

20120411_WHOIS_POLICY_RT_ID686387

Alice Jansen: Okay. Operator, could you please start the recording?

Operator: Recording has started.

Alice Jansen: Thank you. On the call we've got Susan Kawaguchi, Kathy Kleinman, James Bladel, Lynn Goodendorf, Emily Taylor, Michael Yakushev. We have apologies from Peter Nettlefold, Bill Smith, Lut Danahaka, Omar Kaminski, Chair (inaudible). And from ICANN staff we have Olive (inaudible), Denise Michel is going to join us in a couple of minutes and Alice Jansen.

Emily Taylor: Great. Thank you very much for that, Alice. Can we adopt the agenda please? Does anybody have any additional items to add to the agenda or any AOB?

Alice Jansen: Emily, this is Alice. I have an AOB. This is the Whois Review Team ICANN staff call just to discuss scheduling issues and so on if that's possible.

Emily Taylor: That's fine, yes. We'll make sure we do that before we close today. I should say I've got a hard stop at 90 minutes, so I'll be leaving the call at that point, so that's an added incentive to timeliness. Susan, do you have an AOB?

Susan Kawaguchi: I just in re-reading Larry Strickling's letter, the last paragraph. Well, second to last or whatever. But where he's recommending that we add a recommendation for a validation of registrar data at the time of registration and renewal and updated contact information response notice of inaccurate data. And I just -- I don't know that we -- maybe we discussed this and I just didn't -- don't remember. So, if we have time it would (inaudible) to go over that again.

Emily Taylor: Okay. I think it might well come up in our discussion of the recommendations, but otherwise I've made a note of it.

Susan Kawaguchi: Okay.

Emily Taylor: Thank you. Other than that, let's adopt this agenda and move on. Can we turn our attention to the preliminary report to last week's call dated the 4th of April? Have we got any corrections of fact or comment on that? In that case let's adopt the preliminary report. Let me know if there are any objections. Okay, so adopted. Sarmad and Seth have joined the call, so thank you for joining.

Right. Let's -- if Denise -- Denise, are you on the call yet?

- Alice Jansen: Emily, this is Alice again. Denise is encountering technical difficulties with the phone apparently. She'll be on as soon as she can.
- Emily Taylor: Okay. In that case, let's start with the data accuracy recommendations and we'll carry on with the discussion of recommendations and break off at a suitable point when Denise joins.
- Susan, do you want to just talk us through where you've got to on the data accuracy recommendations?
- Susan Kawaguchi: So, on recommendation 5, I went back and re-read the Nork Study and they definitely did not use unreachable. They used undeliverable and also unreliable. And then but in really reading it through, I'm wondering whether we shouldn't change it to the accuracy groups that are already (inaudible)? And you put -- you made a good point in your email just now, Emily, where we should also use full failure. I was just sort of looking at the undeliverable aspect of it. But we would want to reduce the number of registrations with a substantial failure or a full failure. Or maybe we want to expand it to limited failure too, I don't know. I mean at least if we use the terms that were just defined in the study I think it would make more sense to the community.
- Emily Taylor: Thank you very much for that introduction, Susan. Any comments on Susan's suggestion? Could I just -- James? Thank you.
- James Bladel: Just a brief comment. Something I sent out to the list here moments before the call started, so I don't think anyone had a chance to see it. But I would like to vote against the word -- the use of the term undeliverable as I think that while that may apply to email or perhaps postal mail, I don't think it's a very good descriptor for the entire data records because what is it that we are in fact trying to deliver? So I think it's -- the other terms I think are fine, would recommend that we stay from undeliverable.
- Emily Taylor: Thank you, James, for making that point and note that you made it on the list. I think so just to be clear, I understand, Susan, that as recommending to us, using the term substantial failure and full failure, which would have the dual benefit of avoiding the term undeliverable. Which also, from what you say, Susan, seems to be used -- sometimes use unreliable, so it's not actually a clear term, clearly defined, whereas we've got this table here --
- Susan Kawaguchi: Right.
- Emily Taylor: -- and statistics applied to these categories, so that does seem a sensible suggestion. Kathy, please.
- Kathy Kleinman: Can you hear me, Emily?
- Emily Taylor: Yes, very clearly, thank you.
- Kathy Kleinman: Susan, question. I don't have the Nork Study in front of me. What is the difference between full failure and substantial failure?
- Susan Kawaguchi: The full failure -- I'll just read it to you. Fails on all criteria, undeliverable address and unlinkable missing or patently false name, unable to locate to interview. So their terms are -- have a full description, which I think is one of the reasons we should be using them.
- Substantial failure is undeliverable address and/or link, unlinkable name. However registrar located, unable to interview registrar to obtain confirmation. And then there's a second deliverable address, but unable to link or even locate the registrant, removing any chance of interview.

So, if we're going to refer to the Nork Study, then using their defined terms I think would be -- just make it more clear to the community.

Kathy Kleinman: Makes sense, but let me ask you a question. Full failure I understand. It means that not a single bit of information was usable. The person was uncontactable. And I know we can't use that anymore, I really like that term because I thought it said exactly what it was. But substantial failure, does that tell us -- I mean is that more than I'm uncontactable? Does it create some ambiguity about what fields -- what we're asking for?

Susan Kawaguchi: Um.

Emily Taylor: Well, if I may, on this point, the Nork Study sets out four or five criteria, which it explains and defines and then measures. So there is an objective, whether or not we agree or disagree with the nuances and I know from discussing this say with James, I do understand that some of these definitions have been quite controversial. But the last two categories, i.e. limited failure and substantial failure, formed the basis of our recommendation from Dakar. Now we call these because basically what we were saying is if you rollup these two percentages, you get to a figure over 20%. And this is unacceptable and this is the area where we ought to be focusing our resources.

So, while we may agree or disagree with the way it is defined, at least it is defined, it is published and has been for some time. And there is a statistically robust measure against it.

Kathy Kleinman: Okay.

Emily Taylor: So what really -- all we're trying to do, Kathy, if I could just sort of just finish off that point, is all we're trying to do is explain -- we called these together, these two categories. That was what we identified in that recommendation in Dakar. And what we're saying -- and by using the term unreachable or whatever we did, we confused people. So this is a much more direct reference to the table which will in fact what we were referring to in our original wording.

Kathy Kleinman: So if ICANN takes appropriate measures to reduce substantial failure, what are we asking it to do? Is it to create contactable records where at least one field gets through? Or are we asking for more than that in terms of data accuracy?

Emily Taylor: Well, I would say that we are hoping to get it up the food chain either to minimal failure, no failure, which are the -- and I can't see the label because there's -- the table's a bit (inaudible) --

Susan Kawaguchi: Yes, it didn't copy well.

Emily Taylor: -- on the document. But let me just see. So there are labels in the -- I think it's easier to see. There's no failure, minimal failure, limited failure, which are again the -- they are defined. So we're saying that anything above that line is livable with.

Kathy Kleinman: I think I need to go back and look at the Nork Study. And --

Susan Kawaguchi: It's enlightening, actually when I re-read it, but --

Kathy Kleinman: So, it sounds great and I'm glad you looked at it. I'll just go back. So that's -- if I'm called on to explain it I can explain it.

Susan Kawaguchi: Yes.

Emily Taylor: We're applying a kind of 80/20 rule, Kathy. And the benefit of it, I would hope, is that even if we go to limited failure, it is well, both deliverable address, name linked and/or

located plus I'm able to interview registry (inaudible). And then you start to go up to minimal failure and no failure. And again, those are defined. So I think that that gives at least an objective set of criteria to aim for, because it seems that just saying we want people to be contactable confuses people so we need to be clearer.

Kathy Kleinman: Okay. Thank you.

Emily Taylor: Okay. So I would like to suggest that we adopt the terms -- I can't even remember -- substantial failure and full failure in that resolution or the recommendation. And then we're done on that. Thank you, Lynn. Tic from Lynn. James?

James Bladel: Just a recommendation that we then re-define that or recopy -- rather than just reference the Nork Study, we should probably cite that and then rethink the definition.

Emily Taylor: Yes, I was wondering actually whether it would be worthwhile just repeating that entire table. Not obviously in the body of the recommendations, but somewhere maybe an annex or something like that. And then we can reference it very, very clearly in the (inaudible).

James Bladel: I would say, however, that the definition probably does belong in the body of the report.

Emily Taylor: Right, okay. Would you and Susan just (inaudible)?

James Bladel: I'll find it.

Emily Taylor: (Inaudible) to footnotes or something as we stand elsewhere so that we're getting them too. You can work on that. I don't think that's a controversial suggestion. I think it's fine. Kathy?

Kathy Kleinman: Would it make sense to have a short finding section on this as well? And that could then reference the report and the definitions and lay them right out above the way we're doing in some of the other sections. Hate to add work, but --

Susan Kawaguchi: Yes, it did draft a short finding. I drafted a very long finding, then I -- I guess I didn't send it out to you. I apologize for that. So I could -- the Nork Study is in the findings that I did for the data accuracy is referenced, but not these definitions. So if we want to make that finding a little bit longer and put it in both places in the finding and the body of the report.

Kathy Kleinman: I think that would be great.

Emily Taylor: That sounds great, Susan. Could you take that on? So you're going to circulate your findings and the amended recommendation that we've agreed to. You're going to add in the wording of these definitions to that. I think that probably aim for three or so paragraphs of findings. So if you're much longer than that, take a pruning.

Susan Kawaguchi: Okay. Well, I would like (inaudible) before, so. Yes, I pruned it down to about four bullets.

Emily Taylor: Oh, great.

Susan Kawaguchi: This will make it a little bigger, but I think it would be worth it.

Emily Taylor: Let's take a look at it.

Susan Kawaguchi: Okay.

- Emily Taylor: Thank you. That's great. So well done, everyone. That's good progress. So Denise has now joined us, so what I would suggest is that we go back and resume our agenda, have Denise walk us through the rest of the staff comments. And then resume with (inaudible) on privacy and proxy recommendations. Does that sound a good approach? Okay. Well, thank you very much for joining us again, Denise. I think we got about halfway through the staff comments last time.
- Denise Michel: Right. So, I noted that I was started with recommendation 12 that said proxy services. Is that where everyone would like me to start? And can you hear me okay?
- Emily Taylor: We can hear you. Yes, please do so.
- Denise Michel: So I'll start with recommendation 12. And again, don't hesitate to ask questions or stop me in any time if you want to discuss something in detail.
- So, the recommendation 12 on proxy service, directs ICANN to facilitate the review of existing practices by reaching out to proxy providers. Because that's to have a discussion that sets out their current processes. And so the staff notes here note that at this point it would be voluntary discussions with proxy providers of course, since we -- our proxy providers that ICANN has no contractual relationship with. And adapting those conversations and trying to identify on a voluntary basis what their practices are is something that we can certainly do.
- We also noted in this and the subsequent recommendations that the proxy services is a topic area that has received a lot of attention in the RAA negotiations. And staff is pursuing a path, not unlike the path that is laid out in general by the review team in incorporating some of the provisions in the RAA. Because depending on how the negotiations play out and ultimately what the team recommends that ICANN does, recommendations in the proxy services area and may require a GNSO consensus policy.
- And of course, and the staff also noted that inputs to new -- particularly from registrars on the different types of relationships that there are out there currently in the marketplace for proxy providers would be a useful element in this implementation.
- Moving onto recommendation 13, down in the proxy services area. This recommendation that registrars should be required to disclose to ICANN the relationship with any affiliated retail proxy service provider. Again, as I noted, this is being pursued in the current RAA negotiations and hopefully we'll have some additional staff on the phone with you next week so we can give you an update on this topic and other topics under discussion and the negotiations. Staff knows this also is a feasible recommendation and need to explore the various ways that this would actually be implemented.
- Recommendation 14 in the proxy services is a lengthy one that ICANN should develop a sort of voluntary best practice guidelines.
- Emily Taylor: Denise?
- Denise Michel: Yes.
- Emily Taylor: Can I just stop you there to say Kathy has her hand raised in the (inaudible).
- Denise Michel: Oh, sure. Sorry, I (inaudible).
- Emily Taylor: Should we let Denise run through the proxy services comments and then come to comment, Kathy?
- Kathy Kleinman: Sure, that makes sense. Thanks.

Emily Taylor: Thank you. Go ahead.

Denise Michel: And I'm looking at my notes rather than the Adobe window, so my apologies if I missed a raised hand.

Okay, so on 14, regarding developing voluntary best practice guidelines for appropriate proxy services. And it lays out some specific elements that should be included in the best practices. Again, an important component of the RAA negotiation, but the whole relay and reveal set of issues that are being addressed in negotiations would come into play here. And depending on how the negotiations play out, that would very much influence what type of implementation would be pursued with this recommendation.

The next, recommendation 15, on proxy services is that ICANN should encourage and incentivize registrars to interact with retail service providers that adopt the best practices that were just mentioned. Staff is exploring a range of different ways that this might be implemented and what the implications are for such an implementation plan and noting there may be issues of liability and auditing and other things, as well as resources that need to be factored into this.

And here I think there's just a whole range of potential options that could be explored, everything from fee reductions to creating some best practices seal of approval and I'm sure you guys can think of other things as well. But those are some of the different ideas that staff was kicking around and looking into. And of course what happens in the negotiations and the final recommendations for the (inaudible) will very much influence the direction that we go as well as the quick public comment on it.

Recommendation 16 on the proxy services. The published Whois policy should include an affirmative statement. It clarifies that a proxy means a relationship with the registrant - a relationship in which the registrant is acting on behalf of another (inaudible) data is that of the agent and agent alone obtains all rights and assumes all responsibility for the domain name and its manner of use.

So the staff notes that currently the RAA holds the registered name holders responsible for adhering to the registrar obligation noted in the RAA, regardless of whether a third party is involved. And the staff notes also indicate that in 2010, almost exactly two years ago coming up, that there was a draft advisory issued. And occasionally advisories are issued to help clarify the terms and obligations in the RAA and to flesh out the shared understanding of what's expected and how terms are defined.

So this particular draft, if was issued as a draft advisory for public comment. And then subsequently, and I'll send you a copy of both the advisory and the summary of the comments again so you just have those in your notes. The reaction from the community was mixed and not particularly supportive of addressing this issue in an advisory. There were comments that -- received that indicated that this issue should be addressed through changes in the RAA, either through a PDP or through negotiations. And also there were comments that if this type of approach were to be taken, much more detail would be needed in defining terms and that the advisory would need to go much further.

And then that's more or less where the issue was left as the community groups and I think most interested in this had other things on their plate. So this was not an issue to be drafted by (inaudible) initiative, but that was pursued by and worked on further by the intellectual property constituency or the NCOC or I believe the registrar constituency either.

But staff would -- it would be interesting to know if the negotiations failed to offer the necessary clarity in this area, it would be interesting to know whether this advisory approach -- whether there's interest in reviving this advisory approach and continue to work on it.

So I'll stop there. Just that 16 is the last proxy service related recommendation. And get this question.

Emily Taylor: Thank you, yes. I've got Kathy and James in the queue to ask questions. Thank you very much for that for running through those, Denise. Kathy first.

Kathy Kleinman: Yes. A question. Not just for Denise, but I guess for everybody about procedure and how we want to handle things that are going on in parallel. Do we -- the RAA negotiations are taking place, we have our recommendation, there are GNSO studies taking place, particularly on proxy and privacy intended for future policy making as well. And probably a myriad of other things. Do we want to change our recommendation based on what's going on with the RAA or do we want to kind of stay at a higher level and keep and just have our recommendations and urge that whatever happens in negotiations wherever, whether it's PDP policy or RAA contract, that the goals of our recommendations be the goals of that negotiation. So kind of a question for Denise and for everyone else. Do we change our recommendations based on what's happening in real time?

Emily Taylor: Thanks, Kathy, for raising that. Should we take James' question and then discuss? James?

James Bladel: Hello. This is James speaking. Can you hear me?

Emily Taylor: Yes.

James Bladel: Okay. So I'm just (inaudible) here. I'm struggling with a PDF. First couple of things. If this group is to reach out to ICANN staff for any kind of an update on RAA negotiations and/or issue recommendations that might refer to ICANN's position or support ICANN's position in RAA negotiations, then I really have to find a way to recuse myself I think from that process. Because one, it could open up to accusations that I'm playing both sides as an individual because I'm representing a registrar but I'm also now weighing in on a group that's offering recommendations for any kind of RAA negotiations. So I think that it would only make sense so that this group's recommendations would be outside of that influence and that I could still then from -- on my position as a registrar, continue to advocate for what we believe to be in registrars' best interest in those negotiations. So I would see -- does anyone have a problem with that or see -- or have any suggestions perhaps, a way that I could resolve that perception of conflict rather than real conflict?

Emily Taylor: Thank you very much for raising it, James. I think that you -- this is clearly a sensitive issue for you individually and professionally. I think that your suggestion of recusing yourself is probably the cleanest way to do it. Mentioning the conflict or your sense of a conflict is very welcome on it. I think that it ties in with what Kathy's also saying is that effectively we're making our recommendations against a moving system. We don't yet know how the RAA negotiations are going to pan out and how they're going to conclude. I think that -- yes, Seth, you've just said what I'll just get to say, which is we probably shouldn't be responding to negotiations that are in play as opposed to something finished. We're not party to those negotiations.

I would expect that the simplest, the easiest way for us to do this is just to note that there are many ongoing things, like the GNSO studies and the RAA negotiations. And we would hope that our comments are -- or Kathy had a nice formulation for the spirit, the principles of the recommendations be taken note of, but we recognize that these are ongoing at the time. Lynn, do you -- can you help us out (inaudible)?

James Bladel: Can I get to my real comment now?

Emily Taylor: Go for it, yes. Sorry, I thought (inaudible).

- James Bladel: Sorry. No, it was a real one, which is the draft advisory that Denise mentioned. And I hate to sound confrontational on this, but I do believe that that was met with some very harsh feedback. What I would refer folks to is the session that was held in Cartagena. I believe it was Wednesday or Thursday of the Cartagena meeting in December of 2010 where a number of individuals spoke out against the release of that draft advisory in its current state. I think I can probably even dig up the transcripts of something like that.
- So, understanding that that thing was kind of DOA when it was presented in Cartagena, I don't know that it's appropriate to resurrect it necessarily in terms of this report or to give new life to something that really is not just a dead horse, but it's a long buried horse in my opinion. So that's just my thinking in regard to the draft advisory and reintroducing that topic. Thanks.
- Kathy Kleinman: Thank you, James. Lynn?
- Lynn Goodendorf: Yes, I just feel that on the fact that there's always going to be ongoing continuous improvement, that we have to come back to our primary purpose is to evaluate the effectiveness of Whois. And so I feel satisfied that we've identified an issue and that we can certainly acknowledge that there are some activities in progress that aim to address it. But at this point in time, the issue is there. And so I feel like that's what we need to focus on is just making sure that we have identified anything that's hindering the effectiveness of Whois.
- Emily Taylor: Thank you. I'm going to ask Denise now to resume her run through of staff comments because of course there's a great deal of overlap in this discussion now and the discussion further on in the agenda. So are there any more questions or comments for Denise on the staff comments at this stage? Okay, I don't see any, so Denise, thank you and please continue.
- Denise Michel: Sure, and just to clarify, so it was for the team's edification that staff was noted that there was an advisory on this topic in May of 2010. I don't want people to misunderstand that I was not suggesting or -- I mean endorsing or encouraging this advisory approach, but simply noting that this occurred a couple of years ago. And I'll provide the advisory and the summary of comments so the team can get a clearer picture of the discussion at the time.
- Emily Taylor: Thank you.
- Denise Michel: Yes. Okay, so then moving onto recommendation 17 regarding the common interface. The recommendation is to improve access to the (inaudible) data of dot com and dot net gTLDs within registries. ICANN should set up a dedicated multilingual interface website to provide (inaudible) data for them. And the team provided an alternative recommendation that set up a dedicated multilingual interface website to allow unrestricted and public access to accurate and complete (inaudible) information for all the gTLD domains.
- So the staff notes indicated that it's a feasible recommendation, but some significance or scoping out and investigation would be needed to create an implementation plan for this. The general idea of the single point of access is, as staff notes, has been done before by ICANN staff similar to the centralized zone file access that is in place. And there is some connection here with (inaudible) the staff research and work that's being done in the IRD working group. That was noted in our comments.
- And then staff noted some of the issues that need to be explored in setting up such an interface, including sort of (inaudible) planning and tactical scaling as well as (inaudible) potential legal issues and of course interfaces with the registrars on this as well.
- Let me make sure there's nothing else in here that I wanted to note for you.

Emily Taylor: Denise, can I just draw your attention and through you staff's attention to the redraft that in fact will be coming on to discuss later on in this call, which I hope makes a bit clearer what we had in mind. Because this is one of our recommendations that confused people. And so we're really talking about the current -- enhancing the current Internet server, so no huge -- and I think, as you're aware having sat through the discussions, no huge relocation or reassignment of the data or anything like that. Take (inaudible) about technical capacity because clearly if it's a success there will be some load. But just wanted to draw your attention to that.

Denise Michel: Yes, absolutely. Okay. So I think that if our comments on that are -- the mood at this point with the changes that the team is now considering. So that brings us to the last two recommendations 18 and 19 that deal with internationalized domain names, IDNs. An important element of the staff comments on this is to sort of reinforce that it is not ICANN's remit to select what encoding should be applied or what mechanism should be established to support these encodings. This is wholly within the role of the IETF and ICANN would play an encouraging and supporting role to the IETF responsibility in this area. So that's an important element to note for implementation and (inaudible) 19 on IDN.

Having said that, the staff suggested some -- is supportive and -- of our ability to implement both of these recommendations with IETF actions. And staff proposed some specific edits to the language just to be very clear about IETF responsibilities and the terminology and responsibilities for the groups that are currently involved in this IDN effort. See if there's anything else for 19.

We noted that some additional resources and expertise would be required to implement these, but they're wholly within our ability to implement if given action by the IETF and the working group.

And then I think recommendation 20, also related to the clarifications that we requested above, but nothing additional to know (inaudible) information is there for implementation.

Are there any questions on the IDN recommendation set?

Emily Taylor: Sarmad, Michael, do you have any comments on the staff comments relating to IDN recommendations? And in particular the staff's observation that it is the IETF who hold responsibility for this?

Sarmad Hussain: This is Sarmad. I'd like to go.

Emily Taylor: Thank you. Please go ahead.

Sarmad Hussain: So, thanks. So, actually at number 18 is concern. Basically there are responsible standards that already exist, which can be used. So, it's not just IETF (inaudible). The idea is actually done (inaudible) and the question is that the possibility has not been adopted so far. So why they have not been adopted and -- is the attitude that ICANN (inaudible) to come out and (inaudible) away to just what these technical accommodations are missing at this time and what more needs to be done so that IETF can actually (inaudible) do that. So I thought (inaudible) can actually be implemented.

Emily Taylor: Thank you for that clarification. Denise?

Denise Michel: So, yes and my apologies. I think I didn't quite catch the last part of your comments but I think I have the general gist of them. And I'd be happy to provide more -- much more detailed staff, I guess, information on where things stand and why additional IETF action is needed on the front. I think there's been some serious objections and concerns about

the -- from backward compatibility issues regarding the current standards and the registrars' ability to make it work with their current Whois client.

And so quite a bit of work has been done with ICANN staff and the working group and in the IETF. They're very optimistic about the work that's going forward and staff is suggesting that the work be acknowledged in its recommendations as well.

And you'd like staff to provide more detailed information on why the currently available standards are not working or not being adopted, I'm happy to provide that.

Emily Taylor: Thank you.

Sarmad Hussain: Yes, and (inaudible) actually point to a comment which has come to the (inaudible) that they have actually been successfully implementing IDNs (inaudible) regarding (inaudible). So there are best practices, which already exist (inaudible) solutions generally (inaudible). But there's not sort of (inaudible) into the ICANN community in that sense the gTLD space. So there are technical solutions out there. So it would be actually great to hear back from ICANN (inaudible) in what (inaudible) I'll be here to (inaudible).

Denise Michel: Okay. And I know in particular Steve Chang on our staff has been working for a few years on this issue and has been also working closely with (inaudible). Well aware of their efforts as well. It might -- would it be useful (inaudible) if we got you on the phone with Steve to have a more extended discussion? Would that be more useful than simply sending you written information?

Sarmad Hussain: Sure.

Denise Michel: Okay.

Sarmad Hussain: (Inaudible)

Denise Michel: Yes, you'll find I think Steve Chang is very well versed in this area and perhaps if we could get you on the phone with him we can quickly identify where there's a difference of opinion or what additional steps staff feels it can take in this area.

Emily Taylor: Thank you. Kathy?

Kathy Kleinman: Yes, regarding that offer, which is a great one, Denise there is a small team that's working on this issue, so it might be good to set up the meeting between Steve and Sarmat, Michael and Wilfried and myself. Does anybody -- or first let me ask. Does anybody disagree with that? And second, does this raise any of the concerns that James raised say on the proxy privacy issue? Because it's again a system in motion. We are trying to find out the status and talk to ICANN staff about it. But to me it doesn't seem to raise the same kind of level of concern, but I just wanted to ask everyone else.

Emily Taylor: Thanks, Kathy. I don't see anybody asking for the floor on that, so can we take as an action item to follow up and set up a telephone conversation between Steve Chang of staff and the small group looking at IDNs? Obviously we're now starting to feel time pressure because we have set ourselves a target of finishing this, finalizing the report by the end of this month. So we just need to note that. But thank you for that offer, Denise. And also thank you for running through the staff comments. Do you have any other comments to make?

Denise Michel: I don't.

Emily Taylor: With that well, I'd like to say thank you on behalf of the team for joining the call and taking us through those comments, which is very valuable.

Denise Michel: Sure, happy to do it.

Emily Taylor: Okay, let's discuss proxy and privacy recommendations. I've seen a lot of evidence of activity from that small group who would task to try to amalgamate what we're recommending on proxy and privacy services. I think the latest draft was circulated by you, Kathy, a few moments before the call. Can I ask for somebody from that small team to take us through where we are, what your status is and what guidance or comments you're seeking from us now? I noted particularly, Kathy, that you felt that you were still in discussion and that you're not at the point of finalizing text yet. Seth, is something that you could take us through?

Seth: Well, I think the problem is that we haven't seen Kathy's draft until just now. And I think there's a lot of new material, so I think -- I'm not sure I can comment, other than we may have to consider it as a group.

Emily Taylor: Yes, okay. So it might be more effective use of our time to just note that progress is ongoing, that there's developments on the draft. Kathy?

Kathy Kleinman: Yes, I think that's it. That there is good progress, but there's still kind of work on some of the fundamentals that we're still doing. But if people want to review the progress, then go ahead, please do. And I'm sorry to have gotten my draft out so late. I truly apologize for that. But I think we're close.

Emily Taylor: Okay. Can I -- I'm not sure it's actually we've got -- does anybody not on that (inaudible) that you'd like to see it into their discussions? I can put it that way. I don't see anybody coming forward. Does anybody from the small group want to make any point? My sense is actually that it's probably the best use of time now to say thank you all for your work on this, noting that you are making substantive progress and you still need to iron out the language.

I will send note that's Kathy's latest draft fleshes out the findings and actually references where the wording comes from, which is appreciated. There's going to be some -- there seems to be a knotty issue around the last paragraph and also there's some new language. So why don't we take as an action that small group to assimilate the latest draft and to try to present to the group or aim to present to the group an agreed draft by the end of this week. Is that going to be doable?

Seth: This is Seth. I do have some concerns because although -- I guess because it seems like we're taking a step back after we took a step forward. And I know these new additions are important, but none of the group have had a chance to consider them and --

Emily Taylor: Well, I think you have some more discussions to do amongst yourselves. I note that Lynn has volunteered on the chat to help with the draft. I very much appreciate that. It might well be that we come back and slug it out in the large group. But let's give the group the chance to take onboard the latest version and work on that. I mean it's got to be -- I'll repeat as I have before, we have the fallback position of what we agreed in Dakar. If we're not able to make progress then that's where we will end up.

That said, I'm encouraged by the progress that I see here. And so and I think that there is a will, a strong will from the team working on this to find a way through. Susan?

Susan Kawaguchi: I just -- you said what we agreed to in Dakar, but are we talking about what we agreed to in Dakar or what we put in the draft final recommendation?

Emily Taylor: Oh, sorry. Draft final recommend -- where the -- sorry, our draft of course, thanks.

Susan Kawaguchi: Okay.

Emily Taylor: Thank you for pointing that out.

Susan Kawaguchi: I want to make sure what I'm arguing for here.

Emily Taylor: No, I'm still scarred from the discussions in Dakar. That's probably why it sprang to mind.

Susan Kawaguchi: Right. And the other thing is the last paragraph seemed to be very contentious with the group. The entity in the domain name registration obtains all rights and assumes all responsibility. And we did have that in the previous -- we agreed to that at some point in our discussions, but I'm wondering if we shouldn't have that discussion today to sort of -- because I thought -- I have a feeling that's one of the most contentious paragraphs in this draft. But if maybe the whole group doesn't want to discuss it.

Emily Taylor: Well, I think it's not a question of not wanting to discuss it. I think it's probably the better use of all of our time is if you guys slug this one out in your small group. But if it helps, my recollection is the same as yours, Susan. I thought that we had -- I think that this is part of the definitions work that we were doing. And also the fundamental reason why originally we were content to leave proxy recommendations on a voluntary basis because I think it was James' comment and in -- back in Marina del Rey, is that there's a very clear difference between proxy services and privacy services, in that proxies do stand in issues of the registrant and thereby assume liability.

So, I don't really understand the basis of the concern. We can certainly add this here if it will be helpful, but maybe a better use of time is to go back to what we said in our draft report and see if we can find it.

Susan Kawaguchi: Okay.

Emily Taylor: Okay. So, good work, guys. Thank you. Can see some real progress on that. And I like the way that you're using the time zone differences to work this around the clock. So can we set a target please for the end of Friday for a revised draft, even if we're still looking at comments that something that you are all reasonably comfortable with? So let's do -- in other words, let's do another iteration and share it with the rest of the review team.

Okay. I'm taking silences as a sent there, so that's -- we'll -- Alice, if you can note that action point, that would be good.

Right. The next is wording on recommendations 3 and 17. I've seen some comments from Peter on this. To remind us, this was wording that I circulated probably a couple of weeks ago now to the review team because I was cast to hold the pen on the strategic priority one.

Peter came across with something that I think we agreed and in fact it's later on in this call -- sorry, later on in the agenda is our compliance recommendations. We had actually agreed to separate the two and I thought we'd just sum that in perfectly. And I can pre-empt the discussion on compliance recommendations to say we haven't done anything. I think at the moment we're awaiting some information from the compliance team so we're awaiting that. And then I think that that will influence our findings and then some recommendations.

So, subject to Peter's comment, which I agree with, are there any other comments on the draft findings and recommendations on 3?

Kathy Kleinman: Emily, it's Kathy. Recommendation 3 is the new number or the old number? Is this the strategic priority?

Emily Taylor: Yes, it's the strategic priority one. I actually think the new number is going to be 1.

Kathy Kleinman: Okay. And so the underlying text is the one that's up now on the board, right?

Emily Taylor: That's right, yes.

Kathy Kleinman: And I did have a question about that.

Emily Taylor: Sure.

Kathy Kleinman: It's right above -- it's in the finding section on the second page, right above the recommendation. And it's the line that seems pretty -- for reasons explained above, the Whois review team finds the historic staff figures provided recently by ICANN to lack credibility and to paint a misleading picture to the community and to governments.

Emily Taylor: Yes.

Kathy Kleinman: And I wanted to -- yes. I'm not quite sure what that's referring to.

Emily Taylor: Well, it came -- there -- Denise and I have been in correspondence about staff figures in compliance over the years. We had a presentation from Stacy way back at the beginning of our work in January 2011 where we were given historic figures from staffing, which will -- if I -- I probably won't remember the figures exactly, but it was -- they started up in 2007 with two staff. By 2010, there were 10 staff. Then by 2011, when they were talking to us, they were down to six, including a couple of temps. The head of compliance was a vacant position and they were struggling to fill vacant roles and reliant on temporary staff.

So there is a -- however, when we go the figures just recently from the compliance team, it showed a beautiful curve going up from to originally, a steady increase over the years and in particular 2010 did not show 10 people, it showed -- I can't remember, five. So what it did was it presented a beautiful picture of steady growth. Whereas in fact the presentation that we got from compliance a year previously suggested that it was actually a little bit more of a rocky road and that the figures of staff now are just only just nudging over what they were two years ago, which is clearly a very different picture.

Kathy Kleinman: Well, if you need a hand drafting the narrative for the report -- it sounds like it's actually a report section.

Emily Taylor: I think it's -- as I say, I'm awaiting updated figures on a number of things, including budget spend from ICANN compliance budget versus actual details of vacant positions, details of temporary staff, organizational charts over the years and I'm still awaiting that data. But I agree with you, I think it will turn into a more substantive section. I do also agree with you that looking at the wording there it seems rather strong. Clearly, if we're making those sort of strong statements, we'll need a very heavy evidence base.

Kathy Kleinman: (Inaudible)

Emily Taylor: So, thank you for bringing that up. I've got Denise and Susan.

Denise Michel: I just wanted to clarify here. So we -- some of the confusion on staffing numbers arose and I can't recall actually. I mean we've had lots of emails going back and forth. I can't remember if where the team was copied and where they weren't. But just for the sake of clarity, the -- Stacy's initial discussion with the team when -- at your first meeting in London, included a slide that showed historic staffing and she included some temporary contractors in her staffing figures, subsequently the staffing chart that's compliant, that provided the team only included full time compliant staff. And so there was a

discrepancy because -- of the figures because of that. And they didn't, I think, the last thing that the (inaudible) gave you breaks out full time and (inaudible).

Emily Taylor: Yes.

Denise Michel: Yes, and temporary. So I think we're set on --

Emily Taylor: Because that postdates the drafting of this section actually.

Denise Michel: Right, right.

Emily Taylor: (Inaudible), Denise, so yes. Thank you.

Denise Michel: So I think just in terms of temporary and full time, just short staffing, you've got everything you need. And I think we've got clarity on all that. And now what you're waiting for is the last three years of budget and spend numbers and some additional information on vacancies -- time of vacancies, right?

Emily Taylor: Yes, exactly right.

Denise Michel: Okay.

Emily Taylor: I'm awaiting that and yes, thank you for reminding me of the timing of when this updated information came through.

Denise Michel: No, I just want to make sure that -- I had my to-do list correct. So I think we're on the page, right?

Emily Taylor: Yes.

Denise Michel: Okay, thanks.

Emily Taylor: We are, thank you. And actually, Alice, I don't know whether you've got the relevant tables that perhaps we could just circulate to the rest of the review team because like you, Denise, I think and particularly I might have been guilty of forgetting my copying protocols and not copying in appropriate people. So we should just make sure that the review team have all of those figures.

Okay, Susan.

Susan Kawaguchi: So to jump to a different issue within this recommendation, we've completely lost the language the board should ensure that a senior member of the executive team is responsible of overseeing who is compliant. Or maybe it's there and I'm not recognizing it.

Emily Taylor: And I think that we probably also need to -- I think there's probably going to be more discussion on this. There's been a theme, hasn't there, about where compliance fits in the organization. And sorry, I cut you off, Susan. So please continue what you were saying.

Susan Kawaguchi: No, that's fine. I mean a few weeks ago I was advocating to make this not just a senior board member -- or a senior member, but make it the CEO, partially on the response -- the comments from the staff, where it was acknowledged that John Jeffries was responsible for the -- for Whois compliance. So, and that may be true, but I think we all recognize that a higher level person, whether it be a board committee or the CEO, would be more appropriate and more apt to be able to take the action needed to improve Whois.

Emily Taylor: Yes, I think that -- to clarify and for the record, this isn't in any way a criticism of John Jeffries or his role. I think there was a comment, I think, in the public forum, Susan, I'm

not sure -- I can't remember who made it. But it pointed out that there -- that as general counsel and the senior member of the executive, general counsel will have fiduciary duties to the company to reduce risk and make sure that it is not putting itself in line of litigation, if you like. And that that role itself has many conflicts with -- ahead of compliance. And though there seemed to be a -- there is a theme in some of the comments to take the compliance function into a kind of -- a bubble or some sort of structurally different section of the organization so that you have some kind of independence built in.

So I think that this recommendation needs to be developed, but we do need to have that discussion. I think that we've skirted around it a bit and I'm not quite sure the best way to take this forward. Perhaps on our next call we can schedule some time, because I still think that we haven't as a group got our minds around this. I go probably --

Susan Kawaguchi: We agreed to at least naming senior member of the executive team. So, I mean I could easily see -- I like the new wording better, but once again, my fear is they'll just check it off the list when -- yes, they are all working hard on Whois. We get that. But we all need more work and more priority and more strategic priority. So, I think -- so maybe I should just propose some language?

Emily Taylor: If you could and I'm happy to take onboard, say Kathy's point. I know that Peter and I have not managed to have any communication about this and there's a small group of us looking at compliance. I think Peter and Bill, and neither of them are on the call, are part of that. So please do propose some language, Susan.

Susan Kawaguchi: Okay.

Emily Taylor: And I can then take the action to update this draft, taking onboard your comments and Kathy's comments prior to our next call.

Susan Kawaguchi: Okay, great.

Emily Taylor: And it -- I am also awaiting, as Denise said, figures on budget and spend and on vacant positions, which I think will flesh out some of the findings. It might be a larger section, but I plan to spend some time on that. It might not be before our next call, but it will be before the one after.

Okay. So, are there any more comments on that? Thank you, both for that. In that case, let's look at recommendation 17, new wording. Can we get that up on the screen please, Alice? This is a reminder, is the famous look-up where we had proposed two alternatives. I think in Costa Rica we came down on one single recommendation and we just wanted to make it clearer that we weren't talking about some wholesale PDP type of thing. We're just talking about incremental operational improvement. So that's the proposed text.

Kathy Kleinman: Emily, it's Kathy.

Emily Taylor: Hi, Kathy.

Kathy Kleinman: Do you think -- and everybody tell me if this is a terrible idea. Do you think it would be a good idea to run this one by ICANN staff, not for their approval, but to see if there's any clarification, any questions that they have since it's a direct, this is very clear implementation directive? And it's changed now. Now we've picked an option and we've -- and it's very, very clear. So just to run it by them and see what their feedback is. It could be in writing.

Emily Taylor: That would be -- I'd have no objections to that. Denise, I think we just discussed this in our recent conversation. That would be doable, wouldn't it?

Denise Michel: Sure, I'm happy to pursue some additional staff comments on this recommendation 17.

Emily Taylor: Thank you. It doesn't have to be lengthy, but just as you've done before, if you can just highlight areas where it's not clear or where -- I mean really if I could just send the ones (inaudible) message through this is that we're really not at this point a radical policy change here. It really is, as Kathy says, implementation. So we're keen to have this (inaudible) have these come out proper.

Denise Michel: I've got you.

Emily Taylor: Right, thank you. Any other comments? Any other edits that want to be made on the language? Are we reasonably comfortable with it? Are we able to sign off this language, subject to any feedback we may get from staff on implementation? Any objections to that?

Kathy Kleinman: Emily, Kathy again. There were a few little things I wanted to send to you.

Emily Taylor: Great, okay.

Kathy Kleinman: Nothing big, just little things.

Emily Taylor: Well, why don't we -- could you do that? Copy the list and we can just sort of give it another iteration. I'd quite like to refuse, if I may -- Kathy, are they substantive or are they just sort of edit-y type of things?

Kathy Kleinman: Edit-y type things.

Emily Taylor: Could we -- I'd quite like to get it off the list of things that we have to discuss on our to-do list. I'll tell you what, circulate your comments and then if we think that they substantively change things, we'll put it back on the agenda. Otherwise, let's take this as resolved. Okay. And it's just subject to your edits and subject to feedback from staff on implementation. Brilliant, brilliant.

Okay, text on accreditation and hierarchy of enforcement. Goodness. Does anyone know what that is? Kathy, I think this might be you?

Kathy Kleinman: I'm going to bump this to James, because he has the most recent material. And with apologies, due to the holiday we didn't -- we haven't finished thinking of it.

Emily Taylor: No, no, that's fine. James?

James Bladel: Hi, I'll jump in. This is James speaking. And I did send this message to the group following our last call. Which indicates that my recollection of a slide and I think -- hello?

Emily Taylor: Yes, I remember now.

James Bladel: Okay.

Emily Taylor: This is about graduated sanctions, isn't it?

James Bladel: This is about graduation sanctions. Accreditation is probably the wrong word. As Kathy noted last week a better description would have been graduated sanctions on the accreditation.

Emily Taylor: Yes. I've actually (inaudible) --

James Bladel: So part of our discussion there was a slide in Costa Rica that Maggie put out with a number of steps that -- initial steps that were taking by compliance. One to registrar had a problem or an issue that would lead us to an escalating threshold whereby a breach letter was sent. At that point, the registrar was considered to be not in good standing and the breach letter led to specific recommendation -- or requirements, sorry, to cure a specific practice or situation, followed by suspension and followed by the accreditation.

The question that I put to the group was whether there should be something in between the breach letter and suspension. Some sort of financial penalty or something along those lines. And I think the only response that we received to that message was from Bill, who is not here today, but said something to the effect of -- was supportive of the idea of an SLA for registrars, particularly with regard to Whois. And I think that from our registrar's perspective, we would gladly accept an SLA for Whois availability because, as I mentioned, we go to a long of length and a lot of expense to keep our Whois systems up and running and responsive. I can't say that that is true for all registrars.

So, for example, there would be financial penalties somewhere in between a breach letter, an uncured situation laid out in a breach letter, and suspension. So this is a note that I had. I think someone posted this slide from Maggie from Costa Rica and then Bill had one in response about SLAs. And that's basically what happened on this issue since the last call.

Emily Taylor: That's brilliant. Thank you. If there's no other people wanting to take the floor, I have one comment and suggestion, if I may. And that's basically I think I didn't respond because I thought this all sounds very sensible and I like the idea of SLAs. I wonder whether it always attractive to think in terms of penalties, but also whether we could also think in terms of incentives. So, for example, if we did have agreed SLAs for a registrar that was fully compliant with the SLAs, would there be some sort of incentive, probably financial that went with that white hat behavior? James?

James Bladel: Well, certainly there could be a reward as part of an SLA or a bonus relative to exceeding the metrics of an SLA. But for that to be properly implemented in such a way that it wasn't abused, I think that they would need to have some very clear measurables. And I'm saying this with an eye towards my friends from the registries where registries -- (inaudible) registries typically operate under SLA with ICANN. However, most of their service levels are self-reporting and therefore I think a lot of folks kind of wink and nod that a lot of those metrics are what the registry's opinion of their performance might be. So more of a self-assessment than an actual grade.

Emily Taylor: Okay. So James, is your view that it would just be too complex to go there? Or that we could perhaps leave the development? Who would do the development for the SLAs? Would that be an RAA thing or would it be a GNSO action point?

James Bladel: That would definitely have to be a GNSO and it would definitely have to come through a PDP or RAA negotiation. One of the thoughts might be, for example, to have a rebate that is at stake. So, for example, there's a certain amount of dollars involved for a registrar to be an accredited registrar and I'm sure it's just more of a token fee that is paid to ICANN. It certainly is not significant when compare to the registration fees. And so if something like that were on the table, that you would lose as part of an SLA, as opposed to being charged additional fines I mean, all of those things could be in play. But this is details that I think would be inappropriate for this group to weigh in on. I think that the remit of this group would simply say there seems to be a gap between a breach letter and suspension that could be filled with financial penalties/SLAs. This is something that ICANN should consider developing.

Emily Taylor: Great. Thank you. Kathy?

Kathy Kleinman: I totally agree with what James just said at the end. I think if we go down the path of SLAs, we're going into a lot of detail. Maybe --

Emily Taylor: First of all, we don't have time. Second of all, it's not within our remit and this is something that's heading towards a PDP anyway. So, if we can just give some high level guidance in that way. I think all of my intention was to just keep mentioning incentives when we're talking about penalties as well.

Kathy Kleinman: Yes, this is good.

Emily Taylor: There should be a kind of holistic approach.

Okay, well thank you very much for that update and for the progress. That seems to be heading in a very positive direction. What's next? Can you propose some -- who's got the pen on this? Is this you, James?

James Bladel: I can say that I have the pen on this.

Emily Taylor: Okay, so could you --

James Bladel: Doesn't make it true. But I'll reach out to that group and just then with Bill.

Emily Taylor: So why don't we get new language now? We seem to be agreed on the approach and that's -- it doesn't seem to be a wholesale redrafting (inaudible). It's just some tweaking.

James Bladel: Yes, I'll try to come up with something by the next call.

Emily Taylor: Thank you. Okay, IDN recommendations. Where are we? I know that Michael's struggling with his connection. Sarmad?

Sarmad Hussain: Yes.

Emily Taylor: Do you have any update?

Sarmad Hussain: So, yes. Actually we -- so we've actually recently started discussing this. I think it's probably (inaudible) because of some (inaudible). But there's two things, which need to be done. I think the (inaudible) need to be clarified. So number 18 especially there was some comments on some people not understanding what is being asked for (inaudible). And I think there's now an (inaudible) draft at least for the community and (inaudible) we will finalize. There is also some internal discussion on -- within the smaller group -- on (inaudible) those next two recommendations (inaudible) presented (inaudible). Though there is no -- well, so I think we should probably talk to Steve Chang and ICANN staff and get their feedback. And then I think we should then come up with a final draft for this.

There are some edits which need to go and recommend by staff as well, which precedes recommendations. And there was at least one error in that, which needs to be corrected and I actually am mindful of that and I'm actually go back and do those things (inaudible). Again probably for not (inaudible) showing at a couple of meetings, but this (inaudible) at the moment. And I'm (inaudible) because of some internal work, so I'm not done pretty much yet on this (inaudible), but I should get back on finishing (inaudible).

Emily Taylor: Thank you very much for that update, Sarmad. And of course, as we're all volunteers, we're constantly balancing the different pressures, also the challenges of having a global team in different time zones. So it's very much understood and pleased to hear that things are underway. Michael?

Michael Yakushev: Yes, just very, very briefly, I mostly agree with Sarmad and discuss such efficiency in San Jose. So I would like maybe to simplify and so to clarify also all three recommendations in IDN and I think if we have (inaudible) on the call, maybe the beginning of the next week we will have the final (inaudible) by the end of the next week.

Emily Taylor: That's great, thank you. So we can note as an action that we will have the final (inaudible). So it will not be on next call, but the one after that where we will have some new text to consider.

Michael Yakushev: Yes, well it depends upon when we will have a conference call with (inaudible).

Emily Taylor: (Inaudible) so Alice, if you could note that there will be the small group have a call to be scheduled with Steve Chang that they are working on (inaudible) and clarifying the draft recommendation and hope to be sharing language with us towards the end of next week. Clearly that will also depend on the scheduling of the call, the timing of that. So let's just keep an eye on that. And thank you, people, for the update.

Timeframes and implementation paths. Susan, you circulated some text. Thank you for doing that. I noted that Peter had some comments on that, which were quite similar to the conversation we had on the call last time that we were looking for more general -- because the only wording we have on timing at the moment is in the sort of subsection of -- or a recommendation on something else (inaudible) accuracy. Susan, do you have any clarification for us?

Susan Kawaguchi: There is in the ALC, and Lynn had pointed this out a couple of weeks ago too. She'd highlighted it. They have -- ICANN had six months to act on the recommendations. Doesn't mean that they're going to implement, but so I still would like -- well, first of all, I apologize because I mixed up the number of the recommendations. It's recommendation 7 and I had put it down as 5. So that was totally confusing to myself until I finally figured out what I had done.

And I thought Peter's question was a good one in that is this for all the recommendations or just the data accuracy? And I guess when I read recommendation 7, even though it was under data accuracy, I've always thought it was for all of the Whois recommendations we're making. Because we'll want to know what the latest status is. But so we -- the team should decide that.

And then I still would like to require a status report within three months, just so that we know (A) progress is being made and that the plans and timeline make sense. Because what we don't want to do is have business as usual. I don't think ICANN's going to do that. I think they're taking this seriously. The AOC takes it seriously. But I just -- it's just another insurance policy for me.

Emily Taylor: Susan, I think -- and thank you also, Lynn, for digging out that wording from the AOC. Yes, I think we're probably all on the same page, Susan. We're thinking about this as a general overarching measure that should guide the response. I actually think it's already in progress from -- based on our meeting with the board and Denise's input there that the staff are already hard at work in developing metrics and the plan. So I think that this is -- it's just something that ought to be there and more generally placed so that it's clear.

Okay. I'm not sure whether any follow-up action is required on that point, except to make it more general because I think that we're in agreement. The wording that you circulated seemed to be fine. I didn't see any adverse comments at all.

Susan Kawaguchi: So should we just pull it out of data accuracy and put it as the last -- somehow to me it would fit in the very last recommendation.

Emily Taylor: That's a good suggestion.

Susan Kawaguchi: And after you've done all of this, we want you to then report back to us or to the community. I keep thinking it's going to be us, but it won't.

Emily Taylor: No, it won't. It'll be somebody else.

Susan Kawaguchi: And thank God.

Emily Taylor: Yes. So, yes, good suggestion. I don't see any objections to that. Let's do that. We will pull that out. So Alice, could you record that decision that the language on timeframe as an implementation part it adopted because it will be a separate recommendation at the end of the recommendation coming last. Kathy?

Kathy Kleinman: Emily, can I ask I quick question? It's Kathy.

Emily Taylor: Of course, yes.

Kathy Kleinman: Does the three months start after the close of the next round of public comment?

Susan Kawaguchi: Well, we sort of discussed that. I mean I keep saying that from the time the report is published, because I think they can work in concert with the public comment period. And like Emily just said, they are already working on all this, so. And when I read the AOC and it's posted there too, I mean it's on the Adobe room, it doesn't say anything about comment periods or anything. It's six months, so I don't -- maybe we need clarification from Denise on when that countdown starts.

Emily Taylor: Yes, I think that the key thing is that they -- oh, Denise. Please.

Denise Michel: It's six months from when the board receives your final report.

Susan Kawaguchi: So I think we should just keep that standard and not worry about the comment period.

Emily Taylor: Okay, so just list the timing from the AOC so that there's no divergence in the timeframes probably. Okay. Great. I think the next one is compliance recommendations, which I covered off earlier by admitting that there's been no progress. I think we're partly awaiting just a closing of the open issues, which were in discussion between ourselves and compliance. But there is actually more work to be done.

And what I'd appreciate, Alice, is if you could take an action to organize a call between the small group working on compliance to just pull together findings and recommendations and have a brief discussion before we do that because we haven't -- because also Peter's in Australia. We have not had the opportunity for any substantive discussions yet. So if you could schedule a call between us to take place in the next week or so. So it might be that we're not getting to our next meeting, but we're getting to the one after that with wording.

Okay. So next steps, we have our action items noted. The penholders, we all know who we are. Thank you for progress. We've made good progress this week and we just have to keep kind of trudging forward.

I've got two items of AOB. One I think is fairly quick, which is scheduling. And the other is a more substantive point on data validation, which forms part of accuracy. So can we take the scheduling one first? That is scheduling for the staff call, wasn't it, Kathy or Alice? I can't remember who asked.

Denise Michel: It was me. Hi, Emily. Just to say according to the to-do poll, the most convenient time is on Monday, 16th. So next Monday at 10:30 p.m. universal time. And I only have Susan, Peter, Kathy and Seth agreeing to that. I just want to have a show of hands in the Adobe

room maybe, just to confirm that you are -- you wish to schedule this call at that time. If any of you can join, just please show your hands and raise your hands.

James Bladel: Please restate the time.

Emily Taylor: It's 10:30 p.m. UTZ.

Denise Michel: That's universal time, so. I've added a time and date link in case you need to check your local time. Seth, James.

Emily Taylor: I'm not disagreeing, I'm just saying I'm unavailable for that call.

Denise Michel: Okay. James. Anyone else?

Emily Taylor: (Inaudible) do you have a comment?

Kathy Kleinman: Since I may be chairing it, can I ask what the purpose is of the call? I'm happy to chair it if Emily's not with us, but I'm now even more confused about what the purpose might be.

Denise Michel: Well, the purpose of this call is to have the subject matter experts from ICANN staff to just go deeper into discussions on some of the recommendations. (Inaudible)

Emily Taylor: I think, Denise, it was -- your line's a bit unclear at the moment. I think it's just also to update on the status of the RAA negotiations is what you said.

Denise Michel: Right.

Kathy Kleinman: So it's been -- I thought we talked earlier that this may actually raise some concerns now both with individual members of the team and the team itself. So is it still a discussion that we want to have? Do we have specific questions that we want to raise?

Emily Taylor: No, I think that's a very fair point, Kathy. I think it --

James Bladel: Should I even attend that call?

Emily Taylor: No. I think if you feel any level of discomfort.

Susan Kawaguchi: I don't think it's only a discussion of what's going on in the RAA. I think --

Kathy Kleinman: Oh, no, no, it's -- yes, I'm sorry. I didn't mean that it was only that. I was saying if you wanted more information on, for example, the specifics about relay and reveal that were being discussed, then we could have staff on the phone to share. But I think the key point of the call was to allow you to get more information from staff on some of the challenges or processes that might be involved in some of the recommendations, what the limitations were on the staff side and when a PDP would have to be triggered. Some of those questions that some team members have had.

This is entirely up to you, but we were looking at this as a way of responding to the more detailed queries that some team members seem to still have on some of the recommendations and their potential implementation.

Emily Taylor: Okay.

Kathy Kleinman: And it would be great to get a more -- I think a more -- a well articulated sort of agenda items in advance of this call so we can make sure we have the right staff on the phone to address the issues that are still of interest to the team members.

Susan Kawaguchi: I felt the last call was very useful and unfortunately I had to miss the first half hour of it. But there was definitely some disconnects I didn't understand and then we ran out of time. So, if possible, I would like to still schedule that call. I think my viewpoint after a year and a half of looking at this and how many years of living with inaccurate Whois - - that there are some things that ICANN could be doing now based on the current RAA, not on the -- we would not have to get into the discussions of the negotiating the new RAA. So, I would like to hear a stronger viewpoint and explanation from ICANN staff on some of those issues. I mean if you'd like me to put together my agenda points I could do that and send it to the group.

Emily Taylor: Thank you, Susan. I think -- let's go ahead with the call. I encourage you to -- because I'm not going to be on the call to circulate agenda items. There's clearly feedback on recommendation 17 as redrafted, which we've just asked for, so that should be on the agenda. If there any other items that you'd like to discuss, give Denise a head's up as far in advance as you can and that will make the best use of the time.

Okay? Validation. Let's just deal with this -- you introduced it, Susan, as something that's not just come up in -- not only come up in the letter from Larry Strickling, but of course in many of the public comments as well. If I can try to, just because we're over time and I said we'd be stopping absolutely on the half hour, which we haven't. But if I could just make a suggestion for a way forward on this, which is that there needs to be some discussion of it in our findings or preamble into data accuracy. That if we're not recommending validation or if we are, we probably need to give some agenda time up to this on our next call and maybe we could just have it as an agenda item for the next call to specifically discuss whether we're going to go there on data validation. Would that be a satisfactory response?

Susan Kawaguchi: Yes, I just think that we need it because it came from Larry Strickling and he's had some influence on our group that we should at least recognize it in the report.

Emily Taylor: Yes. And other commentators as well. So I think there's probably two substantive issues that we should probably give some time to next call because we'll -- I think we'll probably be -- sorry. How many times can I say probably in one sentence? I think we'll be awaiting language on several things, so we will be able to use our time to have some substantive discussion. I suggest that we save data validation is one, compliance and where we're going on compliance is another. And also, we may be able to cover proxy and privacy, but that's probably going to wait until next time. I think we'll be waiting language.

Okay. So with that, thank you all very much for your participation as ever. And thank you for your work in between calls. Let's keep up the momentum. I'm going to be in Sweden next Wednesday. I'm not sure of the timing of our next call, but it maybe that I'm not available. So I just thought I'd give you a head's up on that. But meantime, let's work away and progress our action items. I think that, Alice, you'll (inaudible) circulating the action items with big green tics and things like that. It's very useful to motivate people, so if that could be done, that would be great.

Alice Jansen: Okay, will do.

Emily Taylor: Okay. Thank you, all, very much and good evening or good morning, whatever it is for you.

Susan Kawaguchi: Thanks, Emily. Good call.

Kathy Kleinman: Thank you.

Sarmad Hussain: Thank you. Bye.