
BRENDA BREWER: Good day, everyone. Welcome to the SSR2 Plenary, #119, on the 29th of July, 2020, at 14:00 UTC.

The review team members attending the call today include Alain, Danko, Ramkrishna, Kaveh, Norm, Laurin, Jabhera, Kerry-Ann, Russ, and Denise. We have observer Dennis Tan joining.

Attending from ICANN Org is Jennifer, Steve, Brenda, and technical writer Heather.

Today's meeting is being recorded ... for the record.

Russ, I'll turn the call over to you. Thank you.

RUSS HOUSLEY: Thank you. The first thing we need to do is look at where we are with each of the sub-teams. Could you bring up the spreadsheet, please? Thank you. We have a bunch of teams that have crossed the finish line and some that have not. Today, I think four will probably cross the finish line, and 29 and 30. Maybe we'll get to a few others as well. The Abuse Sub-Team does not have full text for our review yet today. We will deal with that hopefully next week. That's my understanding.

So what we hope to do today is deal with the text from the risk grouping of sub-teams. The 29 and 30 Kerry-Ann has provided text for. I understand that, regarding 25, we now have all of the status that we need from ICANN staff, but KC has been overwhelmed by a few other things and will be able to turn to that next week.

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 am unsure of where we stand on 23 and 31. Can anyone provide information about that?

Okay. I'm not seeing any hands and I'm not hearing anything, so I'm assuming no one on the call knows. I'll send some e-mail to those rapporteurs to see if I can get further information.

Let's turn to Laurin to hopefully deal with the last part of the risk team, and then we'll turn to Kerry-Ann.

LAURIN WEISSINGER:

Hi, everyone. I think the document [is] already correct. We would have to go down a little bit further. Should be the next one after the CISO recommendation. A little bit—okay. I'm noticing there is a lot of text for this recommendation, so it will be tough to have it all on the screen.

So this is the only one we haven't made a full consensus call on yet. We discussed this recommendation before, however. What happened during the discussions is that there were further edits that I was unaware of when I pulled this. So we took this into this section for the reasons of flow and logic.

If we can scroll down a little bit, I'll talk about the recommendation and not so much about the intro text. Essentially, what happened is that I took the text that I was given by the sub-team that looked at this. Just checking if ... no. Okay. The previous editor is [inaudible]. [Oh, I cut off] [inaudible]. Okay. So essentially I took this—what we had—and included it. So you can see in 4.1: this has to do with the executive C-suite officer. Obviously, this person would require the budget. So that is, I think, a

logical and essentially quite necessary addition because why would you want this person if they don't have a budget?

The other points essentially come from the edits that were made to this recommendation based on the public comment. So there I only made some minor tweaks in terms of the language so it [fit] into the current structure.

I did ask Naveed, who was the one who raised this, and I got a thumbs up via e-mail that this is fine for the sub-team that had looked at this before. He thinks it's good integration and that what I did to make it flow and to make it fit in as fine.

Happy to take questions on it. As you might have seen, the intro text for this one is pretty long. I hope everyone had a chance to read it, but, as I said, there is nothing much that I did apart from the 4.1 and some language changes below to make it fit into the section.

RUSS HOUSLEY:

Anybody have any questions or concerns regarding this text?

KERRY-ANN BARRETT:

Russ, this is Kerry. Tell me if I can go ahead.

RUSS HOUSLEY:

Go ahead.

KERRY-ANN BARRETT:

I had just one concern: how 4.1 is written. I don't think we should write it like that. The only I have a problem with the text is to probably say, like, "With reference to the recommendation for the establishment of a CSIRT, ICANN should consider—or should move; I don't know what language we're using now, if we're using consider or directive—moving all the security-related budget items and responsibility under this new position."

I think this is too ... Well, I understand the idea that we want in terms of coordinating the budget for all security issues under this office. What I fear is that, if this office is never created, the idea of us wanting security-relevant budget items grouped together may never happen. So I wanted us to distinguish the preemptive step of an established office before the budget is consolidated to just say something like, "With reference to the establishment of an executive c-suite security officer, we believe the consolidation of all security-related budget should be implemented and consideration to it falling under his purview." Something like that. But I don't think we should make it a dependent activity. I think what we had found throughout the review was the spread of how the budget is done is what concerned us and the fact that it wasn't a dedicated budget. I think that's the point that we want to fix in this recommendation.

So I would probably recommend a rework or a rewording to detach the two activities. If I don't make any sense, Laurin, you can let me know. But I agree with the recommendation, but I think that 4.1 will take away from the point that we want to walk away with. I'm not convinced an office would be set up immediately, and I don't want to the budget to be really dependent on that.

RUSS HOUSLEY: Kerry-Ann, maybe the simple fix is to just move 4.1 to the end.

KERRY-ANN BARRETT: Maybe.

RUSS HOUSLEY: That way, the other ones don't appear to also be dependent on creation of the c-suite.

KERRY-ANNE BARRETT: Yeah because that's my concern: right now it seems that, once you have an office, then transparency for the budget will happen.

RUSS HOUSLEY: Right.

KERRY-ANN BARRETT: Even if you don't have an office, we want transparency with the security budget, whoever has it. So I think that's the—

RUSS HOUSLEY: Exactly. That's why I think, if we move that one to the end, it makes it clear that the other two are not dependent on it.

KERRY ANN BARRETT: Yeah. Once we do it as well, I would still want to remove the words “after an.” I would want to say, like, “In relation to the establishment of that, we also believe that this should be consolidated under this office eventually.” But I agree with you with the movement as well.

RUSS HOUSLEY: Okay. Laurin, do you want to make that small change?

Any other concerns?

Okay. I’m not seeing any hands and I’m not hearing anything, so I think that people are okay with that, given that [inaudible] once the changes that Kerry-Ann said are made. And I think they’re straightforward.

Kerry-Ann, I’m going to turn it over to you for 29 and 30. I think they’re in the same document. Is that right?

KERRY-ANN BARRETT: They should be. Laurin, since you have your screen up, can you scroll down.

RUSS HOUSLEY: That’s Brenda’s screen.

KERRY-ANN BARRETT: Oh, that’s Brenda’s screen. Okay, I thought it was Laurin’s. Sorry for being lazy. I have like five different things open on my desktop right now.

BRENDA BREWER: If you have a page number, it would be very helpful for me. We're looking for 29, did you say?

KERRY-ANN BARRETT: Yeah.

RUSS HOUSLEY: Recommendation 29. There it is.

BRENDA BREWER: Woo-hoo! Thank you.

KERRY-ANN BARRETT: All right. So the changes I had indicated the last time we spoke about this ... The recommendations you had for this were pretty positive. I think what was needed was just to delete and clean up some of the recommendations that we had, which I did. So the first two recommendations that were there previously persons thought they were not too clear, so I just deleted it and just went straight to the point of the fact that I think the persons would have wanted the DoT and the DoH info ... that we wanted it to just make sure that they have a regular privacy impact report.

Since I drafted this, there's been a lot of discussions even within GAC—and I've seen a bunch of e-mail exchanges—on this whole privacy issue. While ICANN indicated to us, I think, the last time, how they think about

privacy and how they manage privacy, the GDPR thing is still being worked out. It's still not clear-cut, even for GAC. I don't think GAC fully has an appreciation of what will happen in the future concerning how privacy is handled. The information that we had in there had confused some of them in terms of where we sourced it from, so I deleted that because it wasn't really relevant at the end.

So this version of it pretty much cleans up what we had before. We still talk about the WHOIS framework, given that that's still under the temporary arrangement that they have for that. Just pretty much cleaned it. So what you see in front of you is a redacted version, but it still highlights the key points you want, which was a dedicated compliance function focused on the privacy requirements, constant monitoring of [evolving] privacy legislation. Some persons didn't understand it, but I think we should still keep it because our idea is that, because, especially with COVID, 24.9 ... Which one, Steve, that we Steve? I can't see it.

STEVE CONTE: 29.4 about ICANN's DPO should be responsible for external PII.

KERRY-ANN BARRETT: When I look at that—

STEVE CONTE: Wasn't that removed previously at one point?

KERRY-ANN BARRETT: I'm not sure because, with the version I looked at, it was still there. The other stuff at the top got deleted, but I think, with the version I looked at that I had cleaned, this was still there.

STEVE CONTE: Okay. Just my two cents. I think that's going to be extremely difficult to facilitate.

KERRY-ANN BARRETT: This was one of those legacy recommendations that's been floating around since the earlier drafts. Especially when we were in Quebec, I know it didn't get deleted in Canada as well when we were together. I don't know how the team feels about it. One of the things that I know that the discussions around this was that we found that there wasn't ... I think it's just more the external monitoring reporting while ICANN can't mandate it or make it a requirement. The word "guidance" was put in just to be able to know that something was being issued to be ensure that there is consistency with the privacy policies for all the stakeholders involved. So I don't know how the team feels. I think that's what the point was here, Steve. I don't know if you want to take out the responsibility for external DNS and just leave the last part of the sentence, which is what I think the real intent was.

STEVE CONTE: I can't speak for the DPO, but I think the term "responsible" —

KERRY-ANN BARRETT: First part, yeah, it's too strong, maybe.

STEVE CONTE: I could see the second part having some discussion and some fruitful action out of that.

KERRY-ANN BARRETT: Yeah. The second part was the real intent. I don't think we can make them responsible for privacy information for the external DNS. I think one of the challenges that we kept feeling with the discussion was the fact that this is managed and it's contracted. Because of the contractual arrangement, it's like you have two parts removed from ICANN in terms of being able to mandate this. I think some of the other recommendations we have on how the contracting should be done ... We can put in more specific information on data handling under that part of it. But there was nothing specific on this, Steve, in the public comments, just so you know. But, looking at it now, I agree we could probably remove the word "responsible" and just stick with "In addition, the DPO should provide guidance to managers and stakeholders regarding the responsibility for managing DNS PII." I'm comfortable with that if the team is okay. But that's the essence of what's here.

RUSS HOUSLEY: Yeah. That's fine with me, but the question is, Steve, does that resolve your ... What could they do with this question?

STEVE CONTE: The second part of that statement is, I think, much more productive. The first part of the statement, if you want to get into the weeds o this, is basically saying we're responsible for Google's DNS PII, and I don't know how we would ever facilitate or ...

KERRY-ANN BARRETT: They can't do that.

STEVE CONTE: Or my DNS, for instance, at home. So it's very open, and I think that that would be problematic.

The second statement in 29.4, I think we would be able to manage. Again, not speaking for DPO, but I think that's something we could manage and take affirmative action for supporting that.

KERRY-ANN BARRETT: Russ, there was a previous comment on that, I think, earlier in one of the questions we had asked a year-and-a-half ago. ICANN had responded that they didn't think it was their responsibility for PII at large on the Internet, so they wouldn't be responsible, except for the PII that's within their purview. But I think the provision of guidance would be the best route to go for now, in the scheme of all the bigger items that are above. I don't know if anyone has any questions.

RUSS HOUSLEY: I think I heard Steve arguing for some deletion of the earlier text, too.

STEVE CONTE: It was my recollection—that’s commonly faulty—that that whole 29.4 was stricken entirely, but I don’t remember and I can’t point to anything specific. So to revise my statement, the first statement in 29.4 I would recommend either a [strong reword] or a deletion. And the second statement in 29.4—again, not speaking for the DPO—would probably be strong enough to be a consideration, and we could probably facilitate something like that.

KERRY-ANN BARRETT: Brenda, if you could copy that text I’m pasting in the chat, I can just do the proposed edit to it, so at least everyone could see that at the same time.

RUSS HOUSLEY: So what I think the proposal is is we just make it, “In addition, the DPO should provide guidance to managers and stakeholders regarding responsibilities and procedures to monitor and report relevant technical developments.” Is that right?

KERRY-ANN BARRETT: No. It would be [tying] in the DNS PII. I’m going to just send it right now.

RUSS HOUSLEY: I thought it still says, “should also be responsible for external DNS PII.”

KERRY-ANN BARRETT: No. That's what Brenda pasted for me to be able to edit. So I just—

RUSS HOUSLEY: Ah, I see.

KERRY-ANN BARRETT: So I just sent it. It says, "In addition, the DPO should provide guidance on DNS PII to managers and," dah, dah, dah, "regarding responsibilities and monitoring and reporting relevant technical developments."

RUSS HOUSLEY: That makes a lot more sense to me. Okay.

KERRY-ANN BARRETT: Yeah. Steve, that would address it, correct?

STEVE CONTE: I'm just reading right now. That would address the concern that I raised, yes.

KERRY-ANN BARRETT: Russ, I don't know if anyone has anything else, but—I can't remember who wrote this—some of the technical terms used in this I would support as well. So, as I said, I cleaned and removed all the irrelevant ... We had a lot of stuff that was fluffy in there, so I took all of that out. So I have nothing else to explain. If anyone has any questions.

RUSS HOUSLEY: Okay. With this one change to 29.4, are there any other issues or concerns?

Okay. I think that means we're okay with this one. Can we move to 30?

KERRY-ANN BARRETT: I didn't do 30.

RUSS HOUSLEY: You didn't do 30. Okay. Somehow I thought you did.

KERRY-ANN BARRETT: It was the privacy and the language for the executive data officer. They were the two things I know you wanted me to explain. This was, I think, one of the ones that ... I don't know if Eric or KC is on the call. I know it's something that we discussed—

RUSS HOUSLEY: Eric and Matagoro were working 30. Okay. All right. Are either one of them on the call. No. Okay.

KERRY-ANN BARRETT: Well, there was a discussion on one of the calls about this again.

RUSS HOUSLEY:

Yeah. I think—

KERRY-ANN BARRETT:

And I remember there being an issue still. Eric was still advocating that we keep it because the importance of keeping track. I know there was discussion as to whether or not it was something that was feasible and who within ICANN Org would actually keep this. I did have some thoughts. It's in terms of based on how ICANN org is structured [inaudible] or anything within there, we could specify because I think it's pretty wide right now—our leaving them to decide who would track something like this.

But I think that there was a discussion as to who would actually have this responsibility to stay on top of the research. I know Eric's concern was there was so much happening in the academic research field, especially with DNS and some of the other things now coming up with the new technology and 5G and everything. He wanted to just make sure that all of ICANN's policy work is guided by this new research, not just to be standing up other studies when you have research it could access. I know the last discussion as well. It was not to try and attend all the conferences because there's so much material that's available from conference reports and papers that came out of the conferences. Our idea was not to try to attend all of them because I know that came up as a comment but just to have a monitoring for very key topics—that they monitor some of the things.

The CCDS thing I know is Zarko. I don't know if he's on the call. I know this was one of the things that comes up in another part of the report. I

don't know if this is the right example for here as well because I don't know if that would cause more debate than help.

JABHERA MATAGORO:

Yeah. And I think we had a discussion with Eric—a Recommendation 30—and we did some kind of editing and we removed some of the text about ... I'm wondering. The document is not yet updated, but we shared on the team. So, for the first phrasing, what we agreed is [5.1], ICANN Org should track the development as it is, but we suggested that implementation could be to contact the organizers, like the technical program committee chairs during group organizers to ask for the digest of the proceeding and invite committee members from these venue to present the relevant digests for the preceding year at one of the ICANN committee events.

So we did some of the editing. On the [30.2], we removed a recommendation for action, including changes. We say this report should include relevant observation that may pertain to contract with the registries and registrars that could mitigate and prevent [inaudible] harm to consumers and infrastructure identified in the period which [is requested.] So we did some of the editing and just removing few text. We had consensus on this. So maybe we can check on how we can update the document. Thank you.

RUSS HOUSLEY:

Matagoro, my belief is that you and Eric did work in a different Google Doc, not this one.

HEATHER FLANAGAN: There is a Google Doc for Sub-Teams 20, 21, 24, and 30.

RUSS HOUSLEY: That makes sense.

HEATHER FLANAGAN: It has 25 comments or changes in it.

RUSS HOUSLEY: So maybe we should bring that one up to look at 30.

JENNIFER BRYCE: Can you post the link—do you have it open?—in the chat? Then that would be easier.

HEATHER FLANAGAN: Sure. Just a sec. Done.

BRENDA BREWER: Sorry. It's taking a minute to load here. There we go. Heather, what page?

HEATHER FLANAGAN: Well, you can actually just click on the table of contents, Item 30, and it will drop you right to it. It is ... what page are we on? Page 60, I think.

BRENDA BREWER: Item 30, huh? See if that works. Thank you.

RUSS HOUSLEY: Matagoro, does this work familiar to you? I hope it does.

JABHERA MATAGORO: Yeah. [This is what we agreed.]

RUSS HOUSLEY: [Perfect.]

JABHERA MATAGORO: Yeah. Thank you.

RUSS HOUSLEY: Are there any unresolved issues or concerns here?

Okay. Thank you.

I don't believe we have the proponents for any of the other ones that are nearly complete on the call. My understanding is that the abuse grouping of sub-teams needs another week to have text for us. Last week, we already went over their response to the public comment that was put into the spreadsheet for that. So I think, with that, there's nothing else to do regarding the sub-teams.

Is there somebody here who knows otherwise?

HEATHER FLANAGAN: Russ, with regards to the sub-teams that haven't gotten past Phase 1, have we decided what's going to happen to those?

RUSS HOUSLEY: I have composed some e-mail to those rapporteurs. I have not heard back yet. I will raise that on the leadership call on Monday. Hopefully, I will have answers from them by then. And we do know that 25, we have the information for now. We just need a few of KC's cycles to do that one.

Okay. Not hearing anything being raised as anything else we can do today, please, sub-teams, keep at it. We're getting close. It's three teams that are still in Phase 1. I will reach out to the rapporteurs in e-mail. Please help those rapporteurs get that work across the finish line.

All right. Hearing nothing else, let's wrap it up for today. Thank you, all.

[END OF TRANSCRIPTION]