

Possible approach to consensus in deliberation of possible requirements for RDS PDP WG

Version 13, 8 July 2016

Background

This is a revised version of the [approach discussed in the WG F2F meeting on 28 June \(version 12\)](#). Edits [to reflect F2F meeting discussion and action items](#) are redlined to make it easy to see them.

A suggestion was made in the 14 June WG meeting to cover three charter question areas (purpose, privacy, data elements) first and getting public feedback on those areas before considering the areas of accuracy and gated access; Chuck then said that that could result in three Initial Reports for Phase 1. A list of pros and cons of this approach versus the approved work plan was created and distributed to the WG list on 20 June. It seems pretty clear that there are good arguments on both sides and there does not appear to be consensus either way, so the leadership team [proposed](#) the approach below that hopefully addresses concerns on both sides. [During the WG's F2F meeting, there were no objections expressed for steps 1 & 2 described below. Following significant discussion of step 3, that portion of this proposed approach has been revamped for further WG consideration. Comments are requested to the email list in preparation for the 12 July WG call.](#)

Proposed Approach

1. With reference to Charter Section IV, Rules of Engagement, the leadership team recommends the following regarding determining consensus on possible requirements:
 - a. Modify the WG Work Plan to allow for producing two Initial Reports for Phase 1, each followed by public comments:
 - i. After initial deliberation on the first five charter questions (Work Plan steps 12.a, 12.b, 12.c), the General Requirements (Work Plan step 12.d) and the Fundamental Question (Work Plan step 12.e – “Is a new next-gen RDS needed or can the existing WHOIS system be modified to satisfy requirements for questions 1-5?”)
 - Note that this would entail adding the following sub-steps to Work Plan task 12: First Initial Report for Phase 1, Review & analyze input received on First Initial Report.
 - ii. At the end of Phase 1 (Work Plan steps 13-16)
 - Note that Work Plan step 17 would be changed to “Second Initial Report for Phase 1”.
 - b. If the WG decides that input from the SOs, ACs, SGs & Cs is needed after deliberating on the possible requirements regarding purpose, privacy and data elements and before deliberating on the possible requirements about gated access and accuracy (or at any point during phase 1), additional Outreach step(s) may be added to the Work Plan.
 - c. Forego formally determining consensus on individual possible requirements according to the charter until after public comment is received and analyzed on the first Initial Report.

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- i. In the interim we should try to reach rough consensus on possible requirements and communicate that in the first Initial Report.
 - ii. In cases where that is not possible, describe the level of agreement and/or disagreement in the first Initial Report sufficiently enough to allow for public input to help guide the consensus process.
 - For example: ‘supported by all’, ‘supported by most’, ‘supported by many but also objected to by many’ but make clear that a formal consensus call will only take place after the review of comments on the first Initial Report.
 - d. Analyze and respond to public comments using the public comment tool.
 - e. Taking into consideration the public comment input, formally determine consensus on the possible requirements for the applicable questions using the procedures contained in Charter Section IV.
2. Take the following steps to organize the possible requirements list for all eleven charter questions:
- a. Triage list of possible requirements to ensure they are in the correct phase and organize the list accordingly so that applicable possible requirements that should be considered in phase 1 can be more easily considered by the WG, and all others remain as placeholders for consideration during phases 2&3
 - i. This is in response to Greg Aaron’s comments.
 - ii. Lisa Phifer and Susan Kawaguchi will take a first crack at this for review and further development by the WG. (Note that there was support and no objections to this triage on the WG call on 14 June. This work is underway, using draft 3 as a foundation; a first cut will be circulated the week of 11 July.)
 - b. Identify similarities and interdependencies of possible requirements, facilitating deliberation on similar requirements and consideration of any prerequisite possible requirements before dependent ones.
 - i. In addition to the task described in 2.a.ii, Lisa Phifer and Susan Kawaguchi will take a first cut at grouping similar/related possible requirements and organizing them for review and further development by the WG. (Note that there was support and no objections to this grouping on the WG call on 14 June. This work is underway, using draft 3 as a foundation; a first cut will be circulated the week of 11 July.)
 - ii. After possible requirements are arranged into similar/related groups, the WG should identify dependencies and consider them accordingly.
3. Decide where to start deliberation Following earlier WG dialog about how to start deliberating possible requirements at the Helsinki meeting, Chuck added section b below to get any such discussion started.
- a. The Work Plan is designed to start with the questions related to three areas: users/purposes, privacy & data elements questions. See Work Plan step 12.a (deliberating on possible requirements for questions about users/purposes, data elements & privacy).

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b. To begin Work Plan step 12.a, Chuck in his capacity as chair proposed the following three steps prior to the 22 June WG meeting:

i. Using the list of possible requirements developed by the WG, identify a subset that would apply to the RDS in all circumstances (see example below).

- To accomplish this, [at ICANN56](#), WG members were asked to:
 - 1) Individually propose any such possible requirements for WG consideration related to one or all of the three areas (users/purposes, privacy, data elements)
 - 2) Collectively debate and refine all such possible requirements and try to reach rough consensus as described in 1.c above.
- Here is an example of a possible requirement proposed by Chuck for illustrating the type of requirements that might apply to the RDS in all circumstances:
 - “The RDS must collect, validate, store and display the domain name and registrar name for all second level gTLD domain names.” (A possible source for this requirement would be **[DE-D07-R02]** – From Spec 4, Section 1.6: “Registrar Data [must include] Registrar Name.”)
 - [Several more examples were suggested and briefly deliberated during the WG’s F2F meeting; refer to 28 June meeting notes.](#)

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- [For each example possible requirement that was proposed, the WG discussed whether or not it would apply to the RDS in all circumstances \(i.e., no exceptions or specific conditions apply\). Chuck had proposed that the WG would then discuss it and modify the wording as needed for the purpose of determining whether there is at least rough consensus that it would apply to the RDS in all circumstances. However, the WG quickly concluded that it was difficult to identify possible requirements in this manner, and that a more efficient methodology was needed to establish a foundation for deliberation of individual possible requirements.](#)

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c. WG members then discussed the following alternative approach:

- i. [A drafting team was tasked with proposing a tight, concise problem statement to be addressed by a registration directory service, consistent with the PDP Final Issue Report and WG Charter. This effort will occur in parallel with ii and iii below but \(like the Issue Report and Charter\) sets the stage for the entire PDP.](#)
- ii. [To begin addressing this problem, the WG will attempt to agree upon a statement of purpose for the collection, maintenance, and provision of access to gTLD registration data – the primary question posed by the board when initiating this PDP. The WG will review the statement of purpose published in the EWG Report \(Section IIb\) as a starting point for attempting to develop and reach consensus on a statement of purpose.](#)
- iii. [To further examine and understand how this purpose is fulfilled in the existing system or may be fulfilled in a next-generation system, the WG agreed to](#)

consider a series of use cases. The WG will review the attached use case from the EWG Report as example for working through use cases, and may refine the approach to examine users and their purposes for gTLD registration data, the data elements involved in each use case, and privacy or other relevant considerations or constraints on the collection, maintenance, and access provided to data for that purpose .

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iv. The set of use cases will be drawn initially from the list of possible requirements Users/Purposes section, but may be refined by the WG. Note that considering a use case does not imply that a purpose or relevant data elements are permissible; the WG is expected to discuss and determine this during deliberation on specific possible requirements.

v. Once the WG has worked through a representative set of use cases and concludes it has established a foundation for deliberation on individual possible requirements, the WG will return to the list of possible requirements as described below to continue deliberation.

vi. Review and refine the triaged and grouped possible requirements list prepared in step 2 above including confirming dependencies and/or priorities as applicable.

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vii. Deliberate on all possible requirements to seek rough consensus using the triaged/grouped list of possible requirements from the preceding step ii, the problem statement, an agreed statement of purpose, and the set of use cases as a foundation. Some possible requirements may be grouped by use case, but most will likely apply to many use cases – for example, applying to groups of data elements relevant to several cases.

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d. To Finalize this proposed approach:

- Is there support for starting deliberations as proposed during the WG F2F meeting and summarized in step 3.b.i above?

- If not or if there are significant objections to starting deliberations as in step 3.b.i, where should we start the deliberation process?

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Technical Issue Resolution – Contact with Domain Name Technical Staff

Goal/Scenario #1

A person experiences an operational or technical issue with a registered domain name. They want to know if there's someone they can contact to resolve the problem in real or near-real time, so they use the RDS to identify an appropriate person, role, or entity that possesses the ability to resolve the issue. An incomplete list of examples of technical issues includes email sending and delivery issues, DNS resolution issues, and web site functional issues.

Brief Format Use Case

Use Case: Identify a person, role, or entity that can help resolve a technical issue with a domain name.

Main Use Case: A person accesses the RDS to obtain contact information associated with registered domain names under a TLD or TLDs. The person submits a domain name to the RDS for processing. The RDS returns information associated with the domain name that identifies a person, role, or entity that can be contacted to resolve technical issues.

Casual Format Use Case

Title: Identify a person, role, or entity that can resolve a technical issue with a domain name.

Primary Actor: Person experiencing a technical issue with a registered domain name.

Other stakeholders: Operator of the RDS; person, role, or entity associated with the registered domain name who can resolve technical issues; Registrant (who may care to know about operational issues); Validator (who may have issued a Contact ID to the Technical contact); Registrar or hosting provider (who may be providing an operational service); accredited Privacy/Proxy service provider (who may assist in reaching the person, role, or entity associated with the domain name who can resolve technical issues).

Scope: Interacting with RDS

Level: User Task

Data Elements: Data elements that allow communication in real or near-real time are the most useful in the context of this use case. These include an email address, an instant messaging address, a telephone number, and/or an indicator that identifies the preferred contact method specified by the Registrant. Section 4 of RFC 2142 describes recommendations for abuse@, noc@, and security@ email addresses to "provide recourse for customers, providers and others who are experiencing difficulties with the organization's Internet service," but it is important to note that the public nature of these addresses often makes them attractive to unsolicited bulk email senders.

Story: A person (requestor) experiencing a technical issue with a registered domain name accesses the RDS to obtain information about registered domain names under a TLD or TLDs. The RDS could be accessible via a website or some other electronic processing means.

The requestor submits a registered domain name to the system for processing.

The RDS processes the request and either reports error conditions or proceeds to query gTLD registration data to retrieve information associated with a person, role, or entity that has been previously identified as a resource to help resolve technical issues for this domain name.

The RDS returns either the registration data associated with the domain name or an error condition that was encountered while retrieving the data.

Figure 9. Example Use Case

- From [EWG Final Report](#) (6 June 2014)

Here is a counter example, i.e., possible requirements that may not apply in all circumstances:

“[DE - D30 - R09] – The Data Retention Limitation principle (Article 6(1)e of the Directive) is a fundamental principle in EU data protection law imposing that personal data must only be kept as long as necessary to achieve the purpose for which the data have been collected or for which they are further processed. pg17” Note that this possible requirement might only apply when the applicable jurisdiction is the EU or in other jurisdictions that have similar directives.