Kiran then just brought up her point.

[MILTON MEULLER]:

Okay, so...

UNIDENTIFIED MALE:

So to make it clear, we spent many days in rooms less lit than this highly caffeinated debating this exact issue. And many people wanted, for the reasons Kiran is bringing up, because we thought it was cleaner and more to the point. But for the reasons you raise, the report says what it says today. Obviously, there is discrepancy or issue still at large here, and what we're trying to get at shouldn't be a detail. The ultimate goal of this, I don't think anyone disagrees on. What we're saying is maybe in our report what we need to say is this is the structure and goal and let you guys fill in the rest. Because we've obviously had a lot of contention ourselves on it. That's not to make light of it, but we really have, and you guys are almost replicating what happened for days with us.

MICHELE NEYLON:

Just adding one comment myself, and then I'll pass it over to Stephanie.

One of the other things as well is that several of the ccTLDs, for example, do have this thing about the corporate entity, the natural person, etc. So that was part of where some of this stuff came from. Just speaking personally, not on behalf of the entire group, because I don't want to remind myself of the dark rooms.

Stephanie?

STEPHANIE PERRIN:

You can tell how much time we've spent together because Michele clearly was reading my mind. The intervention I wanted to make here is



that it is not easy to determine who's an individual, who's a corporation, who's a company, who's a legal person.

I'm in Canada. It's a nasty mess just inter-provincially and federally. And I know this because I've had to work in this area. I cannot imagine how difficult it would be globally.

It's easy for some of the ccTLDs that are regulated for e-commerce on the Internet. They know who they are. Bang. That's easy. It's easy for big companies that want to be known. That's easy.

It gets really difficult for the growth exploding area of the Internet, which is individual persons doing business out of their basement. So that's really complex where you don't have to give up rights that you have as an individual because you're running a business out of your basement.

That just gives you a flavor of some of the debate and the closeness that we've developed as we've had these debates.

MICHELE NEYLON:

Yeah. There's this wonderful love-in now between all areas of the community. We are like a microcosm of cross-community love.

Are there any other questions? I can't see everybody in the room. I can't see people easily if they're hidden behind bodies. Mr. Gomes.

CHUCK GOMES:

Thank you, Michele. I have a question and then a follow up comment or comments.



Why was it that you guys missed the original deadline for your work?
[laughter]

Let me now make my comment.

MICHELE NEYLON: Chuck, you did ask a question, so as the transcript may not reflect the humor in which it was asked, the [three-month] deadline was impossible, but thank you.

CHUCK GOMES: Yeah. You know, and I'll keep this brief because I know we're out of time, but I think it's important to say that the thoroughness of this group's work has been nothing but impressive.

As I'm looking ahead myself to a possible PDP or PDPs in the GNSO that will deal with this, I just have to believe that everything you've done and thoroughness of your work will really shorten the time it takes to do the PDP or PDPs.

Now, I'm not saying that it will be short; I'm saying that it will be shortened. But thanks a lot. It's been fantastic.

MICHELE NEYLON: Thank you, Chuck.



UNIDENTIFIED MALE: Chuck is going to be very expensive from the EWG bill because that's the second fantastic comment that you made. So thank you very much anyway.

MICHELE NEYLON: Well, he does work for Verisign who said that they were going to buy us all drinks afterward or something. I don't know.

CHUCK GOMES: Well, any of you on the committee that haven't been invited to our event on Wednesday night, send me an e-mail and I'll get you an invitation.

MICHELE NEYLON: See how easy it is?

Okay, everybody. I believe we were through until half-past 5:00. It's not 17:30 or half-past 5:00 Singapore time. Thank you all for coming along. If you have any other follow up...

UNIDENTIFIED MALE: Please, fill out the survey.

MICHELE NEYLON: Oh, yeah, sorry. Please, fill out the survey. I also [inaudible] in unison here. It was very impressive.

[END OF TRANSCRIPTION]

