RECORDED VOICE: This meeting is now being recorded.

ALAN GREENBERG: Brenda, if we could do a roll call, please.

BRENDA BREWER: I apologize. I was on mute. Thank you very much, Alan. This is Brenda speaking for the record. Good day and welcome everyone to the RDS WHOIS2 Review Team Plenary Call #16 on January 19 at 13:30 UTC. In attendance today we have Volker, Susan, Dmitry, Alan, Chris and Lili.

In the observer room we have Svetlana. From ICANN Org we have Jean-Baptiste, Steve, Lisa, Alice, Amy, myself, Brenda. We have apologies from Katherine and Lisa. Today's call is being recorded. I'd like to remind you to state your name before speaking for the transcript. I'll turn it over to you, Alan. Thank you.

ALAN GREENBERG: Thank you very much. Are there any changes to statements of interest? Seeing no hands, hearing no voices, we will assume there are not, and I would like to welcome you to this call. Welcome Volker back into the group. We will go immediately to our first item of terms of reference. The status is at this point, they have been submitted to the board caucus group and we are awaiting input and we will get some level of input right now from Chris.

CHRIS DISSPAIN: Thank you, Alan. This is Chris. Okay, so I want to talk to you, this is me talking to you. There's a little bit of concern in the caucus group and a little bit of concern, I suspect, with the board generally, that we don't want to say stuff that's going to be problematic. The experience of trying to deal with the SSR2 review is not that we aren't grownups and can't move on from stuff, but I think there were some challenges around how we approached this.

So what I decided to do was have this conversation with you guys and talk through a couple of things and see if we can provide you with some useful feedback rather than feedback that might be challenging or might cause issues. Our current thinking, in simple terms, is that it makes sense from our point of view, from the board's point of view, to have this review team.

I'm going to use words that I wouldn't necessarily use in a document, but if you have an issue with the words, we can talk about it. But, split the work so that work is defined as that which is done now and some examples of that would include the stuff on compliance which Susan is leading a team on -- I think it's Susan anyway -- and work that needs to be done a little later in the cycle, and that where later in the cycle is in essence a time after the interim GDPR stats have been taken and that may be something like July.

And the sort of work that we think this review team from its terms of reference should be undertaking at that stage would be things like consumer data safeguards, registering data safeguards rather, because clearly until we know what the GDPR interim measures are going to be, we don't know those will be. Easy access, again, paraphrasing easy

access for law enforcement is again something that is going to possibly fundamentally change post the deadline of May.

There have been some concerns expressed that that might lead to things slowing down. I think the board feels that there's nothing wrong with the review team issuing, and again, I'm just going to give an example of doing the work on the compliance side of things and issuing a chapter of it through a report on that for public comment earlier rather than issuing everything together. I think the board would be supportive of that sort of approach.

And I think finally, the board, and also the caucus group, acknowledges that whilst you could argue that there's a whole raft of stuff that you might want to wait until the end of the PDP before reviewing, where we all of us who are intimately involved to cover up the mind that it is entirely possible that results from the PDP could be some significant time away and therefore to try and push those off might be challenging, but certainly in respect to GDPR, I think we'd be prepared to provide feedback to say we think you should split up the work and try and do it in those sorts of stages.

I hope I've made myself clear, but I'm happy to answer any questions and the [inaudible] of me having this discussion with you is so that I can then go away and come back with feedback if necessary to the review team.

ALAN GREENBERG: Thank you, Chris. I have a couple of comments. Does anyone else want to go first? Then I will. I think we had tentatively decided last week to

do something comparable to what you were talking about in that our discussion basically said we can't ignore things like GDPR and focus purely on the state of WHOIS as it was when we first convened in the middle of 2017 or roughly in the middle.

So, it would be a waste of our time to comment purely on the world as it was then with regard to things that are going to be changed because of ICANN's decision or no choice but to start looking at or considering the impacts of GDPR, so it was quite clear there was no point in evaluating something that we know is going to change in two months.

You're reference to perhaps waiting until July, I find a little bit curious because if we are serious, we're going to try to put in place some rules. They may not be fully implemented, but they should be pretty well described well before May. Certainly, I would think it's problematic if they're not. Although I'm completely supportive of what you're saying and I think we already had decided that, although maybe not as a formal decision.

I'm a little bit worried that if we can't even start considering those things until July, this process is going to take a lot longer than I certainly hoped for, so I guess I'd like any thoughts on that. Hopefully a model will be selected in the next month, month and a half, two months, and we will understand by no later than beginning of May, I would think, what it is we're going to be doing and start making some decisions on how we believe it impacts the things we're looking at.

I certainly did not plan in my mind to wait for the PDP to finished and we've all said all along we are simply going to ignore the work of the

PDP to the extent that it is ongoing. That's simply the reality we're living in. And we have Chris. Go ahead.

CHRIS DISSPAIN: So, Alan, maybe I'm misunderstanding, but what is in practice going to happen is that a model to deal with the WHOIS interface with GDPR is going to be decided upon. That model will decided upon with community input, feedback and so on and so forth, and that model will obviously be an interim model in the sense that some aspects of WHOIS may fall within the picket fence and therefore can be contractually mandated, and other aspects of it may in fact be policy and therefore in the bigger picture, will need to be handled with some form of policy development in that interface. And that may of course be affected and may all simply be subsumed into the PDP. So we are going to be doing that.

What I had in my mind was that the review team would need to see the in practice results of putting that model in place in order for it to do a review. Otherwise, all it's doing is a review of what's been chosen. That's not this review team's job and it's not particularly helpful. What's helpful, it seems to me, is a straight off the bat.

We've now done this for six weeks or two months, this review team is charged up, knows about WHOIS, and is now coming in and saying from the point of view of Law enforcement's access and the point of view of safeguarding consumer [inaudible] registrant data, I was only using those as examples, but they're obvious ones. These are the results of

what the model has done, rather than we can see this may happen, and that was why I said July.

ALAN GREENBERG: Alright. I guess I was imagining that whatever it is that we're going to implement, we can judge if as an example, we hide all registrant data and that the plan is we are going to hide all registrant data, then I think we don't have to wait to see it happen if that is indeed what we're going to do.

I'd like to think we're not going to put in place a plan which is so ridiculous that a week into it we decide we're going to scrap it. So I guess I didn't see a big difference between what we decide on to do and what we're six weeks later. I don't think we're going to get enough feedback. That's my take anyway. Chris, your hand is still up.

CHRIS DISSPAIN: Yes, I'm happy for us to continue to discuss this as long as everyone else is happy. Stephanie's put a question in the chat, which I'll answer in a second. I guess that's right, Alan, and I guess it depends on the model that gets chosen, but if you look at for example law enforcement, I would've thought that this review team's input and recommendations would be far more valuable if the physical happening of the new WHOIS under GDPR had occurred, and we were able to actually talk to law enforcement about what's actually happening.

I'm not fussed one way or the other, personally. I'm just trying to find a way of making sure the work is done at the right time and I'm

wondering if there is a particular reason why you -- I would have thought actual 'on the ground' input would be quite valuable, but at the end of the day, it's your call.

To answer Stephanie's question, Stephanie, ICANN can only mandate registrars and registries to comply with the policy if that policy is deemed to be inside the picket fence. The issue often times, there is currently no overarching WHOIS policy. There are bits of policy that impinge on WHOIS, but there is no overarching WHOIS policy and that is at least in part why we're having the issues that we're having with GDPR; most WHOIS is governed contractually right now and therefore is dealt with by contract, and that can't be mandated to the registries and registrars unless it falls within that mandate.

So, that's the challenge. It means that the GDPR decisions are currently being made as contractual decisions rather than policy decisions and we are unable to go to the data protection agencies and say to them, "Here is our WHOIS policy and here is why we collect the data." That's the response to that. I'll shut up now.

ALAN GREENBERG: Susan?

SUSAN KAWAGUCHI: So, I can see the relevance of waiting to review the GDPR six weeks or two months out. I can't imagine we would have the time to wait much longer than that, but I think unless WHOIS changes very little, there is going to be an immediate impact.

Also, I think we may see a different implementation than we expected from some registrars. So, interpretation of the roles made may provide some glaring examples we could use. Maybe not. Maybe they'll go very civilly and everybody will play nicely.

CHRIS DISSPAIN: Yeah, right.

SUSAN KAWAGUCHI: Just trying to be positive. But we're already seeing some registrars make some changes that are disturbing based on what they think, I guess, they're going to do, and based on their interpretations of the law. But I also don't think it stops us from, once the model comes out, start thinking about it, and in a way, reviewing it, and starting our thought process and figuring out the review questions based on the new policy that comes out prior to implementation.

So, I don't see it as an either/or. I see it as we couldn't do a full review of it until it had been implemented, but we could start our work once ICANN tells us what's going to happen. I think we could balance this, is what I'm getting at.

ALAN GREENBERG: Thank you, Susan. Stephanie.

STEPHANIE PERRIN: Stephanie Perrin for the record. Thank you, Chris, for that explanation. I'm still kind of scratching my head. Inside the picket fence is an unusual term to use in terms of policy and I always interpreted it as reinforcing what I would regard as an artificial construct that ICANN has not set policy by defining the model contract, so the contract with the registrars [inaudible] because there's plenty of policy in there, only it's in an implementation instrument because obviously we have a [inaudible] your contract where you define the terms of how your contracted parties are going to manage.

I'm not here to quibble at great lengths about how ICANN uses the term inside the picket fence, but is the fence around ICANN policy making here or is it around the contract that the contracted parties regard as entirely their business between ICANN and themselves? That's the part I'm confused about. Where is this fence?

ALAN GREENBERG: Thank you, Stephanie. I've got one comment. Let me try to answer that using a different set of words. The term inside the picket fence has always, as far as I understand, referred to the parts of contracts that can be changed by consensus policy, and WHOIS is within the picket fence. There's no question that WHOIS is not one of the issues that is eligible for policy change by a PDP after appropriate approvals at all the right levels.

So, there's no question in my mind that certainly most aspects, and perhaps all aspects of WHOIS, are within the picket fence, but that caveat says that can be changed by policy which implies a PDP, and

clearly any implementation that ICANN does of GDPR right now is not by policy, is not by a GNSO PDP, therefore, although the subject is within the picket fence, ICANN cannot mandate that the contract be changed by it, except to the extent that the ICANN board deems this to be a significant issue that must be addressed at which point, by contract, not by bylaws, the board has the right to enact policy on an interim basis for a three month term renewable three times for a total of the year while and in parallel with that, make sure that the GNSO is working on policy and presumably with a target of completing it within that window.

So, that's my understand of what can and cannot be done at this point. Now, to what extent we are going to be changing the policy or simply telling compliance not to enforce it -- I mean, for instance, the third model effectively disables the UDRP, the third model proposed because no WHOIS information that's published is only accessible by warrant and clearly UDRP providers are not going to be able to get the information they need to take any action.

So, to what extent we're going to ignore policy, consciously, is a different issue from to what extent we're going to change policy, and that of course, there is a whole bunch of unknowns that are sitting there. How do we pretend we have policy that is already in effect when we're now saying it cannot be used. So, we're in an interesting quandary.

The issue I was going to put my hand up is back on the timing. We're looking at a moving target. Whatever we decide to implement, it is conceivable that on June 1st, some eager beaver privacy officer in some country will take action against a registrar or registry that is not, in their

mind, complying and we may have to react to that. So, this is potentially going to be a changing moving target and I'm not sure any of us signed up for something that says we're going to have to monitor things day by day, and as the world changes around us, we're going to have to change our report and our position, and we explicitly said at the beginning, we are not looking at things that are a moving target.

Now, I think we've decided things de facto, and Chris has said the caucus group is supporting that, that we cannot ignore completely GDPR. On the other hand, we're not here for the next four years as every policy commissioner takes a ruling and the world changes slightly, so I think we're going to have an interesting problem, but we need to have some level of cut off. Chris, you're next.

CHRIS DISSPAIN: Thanks, Alan. I'm going to back out of this conversation shortly, but just to finish it off from the group's point of view. We're conscious of resources, I don't mean ICANN organization resources. I mean your resources, the review team's resources. We're conscious of people trying to get large lumps of work done over a short period of time. We're conscious of the need to spread the load in the review team.

And also, conscious of a fact, I wanted to make specific mention of the fact that the caucus group, and the board itself, is not necessarily aware of this, but will be, is also extraordinarily appreciative of the way that the review team is so far dealing with budget aspects and taking a very straightforward and sensible view about the costs.

It struck me that when I was thinking this through, that that's perhaps another reason for spreading the workload out a bit in the sense that, I wonder, I don't want to step into other people's toes here, but so far, the work that we're doing has been relatively slow, and then there are a small-ish number of people taking most of the strain, and it struck me that it might be actually quite helpful to spread the load a little bit whilst you wouldn't do it on its own.

It's a sort of subsidiary reason to the fact that reviewing what happens from the GDPR would be most helpful, but at the end of the day, it's up to the review team what it decides to do. What I don't want to is to set up an adversarial situation where the caucus group or rather the board eventually because the caucus group's feedback is only going to be unofficial and effectively between us, where the board ends up providing feedback that is taken as not being useful.

So I'm happy to help in any way that I can. I'm happy to see if we can come to some sort of understanding of the best way forward, and we'll support the review team in every way that we need to.

ALAN GREENBERG: Thank you, Chris. I have Susan next, but I think we need a level set. Based on the discussion we had last week, and based on all the comments so far, I'm hearing nothing which says we will not effectively defer part of our work that we know is going to be affected by GDPR until we at least see where we're going.

So, the division and the two steps, I don't think there is any push back whatsoever. The only question is how long do we have to wait before

the world is semi-stable before we do that work. And that, I do hear some differences on.

CHRIS DISSPAIN: Sorry, Alan. If I may, just to quickly respond. It may be that no decision is necessary in respect to that in this stage. In other words, it might be worth seeing what the model is before you make that position.

ALAN GREENBERG: In your mind, do we need to change the words in the terms of reference to reflect this? I think we should probably do a minor change, but that's all. In any case, Susan, you're next.

SUSAN KAWAGUCHI: Actually it looks like Stephanie is next, but…

ALAN GREENBERG: Stephanie's hand was up from before.

SUSAN KAWAGUCHI: Oh, okay. So, it's early in the morning. At the beginning of this, you said that we should [inaudible] some of the work GDPRs is obvious and I don't know if it's possible to put up all the subgroups or the categories that each subgroup is managing, and you mentioned something that should be put off farther beyond GDPR. Are there other categories that the board caucus suggest that we put off a little bit farther?

CHRIS DISSPAIN: Alan, is it okay if I respond?

ALAN GREENBERG: Yes please, go ahead.

CHRIS DISSPAIN: Thanks. Susan, give me a second if I can get my computer to work. I was really just giving some examples, but if you look at the sort of stuff which obviously can be done immediately, the things that spring to mind there are the effectiveness and transparency of enforcement of existing policy through contractual compliance, and the extents to which ICANN org has implemented the prior directory service review; those two things have clearly sat alone, if you will.

Things that might want to be pushed off in the sense of left until a little later, the safeguards of registrant data and the legitimate needs of law enforcement were the two that I mentioned. I haven't considered amy of the others in any detail.

SUSAN KAWAGUCHI: Okay. That helps.

ALAN GREENBERG: Go ahead, Susan.

SUSAN KAWAGUCHI: I just want to make one other comment. And your comment about this review team and the amount of people we have to do the work, I'm hoping you, as a board member, will keep that in mind and encourage the SOs and ACs for the next review team to at least select a minimum of 15 because we're already seeing the impact of only having 10 members.

CHRIS DISSPAIN: I completely agree with you.

SUSAN KAWAGUCHI: Yeah, someone should talk to the other -- GNSO is ready to give seven every time. So, we would like to see that same eagerness to participate and staff, the review team. That's the GNSO position.

ALAN GREENBERG: It's Alan. Taking off my chair of this group and putting on my ALAC chair hat, if you look historically, we have always had a range of a number of people that are proposed. The current rules say you can have up to seven but rarely has any group proposed that many with the exception of the GNSO, so it's not clear that we're looking for a larger number all together, and I think that we do have to, in general subjects -- and this one is a different one, you know, look to make sure we have some balance so that one AC or SO was not essentially ruling the overall thing.

Now, here we have, this is basically a GNSO issue, and it would be quite reasonable to have more. I'm more concerned with trying to make sure that the people who volunteer actually work than simply adding more

people to the pile with the knowledge that some percentage of them will not be delivering. That's an issue that requires more discussion and I don't think is our focus right now. Chris, your hand is up. Is that a new one or an old one?

CHRIS DISSPAIN: Yeah, I also noticed, it is a new hand, but Brenda's hand has been up for some time as well.

ALAN GREENBERG: Oh okay, sorry. Brenda?

BRENDA BREWER: Thank you, Chris and Alan. Just a bit of admin. We have two phone numbers that have joined the call who I'd like to identify for attendance. If your number ends in 5219 or ends in 9458, please identify your name for the attendance.

TRANG NGUYEN: 9458is Trang.

ALAN GREENBERG: Sorry, Trang, what number is yours?

TRANG NGUYEN: 9458.

BRENDA BREWER: Thank you, Trang.

ALAN GREENBERG: And who --

THOMAS WALDEN: 5219 is Thomas Walden.

BRENDA BREWER: Thank you, Thomas. We're good, thank you.

CHRIS DISSPAIN: So Alan, I just wanted to address the point that Susan made about people. I don't know whether it's of any assistance or not, but the ccNSO presumably still has the option to appoint people. Would you like me to push against that door and see if I can get them to either say yes or we're not going to, in which case we can then fill the gaps with some others?

ALAN GREENBERG: Well, at this point, we did have a small discussion on the leadership call and I think it is time to tell them to either name someone quickly or not, and we were waiting to get some level of feedback. I think through this feedback, I can now send a message to Katrina, but to have someone

join after we're already starting the substantive work and get them up to speed, I think has less and less value as we're going forward.

CHRIS DISSPAIN: I agree, but it depends on who they are, of course, as to whether they have enough knowledge to be able to do that.

ALAN GREENBERG: I understand. [CROSSTALK] Let me go on to the other part. The concept of adding more people at this point, our process doesn't really provide for that. We're clearly likely to do that in SSR2 as an undocumented and completely on the fly process of adding some people, but it's not clear how we're going to do that and it's not clear even if we're doing that from the original pool or from a new pool we are creating on the fly.

So, I'm not sure we have a process right now to add people along the way, and if this review team as a whole believes that's something that absolutely crucially has to be done, then we can certainly request it, but I wouldn't presume it's something that's magically going to happen at this point. Chris, last words to you before we move on.

CHRIS DISSPAIN: I'm done. If I can help in any way, let me know. Other than that, thank you.

ALAN GREENBERG: Okay, then I will take it on as a task and staff can record it as an action item that I in conjunction with the leadership team will see if we can make some minor tweak, a minor change to the terms of reference to reflect what we've been discussing.

Any further comments on terms of reference? And another action item for me is to contact Katrina. Susan, please go ahead.

SUSAN KAWAGUCHI: So, if we take Chris's advice, the board caucus's advice, then we might want to immediately at least look at the safeguard subgroup and the LE subgroup and reallocate or re-envision what those two subgroups are doing and reallocate the people temporarily.

ALAN GREENBERG: I think we want to look at them one by one. It's quite interesting that if you look at the different things, to the extent that the current WHOIS addresses law enforcement issues, we have to do that. The implementation of GDPR is only going to make that worse because we are talking about hiding data that will not be readily accessible. Safeguarding registrant data goes in the exact opposite direction, and again, we don't know how much it's going to help in this case instead of hurt, but we know it will.

So there may well be some work we can do initially, but you're right. To a large extent, we are not going to certainly finalize things until we have a better feel for which model we're going for, and I don't know at this

point -- if Chris is still on the call, do you have any idea when we are expecting a decision on the final model?

And to be clear, my understanding right now, although it wasn't originally, is we are not likely to pick one of the three models or one of the flavors of the second model, but we are likely to come up with a composite pick and choose new model that is somehow a merger of all the ideas, so the optimal merger. That's what I understand today. So, any idea of when that's likely to happen, the announcement made that this is the model?

CHRIS DISSPAIN: No, not really. As you've said a couple of times, we are right in the middle of several movable pieces right now. Communications may arrive from all sorts of areas, such as from the DPAs themselves. There's a rumor flying around that they're actually intending to respond to the models being put out, although that's only a rumor. Whether it's true or not, I have no idea.

So, I don't know the answer to that question. The only thing any of us I think can say for sure is that we all know what the deadline is in the sense that whatever the date is in May, that the rules come in, but I'll happily go in and see if I can find out if there's a plan. Sorry, I know there's a plan.

In respect to your other comment, just to be clear, yes, my understanding is entirely that it's not intended that model one sits alone and model two -- and to give a very specific example. Model three is in fact what Europe does in respect to dotEU, but only in

respect to entries in the WHOIS that have no indication whatsoever of some sort of corporate involvement, so if you put in any data into WHOIS in dotEU, that indicates an organization will provide some sort of number for a company or organization, then the full draft of data is published, but if you don't do that, it's deemed to be personal, and they use model three. That's just an example of taking bits from different models. Thanks.

ALAN GREENBERG: Thank you, Chris. Any further discussion on terms of reference? [AUDIO BREAK]

Then we will go on. And the next agenda item is work plan. Staff has been doing a significant amount of work adjusting the work plan, factoring in, to a large extent, the slippage that we have done on not delivering the initial passes in the time frame we originally planned, and also factoring in the fact that we decided not to meet in San Juan, and I guess I will turn it over to I presume Alice, to look at the work plan and give us some idea of what has changed.

As you'll see in the chart, there is a very significant number of changes, and what I've done is asked Alice to try to walk us through it, not line by line, but just say what has driven the various changes and the changes as perhaps is obvious, are the ones highlighted in yellow. Alice.

ALICE JANSEN: Thank you, Alan. So, as Alan just indicated, we've made a number of changes to the work plan to reflect the current status and we've highlighted the edits so it's easier for you all to navigate through them.

In the plan [inaudible] section, we've reorganized top [inaudible] around the sequence of events, and we've also given some extra time for the adoption of the template for findings and recommendations, as well as the structure of the [inaudible] some groups are still in the process of defining their work statements.

We've also pushed the release of terms of reference and work plan for board continuation to February 2nd. As you'll see, we've also adjusted the outreach plan adoption date. If we scroll down to the subgroup section, you will notice that January 22nd is now your new date for delivery and approval of your subgroup planning documents. It really is important for you to define the resources you need as well as the plan of action that you will take so you all know in which direction you're headed.

Once the subgroups have laid the groundwork, the next step will be for them to roll up their sleeves, if you will, and execute the plan of action they've defined, so interviews, reading, investigations, etcetera should be conducted with the objective of putting together some findings by February 22nd. That's one of the key dates as well.

So once you have your findings in place, we'll move to the next phase which is for subgroups to draft their recommendation. Subgroups will be expected to produce a report that comprises both approved findings

and recommendations by March 22nd, and [inaudible] after approval, the subgroup draft report by April 5th.

So there's a reason for this. As you know, we determined on last week's call that mid-April would be the most convenient timeframe to advance on work of the review team level, so this decision was plugged into the work plan and dates associated with subgroup work were mapped out accordingly.

Just as a separate update, we're working on finding a venue and defining dates for this mid-April event and we'll get back to you on this as soon as possible.

Jumping back to the work plan, subgroup reports will need to be sent before the review team in preparation for that face to face meeting, and at the face to face meeting rapporteurs and their subgroup members will be asked to present the content of their reports and we'll have a full review team discussion of the recommendations and findings.

Then the rapporteurs and team members will take their highlights from the meeting, the takeaways, and will incorporate edits to their findings or recommendations as they deem appropriate based on the review team discussion. May 24th is the deadline we've established as the final date for the subgroups to finalize their reports.

Then we move on to a phase in the lifecycle of the review where subgroups are reassembled into the plenary to put together a review team draft report which will essentially encapsulate the subgroups findings and recommendations, all of them.

Staff will get your suggested draft template in the early April timeframe that will help you visualize how the report should be structured and we hope this will help you shape your work. So the first important step on the roadmap to the draft report will be to approve draft findings and recommendations. The deadline to do so for this work plan is June 28th. This coincides with the ICANN62 meeting in San Juan, and ICANN62 will also be an opportunity for you to conduct your outreach, provide an overview of your findings, collect feedback, etcetera, and once you have your approved draft recommendations and findings, the work plan allows for a month for you to produce a draft report.

So technically, this will be fairly simple since you have the structure in place and you also have your subgroup report's findings and recommendations, so it will be a matter of merging everything into one draft.

ICANN staff will then send the designated sections to language services for translation so you're ready for your public comment period. So, the report will go out for a 40 day public comment period and we've established October 5th as the estimated end date for the public comment period.

Then, all you'll need to do is go through the input you've received, consolidate the report with your objectives of issuing a final report for board consideration no later than December 21st. So these are the highlights of the work plan as we have it now, and I'll turn it over to Alan for discussion.

ALAN GREENBERG:
Thank you, Alice. I will of course, as the first comments say, all of this was before we had the last discussion, and it's quite clear that we are now talking about significant parts of the report which may not fit into this model at all. We're talking about finalizing things in June, and as we heard, we may be in a situation that we don't even start discussing some of the things until July.

We are going to have an interesting discussion sometime in the future about just how long was the commitment people made to this group and do we have a drop dead date of we have to complete because people will start disappearing or are highly inclined to want to disappear, if nothing else. So, all of this is, again, is tentative based on what we have now -- no tentative, but it's likely to change again because of what we have now talked about.

With that, I'll open it up to anyone else who has any comments. Everyone is happy with it or stunned? Or doesn't think it's worth talking about right now given that we've just changed some of the major substance? I guess all of the above.

Alright, then I thank Alice for the work, and to the extent that this now applies to the parts that we can start working on immediately, then I think it's important for people to look at it and say, "Is it realistic?" Clearly, the final report is going to be delayed from what we're talking about here, and some of the milestones along the way for the ones that we are not starting to work on right away will also be similarly delayed, but we'll wait for further discussion on that.

Okay. What is the next agenda item? We have subgroup status and next steps. We have people on this call who have not been on it in recent weeks or certainly when we had the previous discussions to review their items, and I think the first one is Volker. You are responsible for -- there were two of them, I think. I don´t have the thing in front of me. The first is privacy proxy services and the second one is the common interface. Do you have anything you can tell us at this point about either where you are or where you're predicting you will be on those subtopics?

VOLKER GRIEMANN: Quite honestly, on this stage, we've just defined the roles new to my leaving for [inaudible] leave now. This is my first week after coming back, so nothing has happened. Yes, I'd have to now start working on that.

ALAN GREENBERG: Okay. Then we don't have anything further on that, and Thomas, the last I heard, you had sent a preliminary draft of the first pass to Katherine, but Katherine isn't on this call. If you can tell us at what stage you're in and are you in a position to provide that draft to the rest of the group so we can look at it?

THOMAS WALDEN: Yes, I'm at the stage now, she was fine with everything it was. She had nothing to add. I was having just some issues with where I was with adding that to the wiki page so people could take a look at it. So, I can

take care of that today so the rest of the group can take a look at what I came up with, and I will take care of that today.

ALAN GREENBERG: Okay, thank you. I don't think any of us are adding it to the wiki page ourselves. At least many of them aren't. If you just send it to the subgroup mailing list, then staff will take care of posting it.

THOMAS WALDEN: I will do that this morning, sir. Or evening for you.

ALAN GREENBERG: No, morning for me too.

THOMAS WALDEN: Okay, good to hear.

ALAN GREENBERG: Any other questions or comments on this?

Jean-Baptiste, are there any other items I've forgotten that we were supposed to be reviewing today other than the ones we already have or the ones assigned to Stephanie -- to Volker, and Thomas?

EN

JEAN-BAPTISTE DEROULEZ: Hi Alan, I didn't see -- I'm sorry, I was out. But looking at the different updates that were received, I saw that there was an update version for compliance, but other than that, I didn't see any other updates.

ALAN GREENBERG: Alright. By the way, on compliance, you have merged the compliance new topic with the rec4. I believe we need to keep these as separate topics because they're going to be addressed differently. I think we just decided that the same team would be used for two.

In terms of record keeping of where we are on these, we really should keep them separate as two different topics even though the subgroup is the same. Susan, does that make sense? We're going to do them as different tasks even though we've decided it makes sense to use the same people.

SUSAN KAWAGUCHI: I thought the decision was to merge the teams so that we have all the same people looking at both sort of topics or parts of compliance, so it made sense to me when I saw the compilation of it because what we can do is we can work on the rec4 for compliance and then move on to the overall compliance review. I don't see it as a problem.

ALAN GREENBERG: Okay. I just thought the timeline is going to be different and [inaudible] the track whether the review of the WHOIS1 is done and what stage it's that it's going to be[inaudible], it could be tracked differently than the

other one. I don't feel very strongly about it but if you're happy with what's presented on the screen right now, then we'll stay with that.

SUSAN KAWAGUCHI: Yeah, unless the other team members have some issues with it, I'm fine with it.

ALAN GREENBERG: Okay, then I retract my statement. Stephanie, can you give us an idea of what's going on or what will be going on with anything new? Staff has put together a long laundry list of things that have changed, and I would have thought that the first part of this process is to make recommendations on what we in fact are going to address and what we are not going to address.

There is no requirement that we look at everything new. It's a matter of picking and choosing where we think we want to focus our efforts. I think that's one of the discussions we're going to have to have in this group as the plenary and where are you in predicting in terms of having the first pass done?

STEPHANIE PERRIN: Hi. Profuse apologies for having dropped the ball on my particular working group. I won't give you all the excuses but they have been manifold. So, I'm going to have to catch up very quickly and figure out because the last time I tuned in on this whole question of whether we're looking at GDPR, the opinion was that we weren't going to, that it

was out of scope, and obviously things have changed and we're going to be looking at GDPR.

So, I will focus on that this week, get a meeting of our little subgroup going and discuss the laundry list, but I have done nothing on it so far. Sorry.

ALAN GREENBERG: All right. I guess to the extent that we can do that sooner rather than later to -- because, potentially, that could add some very significant work items to our list, and I'm just a little worried that if we don't know that soon, then doing any work planning is going to be really hard.

STEPHANIE PERRIN: Well, I must say, this is a see change in whether or not we consider that within scope, so I'm going to have to wrap my head around it and figure out exactly what the priorities might be, and I still haven't listened to every single recording. I've had major computer meltdowns here, and a line speed problem that is making life extraordinarily difficult to work with Adobe again.

ALAN GREENBERG: That's what happens when you live in a developing country.

STEPHANIE PERRIN:	I live 45 minutes from the nation's capital. Don't get me started. I'm good for hours on this. My up speed is still hovering around .2 megabytes per second, you know? So, don't even get me started.
	So yes, I really apologize. I'm going to spend quality time on the weekend trying to get this fixed, even if it involves driving into town and borrowing a son's excellent connection.
ALAN GREENBERG:	Thank you. Anything else anyone wants to raise or discuss with regard to subgroups?
TRANG NGUYEN:	Alan, this is Trang. Can I chime in on this?
ALAN GREENBERG:	Yes, you certainly may.
TRANG NGUYEN:	Thank you. It strikes me that some of the items that are on that inventory list are due for review. For example the transfer policy as well as the WHOIS accuracy specification of the 2013 RAA.
ALAN GREENBERG:	We seem to have a significant echo somewhere. Stephanie, that's your line. If we could mute Stephanie's line. Let's try again, Trang.

TRANG NGUYEN: Thank you. Yes Alan, I was just saying that it strikes me that some of the items are on the inventory list.   Such as the WHOIS accuracy specification of the 2013 RAA and the transfer policy are up for review, and I don't know that we noted that for you on the inventory list.

So what we can do is take an action item to take another look at that inventory list and layout for you those items that are going to be reviewed via other mechanisms, but will be looked at and that can inform your discussions as to whether or not for this review team to take on any additional work on those items.

ALAN GREENBERG: Thank you, Trang. To the extent you could get that done today, since Stephanie said she was going to be start looking at the list this weekend, that would be useful.

TRANG NGUYEN: Absolutely.

ALAN GREENBERG: Any further comments on any of the overall discussion of subgroups? Then we'll go on to the next item, and that is the request for written implementation briefings, and I had a bit of a problem when I was putting this together in that my original notes had disappeared and I was doing it from memory. Most of it is what was already discussed and circulated to this group a long time ago.

The last bullet on the list of things on the list of things [inaudible] include it was originally to the extent practical or the staff assessment of whether the time was well spent, and the suggestion was made, I think by Trang -- I really thought it was Lisa but I was told that it was probably Trang -- that that is not something staff would feel comfortable doing but they could provide an assessment of how much staff time resources went into it so we could, if we choose, try to make an assessment of whether this was a good idea or not given the outcomes and the work involved.

I'm just a little bit concerned that that sounds like a daunting job to go back and reconstruct work done over the last four years or something like that. I guess I'd like to ask Trang, is this something that is really going to be easy to do, and will it provide a measure that will be useful to us? I'm not quite sure if you were planning to report this in staff hours, person years, or what kind of measure are we even talking about?

TRANG NGUYEN: Hi Alan. This is Trang. To answer that specific question, I was envisioning we could at a very high level roughly estimate the number of FTE and the duration of the time that it took to implement the recommendation. Again, it would be very high level. To get any more detail then that is going to be near impossible, so it would be sort of a very high level, rough estimate of how many FTEs supported the effort and for how long.

ALAN GREENBERG: So we're talking about a few managers getting together and talking for about an hour to come up with these numbers or two hours, not a huge task to try to put together. Does that sound roughly right?

TRANG NGUYEN: That's correct.

ALAN GREENBERG: Okay, then are you comfortable with the wording we have right now?

TRANG NGUYEN: I'm comfortable with the estimation of the resources. I think the wording also mentions costs, and I don't know what's envisioned there, but if we're looking for exact professional services cost, if there were any sort of surveys performed or any experts engaged to do any kind of studies or anything like that; if we're talking about those types of things or activities that went back four or five years ago, I'll have to check with finance to see.

I don't know how the cost may have been captured and how we would even be able to get that number at this point in time. That's going to be hard.

ALAN GREENBERG: It does say to the degree practical, and certainly, the marching orders that I'm imagining are if you can do it, come up with these estimates in

a few hours, fine. If you're going to charge someone for the next two weeks to develop it, it's not worth it.

So, if you feel comfortable with that interpretation of the word to the degree practical, then we can leave the wording as is. And it says staff time/resources, so it can be presented in whatever form makes sense for the particular task.

TRANG NGUYEN: Sounds good.

ALAN GREENBERG: I'm offering the courtesy of what kind of timeframe is indeed reasonable. If it's going to take four months to come up with these written briefings, then their value decreases significantly. If it's something that we can do within a matter of weeks, in less than a month, then their value goes up rather quickly, so what do you feel comfortable with us asking for?

TRANG NGUYEN: So Alan, is the review team looking for a written briefing on every single area that we've presented in the past, or are you looking for written briefings only for those items where the subgroups specified that they could benefit from such written briefings?

I'm only asking because in reading some of the subgroups' documents, it seems like some of the subgroups do not require any additional

briefings on the topic to begin their work, but rather they have certain other questions and things that they're looking for.

So I'm just wondering from a resources perspective whether or not we prioritize the work that way to provide written briefings for those subgroups that require it and then focus the rest of our attention on providing the additional information that they're looking for.

ALAN GREENBERG: In my mind, there's not a big difference between those. For instance, the single WHOIS policy, we know what you have done is identified the various bits and pieces of policies and point it to them in a single place, so describing that I don't think is going to take an awful lot of work, and those are the ones where it's well documented already what the outcomes were that I think are the ones that are not asking for any written things.

My inclination would tend to be all of them, that is all 16 recommendations, but I don't think in some of the cases it's going to be a rather onerous task. So -- yeah, go ahead, sorry.

TRANG NGUYEN: If it's okay with you, Alan, let me take that back and then provide an estimate for how quickly we can complete this. Maybe by Monday. I'm only saying this because it won't be just my team doing the written briefing. Some of the compliance stuff, I'll have to check in with compliance to see how quickly they can do their pieces and some of the briefings will have to come from other teams.

So, if you're okay, give me a little bit of time, and I'll come back to the subgroup committee or the review team on Monday with an estimate.

ALAN GREENBERG: That is fine. And if there are any outliers that a particular one is going to be the more difficult one to do, then please identify those. I don't think we're demanding that everything be delivered on the same day if indeed for time constraints, and I think we're pretty well aware that we may be talking about the same people who are working on GDPR in some of these cases and we understand what the priorities are.

TRANG NGUYEN: Thank you, Alan.

ALAN GREENBERG: Alright, so once we get an estimate of a date, I will formally forward this, but I think you can take this as given that it will be received and to the extent that you can start working on this and getting the job in process and so be it.

Next item on the agenda is the planning for the meeting on Monday. Now, I will not be on the call. There's a small chance I might be, but chances are I will not be able to make the call. I'm traveling, and Susan has offered graciously to lead the call. The question is, is there a call? At this point, we have another 20 minutes left in this call.

Are we going to have substantive work ready for the plenary to do? Are there subgroups that can meet within this hour and a half time, perhaps

two different subgroups or I'm sure we can arrange for two different phone numbers if we want to do it in parallel? That are in a position to do significant work, or do we just cancel the call?

Last time, I'll remind you, on the Friday call, we ran out of time and had several agenda items which we could not get to. That will not be the case today. Erika said keep the 22nd for subgroups, but if we don't give staff information on which subgroups and I timing to set up parallel calls if we need two of them, then it's not going to happen. Susan, please go ahead.

SUSAN KAWAGUCHI: Yeah, I just sent out an email yesterday with the new compliances to everyone in it, and so I guess it's really -- well anyway, we're using the recommendations for the wiki and anything, so I would be prepared to talk on Monday about compliance. I think we have a lot of planning to do on some things, some opportunities that are coming up.

I'll be in the ICANN offices not next week but the week after for GNSO and an intersessional thing, and I think Chris is going to be there too, so we'd have a couple of us that we could actually talk to compliance and try to get started on how we're reviewing compliance.

So I was wondering if others on the compliance team would have time to talk during this timeslot or during the timeslot scheduled for the regular plenary. I did put that into my email too. I would like to schedule some time --

ALAN GREENBERG:	I'm certainly involved in that, and I think I'll be able to be available to participate but not run the call, so I think I could probably participate if we decide to do it next Monday.
SUSAN KAWAGUCHI:	Okay. That's good.
ALAN GREENBERG:	Not easily, I will point out, but not as difficult as you in terms of time zones. I'll have an hour better than you. My only concern is whether there will be a place in the hotel I'm in where I can do this quietly, and I'm hoping I'll find someplace where I can do that.
SUSAN KAWAGUCHI:	Anyone else? I'm trying to think of all the subgroups.
ALAN GREENBERG:	Who else is in this group? Erika? Thomas. And Chris, who may or may not be on the call, and Carlton. Carlton isn't on this call, so we should make an attempt to get a hold of him and find out whether he was going to be on that call. I would hold it regardless, but --
THOMAS WALDEN:	This is Tom. It looks like Monday I may not be available. I've got back to back meetings, one at my headquarters and one at a place 20 miles a little bit away from there. I'm in one from 9:00 to 10:00 and then

another one from 10:30 until like 1:00 or so, so I may not be available Monday to call in for anything.

ALAN GREENBERG: Alright. Susan, I'll leave it up to you whether you decide to hold it or not. If so, just let me know, please.

SUSAN KAWAGUCHI: Okay.

ALAN GREENBERG: Is there anyone else who is interested in holding a call at this point?

SUSAN KAWAGUCHI: Erika says she can join a call.

ALAN GREENBERG: Yeah, but I presume we were talking about the compliance. Alright, then let us assume there will be a compliance call on Monday starting at the same time the plenary would have started, and if there is not anything else, then we are canceling the plenary, so staff can take action on that.

Is there any other business? Does staff have any report, I'm not sure if Alice or Jean-Baptiste, for any progress on investigating options for a meeting in April?

ALICE JANSEN: Hi Alan, this is Alice. We're still working on it, and we hope to have a response for you sometime next week.

ALAN GREENBERG: Okay, thank you. Alright then, if there's no any other business, no other hands, then I will give you back 15 minutes of your life and the meeting is adjourned. Thank you.

[END OF TRANSCRIPTION]