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BRENDA BREWER: Good day, everyone. This is Brenda speaking for the record. Welcome to the RDS WHOIS2 Review team Plenary Call No. 17, on February 2, 2018, at 13:30 UTC. In attendance today, we have Susan, Dmitry, Alan, Stephanie, and Carlton. In the observer room, we have Vignesh. For ICANN.org, we have Alice; Brenda, myself; Steve; Jean-Baptiste; Lisa; and Amy. We have apologies today from Cathrin, Lili, Chris, Volker, and Thomas replied as tentative.

I would like to remind you today's call is being recorded. Please state your name before speaking for the transcript, and I'll turn the meeting over to you, Alan. Thank you.

ALAN GREENBERG: Thank you very much. Welcome. We have a relatively full agenda today. And first of all, is there anyone who has updates to the statement of interest? Seeing nothing, hearing nothing, we'll go on to the first substantive item of terms of reference. Well, sorry, if we could display the agenda, and is there anyone who has any additions to the agenda? I have one AOB item on the ccNSO representation on this working group.

Nothing else at this point -- well, if there anything coming along, we can add it as we go along. The first time is terms of reference. You'll recall that at our last meeting, Chris shared with us the feeling -- not feelings, but the input from the board caucus group, agreeing with us, of our previous decision that we cannot ignore GDPR and pretend the world is exactly as it was when we convened this group several months ago.

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

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But the concern was that, perhaps, we want to delay some of our work and not complete -- not either work on or complete the work on items, which will be implicitly affected by GDPR implementation, or ICANN's -- treats GDPR and delay those until we are a little bit more conversant with what is going to be happening, as opposed to pure hypothesis.

To address that, I added a paragraph at the bottom of scope in the terms of reference. And what it reads -- it's on the screen right now, but I'll read it -- "In recognition that the WHOIS landscape will be changing, perhaps radically, over the coming months, as ICANN addresses how it will respond to the European Union General Data Protection Regulation, GDPR, the review team may choose to defer some or all of its work in relation to the scope items on law enforcement needs, consumer trust, and safeguarding registrant data, until it is more clear what path ICANN will be following.

Should any work be deferred, individual timelines may slip; however, it is the intent of the review team that the overall schedule called -- calling for the final report to be delivered at the end of December 2018, may not change appreciably. Now, my rationale for that is, although, what Chris said -- and we had actually had a similar discussion the week before in this group -- is true, I think we can make some educated guesses and do at least part of the work.

So, for instance, on one of my items on safeguarding registrant data, we know right now that registrant data is not safeguarded at all. We know with GDPR, at least some registrants will have some of their data protected and not made publicly available. We don't know the exact extent to whether that will cover all registrants; all natural person

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registrants; all natural person registrants, resident in the EU; all of those options have been proposed.

But we can certainly outline where we're going, and then, you know, identify which of the paths we're going down when we get closer to a decision being made. So, I think in all of these cases, we can do some of our work ahead of time. We're not constrained, but clearly, we don't to draft final documents and things like that until we have a better idea of where we're going.

Now, I'd like to open the floor; is that a reasonable position? And No. 2, are there any other parts within our scope that will be subject to variation based on GDPR? And no comments -- Susan, sorry, you were going to say something. Go ahead, Susan.

SUSAN KAWAGUCHI:

Yeah. I'm just wondering if we also cull out compliance because if the GDPR will impact compliance quite a bit.

ALAN GREENBERG:

It's certainly going to impact what they do or, perhaps, what they don't to because it's really a matter of telling compliance, "Don't bother trying to enforce certain aspects of WHOIS policy." But since we're looking at it from a point of view of, "Are they disclosing things properly? Are they giving us proper reports? Are they open and transparent?"

And those are some of the buzzwords we put into the item, I'm not sure that the exact details of what they're doing are going to impact our work, to a large extent. Maybe I'm missing something and, certainly,

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there may be some fine-tuning because of it, but I don't see it as a significant part of what parts of compliance we're evaluating and looking at. Am I missing something?

SUSAN KAWAGUCHI:

Well, I mean, I can understand that point of view. You know, my concern is that it's something new for compliance to evaluate the policy, whatever new policy is put in place or interim policy, and then, decide on how to, you know, enforce that policy.

And, in the past, I've disagreed with the interpretation of policy in compliance. So, I'm assuming that I will disagree with the way they interpret this policy and enforce. So -- I mean, I guess it is the same type of issue -- I guess the issues really won't change, and it's 4:30 and I'm sort of trying to think this through, so --

ALAN GREENBERG:

Yeah.

SUSAN KAWAGUCHI:

Forgive me for [inaudible], but maybe you're right and we don't need it in there. I don't want to be prevented to, you know, continuing to look at compliance and GDPR after the GDPR interim model is proposed for [CROSSTALK] --

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ALAN GREENBERG:

Yeah. I don't think anything's locked in stone until we, you know, we say this is the final report we're delivering in December or sometime near by December. But remember, we're not talking about a new policy; the policies are staying the same until the GNSO PDP completes. What we're doing is giving, essentially, giving compliance instructions to not enforce certain aspects of the policies.

And so, I think they're going to have a lot less latitude to interpret that because I think whatever the GDPR model that we're using is going to be -- they're going to be getting pretty specific instructions on what to enforce and what to not enforce. I may be wrong on that, but that's how I read the current process.

But, in any case, we're not locked out from doing any tweaking as we go along; the question is, do we put the whole project on hold? And I can't see doing that for the compliance.

SUSAN KAWAGUCHI:

Well, so if that's the thought process, I don't see putting law enforcement, consumer trust, and safeguarding registrant data on hold, either.

ALAN GREENBERG:

I think you're agreeing strongly with what I said in the document. The original proposal from Chris was, "Let's just put these on hold and not do anything." I think, in fact, we know enough about where we are today, and where we are likely to be three months from now. We don't know the details, but we know the general trend, that I think we can do

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a fair amount of the work ahead of time -- before we know the details.  
So, I think you're agreeing with me there.

SUSAN KAWAGUCHI: All right. Well, I'm glad you are understanding what I'm [inaudible],  
you're right. Okay.

ALAN GREENBERG: And, Stephanie, you have a comment in the chat -- "Interim measures  
are a policy in absence of clear policy, in my view." They're the de facto  
policy, but in ICANN's terminology, they're not policy. Would you like to  
speak? In any case, I think, whether it's policy or implementation, I  
don't think think is our major concern right now; we're looking at the  
end product, regardless of the rationale for why it is being done. And  
we have a new addition to the call, from an 876 number.

UNKNOWN SPEAKER: That's me, Alan. I'm calling in directly.

ALAN GREENBERG: Ah, you can speak. Congratulations.

UNKNOWN SPEAKER: Yeah. Yes, I have to call directly.

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ALAN GREENBERG:

That's fine. Anyone have any further comments on this? We're clearing not a large enough group to simply decide that this is what is going ahead, but we can report on email and I could ask staff to send out a message to the team members suggesting that the five people on this call are accepting this wording and give people a deadline of, perhaps, to the middle of next week to come up with any alternative or raise any issues they have with it.

All right. I notice of under terms of reference, Jean-Baptiste has included the item I put AOB, and that is the response to the ccNSO. You will recall that we've been having a dialogue with the ccNSO as to whether they will add people to the review team or not.

The last interaction, when we sent them the, you know, essentially, complete scope as in the terms of reference right now, and their response was, unless we have any request for targeted, specific skills that we are looking for from ccNSO, that they will not name anyone to the group at this point.

The reaction of the leadership team was given how late we are and the fact that we're already well into our work, and we do not have -- we have not identified any specific skills we are looking for from the ccNSO that we are happy to leave it at that, and simply remove them as potential added people and lock in the review team as it is right now. Anyone have any comments or thoughts on that?

ALAN GREENBERG:

Yes, go ahead.

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UNKNOWN SPEAKER: I think we should -- I would go along with the suggestion. We just lock in the team as it is and move on.

ALAN GREENBERG: Thank you very much. I'll ask the same message -- that it will go out on the reaction to the board caucus group and the solution to it, to also add in that there's a recommended decision that we do that.

And again, ask for any comments by the middle of next week, if anyone believes that is not the right way to go. With that, I think we can move on to the next agenda item. And I will turn it over to Alice, I believe -- yes, your hand is up. Please go ahead.

ALICE JANSEN: Yes. Thank you, Alan. So, I just wanted to remind everyone of the current work plan. We do have the subgroup reports that are due for the April meeting. So, we're setting the expectation that the reports will be sent on April 5th, so that everyone has a chance to read them and come prepared to the face-to-face meeting. And then, ICANN62 Panama is where you would approve draft findings and recommendations, and conduct some outreach with the objective of getting the report out for public comment by August 7th.

And then, the Barcelona meeting in October 2018 would be the meeting where you address all the comments received on the draft report and conduct some additional outreach prior to finalizing it for board consideration in December 2018. So, this is the current work plan. And



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I wanted to, you know, start a discussion, maybe on how to status approach could affect your overall timeline. So, Alan, if you'd like to moderate that, maybe, or --?

ALAN GREENBERG:

Sure. Thank you, Alice. You'll note, we're not using the detailed multiline work plan at this point. I asked Alice if she could summarize in some overall global -- either decision points, or checkpoints along the way, so that we can get a good feeling. My feeling was that when we start looking at the detailed ones, people's eyes glaze over, and they don't really focus on where we are.

And so, the intent is that this one should give us a pretty, you know, a good overview of where we are. I see Dmitry has his hand up. Let me just quickly go give you some thoughts on where we are right now, and then, I'll go to Dmitry. The first challenge, I think we're going to have is being prepared for the Brussels meeting. We are scheduling a three-day meeting. That's a significant chunk of time, and I think we're going to need some pretty detailed thoughts on how, for each of the subteams, we get to a point where we're ready for that meeting.

April 5th sounds like a long time from now, but we are just about a month to the San Juan meeting. And that's going to take up, you know, including travel, it takes up a good part of two weeks, and at that point, we only have a few more weeks left until the April 5th. So, we're really talking about a four-week chunk right now and, perhaps, another two weeks after that to do all of the work that we need to do going into Brussels.

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So, the next item on the agenda, we'll talk a little bit about how we get there, and how we make sure that we actually meet that commitment. My only, overall, concern -- not concern -- but I think we'll need a little bit more granularity on looking at the -- if we circulate a draft report on August 7th, then we're looking at getting responses back in mid-September, I'm guessing.

And that gives us a good chunk of time to finalize those responses, and be prepared to report on them at the November 30th meeting. We'll no doubt need a face-to-face meeting somewhere in that window, but I'm not uncomfortable about that.

And if, indeed, we have to -- I don't think that the modification to the terms of reference is going to cause a lot of slippage, but if, indeed, things are sufficiently not at rest that we have to push back, then I think we're still targeting to get the report out prior to the holiday season, but if we have to slip a month and go into January, I don't think there's any great harm going to be done.

But I'm feeling moderately comfortable with this, if we can actually meet the deadline upcoming into Brussels with a significant amount of work already done and to try to finalize. And I'll go to Dmitry. Please go ahead.

DMITRY BELYAVSKY:

Hello. This is Dmitry Belyavsky for the record. Well, Alan, you have requested the briefings material to be delivered no later than March 29th. And so, we have only a week to prepare them for that group report, if necessary. It seems uncomfortable for me. Thank you.

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ALAN GREENBERG:

Thank you. We were told that we cannot presume that it'll be ready in less than eight weeks; however, I am optimistic that the reports will be produced one-by-one, and we will get some of them, I hope, significantly earlier, but recall, we already have briefings that were done verbally, and we have recordings of those and transcripts, and a lot of written material.

So, although we're going to have to use those reports, albeit somewhat late, to perhaps verify and refine our work, I don't think we have to wait until they're done -- they're presented to initiate our work. But, admittedly, I was hoping they would say three to four weeks. They came back and said eight weeks, and we are where we are right now. Anyone else with comments on this? Do you feel comfortable committing to this? Does anyone have any concerns or worries about meeting this kind of deadline right now?

I will take silence as confirmation that this is what we'll live with until we change it and hope that we're going to be able to make it. Final comments? Yes, please go ahead.

ALICE JANSEN:

This is Alice. So, we're not changing the work plan. Yes, we're keeping it as is, correct?

ALAN GREENBERG:

I think so.



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scope items, is to review the implementation of the first review team's recommendations; that is to review what has already been done. And it does seem that a considerable amount of work still needs to be done to actually look at, in detail, the results of the first review team's recommendations, and present a summary of that to the full group and develop some recommendations around that.

And I believe, Alan, that that's what you're suggesting the team really needs to dig in and accomplish prior to the April meeting. Perhaps, there could be additional work done between now and then, but that's a big chunk of work that has to be done, based on efforts that are already completed.

ALAN GREENBERG:

Yes. Thank you, Lisa. Certainly, that part is mandatory. We have no choice but to evaluate the recommendations -- the implementation of the recommendations, and we don't have much excuse to say things are still changing, so that part, certainly, has to be done and committed to, if indeed, we're going to have the meeting in mid-April.

I think we will be able to make some progress on other parts of the add-on items that we have afterwards, but clearly, those are ifs, buts, and ands -- and three of them are subject to GDPR, so we may choose to defer some of that, or if we simply run out of time.

But yes, you're correct. The evaluation of the original recommendations, and some of them require a fair amount of complex work. It's probably No.1 on our priority.

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CARLTON SAMUELS: Hey, Alan, this is Carlton. I forgot I can speak. Lisa said exactly what I wanted to point out -- that the next major chunk of work is looking at implementation, outcomes, from WHOIS1, where that is; and then, maybe a first draft of the -- from the subteams of where we are headed. So, I think we should keep the target date for the meeting. I don't believe deferring it and moving it backwards, or forwards, would help us, at all.

ALAN GREENBERG: Okay. Thank you. And, in fact, the next item on our agenda is a review of just how are we going to get there on a case-by-case basis, but at this point, it sounds like everyone is willing to take on the challenge, and are comfortable that, one way or another, we will meet these targets. Last call for comments.

Then, we will go on to the next agenda item, and that is, in fact, a subgroup status update. And is there a -- All right. What is was hoping to do [CROSSTALK] -- sorry, is someone speaking?

CARLTON SAMUELS: It's Carlton. But go ahead, Alan. I'll wait until you're done.

ALAN GREENBERG: Okay. Thank you. What I was hoping to do -- and again, the lack of turnout in this meeting makes it far more difficult than I had hoped -- was to No. 1, review the status of the items that are not -- we have not

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had any input on, and we do have Stephanie on the call, although, we do not have Volker -- and I would like to do that.

And then, look at subgroup by subgroup, to the extent that we have people on this call, and try to, you know, have everyone present just how are they going to get from here to April 16th, and have some sort of results ready, and that is what I would like to do. But, Carlton, please go ahead.

CARLTON SAMUELS:

I wanted to start by telling you about what's happening with the two subgroups I'm on. The first one is the strategic priority, which is led by Cathrin. The first draft-planning document was done. We had some additions to it. We were waiting on Volker to make his input on it because he was on some leave. That is still to come.

It's the same thing for the priority. We did the first draft document; we suggested some outlines of what was to happen. We are waiting on Volker to respond. So, that's where we are with the ones I'm with. Well, those two. I know Susan will tell us what the compliance team is doing. Thank you.

ALAN GREENBERG:

Thank you. Do you have any thoughts on, once you complete the original document, how do you proceed, going forward? How is the work going to be divided, and you know, how do you ensure that you have enough individual milestones to make sure that you know you're on target for the April date?

CARLTON SAMUELS:

Well, what we -- the plan was -- the strategic priority was for each of us to review various areas where WHOIS' compliance is in important, for example, in the contracted parties, and look at what is coming out of there. We needed to look at what the RDS working group was dealing with, look at the decisions that they already made there to see where it might be headed for the final report to GNSO recommendations. And out of laws, begin to formulate a set of priorities that we could report in our work. So, that was how it was intended to go.

For next steps, the top priority part is the policy. We did talk about -- Cathrin and I -- the likelihood that the work that is happening now, in response to the GDPR might actually give us a framework, a policy framework that we can use. If you noticed, Stephanie said in the chat, and I agree, that those outcomes we believe will actually be what we would think of an interim policy, at least.

So, in terms of projecting a policy, I think some of that work that is ongoing is going to help us along. So, I'm still confident that given these threads that are happening, right now, we will be able to write a substantial report in time for April.

ALAN GREENBERG:

Okay. Thank you very much. Would else like to go next on their sections? I can certainly do mine, if there's no one else wanting to volunteer next, but we do have other people on the call.



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SUSAN KAWAGUCHI: This is Susan.

ALAN GREENBERG: Go right ahead.

SUSAN KAWAGUCHI: And as you know, Alan, we had a meeting with Jamie Hedlund and Maguy Serad, yesterday, for the [inaudible] subteam, and I thought it was -- well, we had presented our questions ahead of time, and she actually created a document and responded in that document and also we discussed it, which several new points came out, for me at least, you know, people to talk to, how the compliance team is, you know, real high-level -- how they approach their work.

So yes, that's [inaudible] document that I haven't read. Maybe others have. They just published a 2017 compliance report, and I haven't gotten to that, yet, so I thought it went well, you know.

Others on the compliance subteam, there is a recording of the call, and so, I think our next step to do is to review the document she provided, and then, read the other -- at the very least, the compliance report, and sort of dig in and make the next step plan of who to talk to, what questions we ask, and, you know, create a framework for, you know, really digging in and finding out what compliance is doing.

ALAN GREENBERG: Thank you, Susan. For those who are interested in compliance -- and I think everyone should have some interest -- I would think that it would

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be really worth your while to spend the, I guess, close to an hour and half, and review the recording of that, the Adobe Connect recording of that meeting. I thought it was quite worthwhile.

I haven't been paying a lot of attention to compliance in the last two years or so, but I had spent a very large amount of time prior to that, and I was rather pleasantly surprised that they do seem to be approaching things in a far more professional way than they were before.

I have a little bit of concern that what they described should not allow things to fall through the cracks that we know have -- still do fall the cracks. And a little bit of concern for rationalizing what they say they're doing with the evidence that, perhaps, it's not working quite as well as they say.

But overall, I was pretty impressed of how much they have changed over the period of time since I last paid a lot of attention to it. Susan, do you -- what's your take? You've been involved with compliance a lot closer than I have in recent years and, of course, you have the history going back into the previous review.

SUSAN KAWAGUCHI:

Well, it's -- compliance is a total different animal than it was six or seven years ago, when -- probably more like seven when review team did the review of compliance. I mean just from sheer numbers of people, but they actually do sound like they have tools and processes that make sense, and that I think work, you know.

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I'd like that part of it -- that I will -- we can, hopefully, delve into a little bit and sort of test -- do the tools really work? So, yeah. I thought it was a really good discussion, and I was very happy that, you know, when I left the meeting, I thought, "Okay, we've got a bunch of stuff to work on, but I have a better direction of, you know, who to talk to, and sort of what to look at."

ALAN GREENBERG:

Yeah. My only small concern was when we were talking about, do they have communication with groups like the anti-phishing working group and other, you know, people who are -- to sort of get a pulse for what's going on, and the initial reaction is, "No, we treat everyone alike. We don't have any, you know, we don't have any liaisons," but what seemed to come out as we went along is, yes, they treat everyone alike, in terms of reports, but they do have communication and interactions with other groups that are watching the overall space.

And I'm a little bit concerned that that answer didn't come out very quick -- clearly, right at the beginning, but if indeed, the final answer is the correct one, then that gives me a higher level of confidence that they understand that this is a complex world and they can't simply address it all by rote and by formal procedures. We have a queue. Sorry, Susan, did you want to comment? And then, we'll go to the queue.

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SUSAN KAWAGUCHI: I was just going to say, I think Maguy misunderstood that question completely. And so, it took a little bit of digging, and then, Jamie was the one that really answered, so --

ALAN GREENBERG: Yeah. Thank you. Lisa, please go ahead.

LISA PHIFER: Thanks, Alan. For those who do listen to the call back and didn't attend, you'll see that the audio is a little bit garbled at the end, and you'll have a little trouble following. Because the audio did break up at the end, Susan, we weren't able to review any actions that stemmed from that call.

And I wondered if I might suggest a couple of actions. One, being that any member of the subgroup that wasn't able to attend the call, do listen to the recording of the call, which Jean-Baptiste has provided a link to in chat. Of course, the full review team is welcome to listen, as well.

And then, another action would be, Susan, for the subgroup to identify any follow-up questions that you might have for the compliance team. And I know that might require you to actually dig into some of referenced documents in Maguy's response. Would you like staff to put links to those documents on your Wiki page?

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SUSAN KAWAGUCHI: That would be great. I'll also peruse the document she provided and pull those out and send an email out with -- because that's what I would suggest we do -- is everybody on the subgroup should, you know, listen to it, and then, read the documents. So, I'll send that out [inaudible].

LISA PHIFER: Great. And one other question, if I might?

ALAN GREENBERG: Yes, please go ahead.

LISA PHIFER: So, this is actually a really good example a subgroup which has actually quite a lot of material to review, and I just would ask the subgroup to think about whether you all are expected to review everything, or whether you plan to divvy up some of these referenced areas, so that each of you can dive in and come back to the subgroup with your findings? And I'm not looking for an answer now; I'm just raising that as a suggestion.

ALAN GREENBERG: Thank you. Carlton, please go ahead.

CARLTON SAMUELS: Thank you, Alan. Carlton for the record. I've been following the compliance, as you know, issue for quite some time, and my latest update was through the CCTRT, and I can tell you that they have made

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some significant progress over there, especially in process. The thing that you flagged, though, has always been my major concern.

They're still, in my opinion, they still cling to the line that all the sources of information they need, is generated from our own channels, and they should look to others on the outside who may have other information, as you know. That is why I asked the questions about liaisons to these other organizations. I really think that there is a wealth of information and knowledge that they could use and very effectively in their own response to abuse.

I suspect one of the main points is that they still believe -- some of it overhyped, and, therefore, there's a trust element that that needs to be addressed there. But, by and large, right now, that's my greatest concern -- plus, the resourcing of compliance to do the job they are asked to do, especially, with the expansion in the DNS space. Thank you.

ALAN GREENBERG:

Thank you, Carlton. That part of the call, of the discussion, was interesting, in terms of other groups, and you asked whether they have liaisons, and the answer seems to be, "No, they do not have formal liaisons." But what seemed to come out, eventually, is -- but they do talk to each other regularly.

Maguy made a very large thing in her earlier discussion of how they -- of their work practices -- of the fact that they have regular meetings within the various groups and the whole compliance group, and one of the reasons they do that, is to try to identify trends.

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You know, if something is starting to become urgent, it's not just a matter of addressing each complaint, one-by-one, but identifying what the trends are, and whether they need to be more proactive on something. And the reason I pushed on the interactions with these other groups, is they are going to be a really good source of trends, if nothing else. And that's why I pushed it, and the message that finally came out was, yes, they do have these discussions.

I suspect Jamie and now, Brian (ph) being in those positions, although, they are not part of compliance in that -- wearing those hats -- are a source of, perhaps, a little bit of incentive for compliance proper to get involved with these other groups, and not treat them -- not treat everyone the same, in terms of information gathering, even if they may treat everyone the same, in terms of how a specific complaint is handled. So, I came out of that being guardingly optimistic that they do understand. Carlton, back to you.

CARLTON SAMUELS: No, Alan, I'm -- you [CROSSTALK].

ALAN GREENBERG: All right. Anyone else like to go on to their projects at this point? Stephanie asked in the chat, "It would be nice to have a simple view of who is assigned to which groups." We did have an old chart, which sort of died along the way. If we could, perhaps, put it up in the chat, in the Adobe Connect? The one with the yellow and red boxes on it, which was the original assignment chart we used in creating the groups. That one hadn't been posted on the web, on the Wiki. I pulled what I think is

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the final one, and I'll ask Lisa, I guess, to take a look at it and make sure it was, indeed, the final one.

And the only changes I made to that, was I merged the subgroups in compliance to reflect both the new topic and the review topic, and I put a horizontal double line, separating off the items, which most likely, might be delayed due to GDPR. The reason for that segregation was to see if we, indeed, do delay any of these significantly, are we left with team members who don't have anything to do? And the answer was, no -- that didn't seem to be the case.

And it looks like, based on our discussion today, we are not going to fully defer any of them, so I think we're in good shape. But that document, or a better version of it, if indeed, this wasn't the final one, is now on the Wiki under subgroups.

If you look at the link that, I think, Alice put into the chat, a few minutes ago, right at the top of that table is the complex, you know, the full matrix with all the details that we saw a minute ago, plus the simplified ones that give a quick view of who's doing what. And, Stephanie, please go ahead.

STEPHANIE PERRIN:

I just wanted to clarify that that wasn't actually my question, Alan. The participation in the various things like APWG -- that the compliance group has, and you can see that I'm not talking -- I'm typing -- because I have no voice.



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ALAN GREENBERG:

I understand. Okay. I misunderstood your question. I think the answer is they do not formally participate -- compliance does not have anyone who formally participates in groups, such as the anti-phishing working group. They do not have a formal liaison to those groups, but they do have contacts in both directions, from what I understood, based on the call -- based on the discussion yesterday.

So, there is nothing, you know, saying, "We are formally working with them," but there are discussions and information does get traded. That was what I took out of it. Susan may have a slightly better version, but that's what I took out of the discussion. And Stephanie says, "If we could have the latest version up, that would be great." The latest version of what, Stephanie? Oh, okay. I see. Lisa said we have a later version of that chart. All right.

Please, Lisa, if that chart was not the latest one -- it's the latest one I could find in email, and I think it was the one that came from sometime in December, but I'm not sure -- then, please, just replace it.

LISA PHIFER:

Yes. Alan, if I might?

ALAN GREENBERG:

Yep. Please go ahead.

LISA PHIFER:

So, there was one later version than this that came out of our 8th of December meeting, I believe, but the only change was not to add Susan

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to the privacy proxy subgroup when she volunteered to help out while Volker was on parental leave.

So, I think you have actually made subsequent changes to draw a line between the items above topic three, and the items below, so I think we could take an action to just, you know, apply that subsequent change to bring it up to the current speed that version, and then we can move forward with that one.

ALAN GREENBERG: Thank you. I removed topic six, and merged the two subteams under recommendation four, I guess, and I labeled it recommendation four and topic six compliance.

LISA PHIFER: All right. And so, I guess my suggestion is we apply that one change you didn't have in the version you started with, rather than going back to the older version.

ALAN GREENBERG: Whichever way you want to make it correct, I don't care. I have no ego involved in that particular chart. Carlton, please go ahead.

CARLTON SAMUELS: This is Carlton for the record. I also should have been added to the consumer trust subgroup. The information came through, so I think the chart just needs to be updated.

ALAN GREENBERG:

Okay. I presume Lisa will factor that in. All right. Let's go back to the original topic, and we were going through subgroups, and I'll do the two that have my name on it. They're relatively simple. The one I'll do first is safeguard registrant data. That one, what I plan to do is simply draft a statement, and then pass around -- round robin around -- the other people on the team and refine, even though the final product is going to -- the details of the final statement will depend on how we proceed in GDPR.

It's really -- is simply going to be to identify which subset of users, which subset of registrants, or the full set of registrants now have some level of protection of their personal data. It's really a matter of identifying which subset of registrants and which subset of data items will be changing because of GDPR, but the general gist of it, I don't think it will change and there's no reason not to start working on that, as far as I can see. So, my intent is to simply draft something because it's a lot easier to critique something than to talk with hands waving in the air, and proceed on that.

And the other item I have is outreach. And that one, there is a pretty large number of documents and web presences that need to be reviewed, and my intent is for each of the team members to do an independent review of that, and then get together by teleconference and try to merge them into some single, cohesive statement on, to what extent we believe outreach is being done better than it was before in response to the recommendation three of the review team. So, that's

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how I plan to proceed on those, and I'll open the floor for any comments, questions. I see Carlton has his hand up.

CARLTON SAMUELS: No, Alan, that's an old hand.

ALAN GREENBERG: Oh, okay. [CROSSTALK] can't tell the age of a hand. Anyone have any comments, then, on those items? Do we have anyone else on the call who has responsibility for an item? We do. We have Dmitry. Can I put you on the spot?

DMITRY BELYAVSKY: Sure. Well, I have nothing prepared for now. I will review the information regarding the IDN questions -- well, I hope, in two weeks, and provide the update.

ALAN GREENBERG: Okay. Thank you. And, Stephanie, you can't speak a lot, but can you give us a quick summary even with a raspy voice of where you are, in terms of reviewing the list of new things and putting together a game plan, specifically, the first-pass document?

STEPHANIE PERRIN: I'm hoping to get at it this week, Alan. That's assuming I'm well enough to actually focus. We are at interessionals right now, and we've been kind of focused on GDPR. So, I'm expecting to get to it early it next

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week and get the members organized. I doubt that I'll have anything for the Monday call, given the circumstances but, hopefully, next week, we'll get up and going, and we'll push ahead and try and catch up for lost time.

ALAN GREENBERG:

Thank you. We'll be talking about the Monday call in a few minutes on whether there is, indeed, a Monday call, and our overall schedule. Just a reminder, staff did create the laundry list of what is new. Our obligation is not to expound on all of those, but to decide, to what extent we believe any of those new things mean we need to do work on them.

And we, then, can cherry-pick; we're not obliged to cover everything new but, certainly, we can decide if any of these warrant, you know, raise enough red flags that we think it's something that we need to look at in this review.

So, that's the first part of the process, and I think the most difficult part is just deciding what, if anything, we do because of the anything new items. And I presume we will look at one or two of them, in depth, but probably not a lot more than that, just given our overall workload. Anyone else on the call in a position to talk?

I don't think we have anyone else here who has either ownership or is working on another group that is in a position to talk. But I see Alice has her hand up. Please go ahead, Alice.

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ALICE JANSEN:

Thank you, Alan. So, just a little message to all the rapporteurs on the call, and those listening to the recording, as soon as we have the work statement that's solid, please go ahead, and set some internal deadlines with your subgroups on the reading.

So, invite all your subgroup members to complete their reading, you know, by a certain date, and then, you should reach out to us, if you'd like a scheduled call to the ball rolling, perhaps and, you know, determining findings, and so on. And we'll also be in touch with you to schedule some of the interviews that you've identified in your work statement.

But please just, you know, encouraging your subgroup members to start the readings. I think that's the first step to do once you're comfortable with your work statement.

ALAN GREENBERG:

Thank you, Alice, well-said. And if we can an action item from staff, for the people who are not on this call, to be prepared on the next call -- next call being after, you know, Monday, if indeed, we have a Monday call -- and we'll have decided that by the end of this meeting, or the next call to be prepared to present how their subgroup is going to attack the problem, their work, so that they do have substantive results in time for the April meeting?

And if they are not going to be on that call, then make sure that someone else is prepared to present it on their behalf. Sorry to have so much email going out, but with only half the group here, there's no other way we can make decisions and complete our work without

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making sure that those not present do their part, if not at this meeting, then afterwards. Alice, is that a new hand, or the old one?

ALICE JANSEN: An old one. Sorry.

ALAN GREENBERG: All right. The next agenda item to confirm the request for written implementations. I believe we had significant discussion on this, and what was put into the memo, I sent, and I think we -- I think it's ready to be displayed, but I'm not sure. I think it was somewhere in the -- yeah -- thank you.

Now, we're looking for slide 12 in the slide deck; that's it. Essentially, what was there was what we have discussed multiple times in this group -- and we've been looking at for far too long by email -- the only changes were in light of the eight-week time we were told, I added the caveat on the request for how much effort was put into the process, to say that that is a low-priority item if it doesn't come, it doesn't come.

And to say, reiterate, that we do not want delivery of one item delayed because of the rest of them. And, lastly, to point out that we already do have -- we have had verbal briefings, slide decks that go along with them, and the transcripts of those, and to the extent that that material can be used and not created from scratch that we are -- you know, essentially, what I'm saying is, you know, let's see if we can cut down that eight weeks, to the extent possible.

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And of course, understanding that a lot of the people working on this are probably also involved in GDPR. Is there any reason to, you know, I've already sent this as a formal request, based on our previous discussions, but I'm just asking for ratification from this group that there is no concern there, other than, perhaps, the date, which we don't have control over? Then, I'll take that as a decision made, and we'll go on. Thank you. Alice, please go ahead.

ALICE JANSEN:

Thanks, Alan. So, we'll take this request back to ICANN.org, our colleagues, and determine what the next steps are, so we'll be in touch with you.

ALAN GREENBERG:

Thank you very much. Where are we on the agenda? Face-to-face meeting. We have at this point, leadership has confirmed that we will meet based on our previous discussions. I think our discussion on our work plan and targets for that imply that we have full support from the rest of this group.

And I think given that we do have a quorum, although, I don't like making decisions by majority, we are, at least at the 50 percent based on the people on this call, and I feel comfortable saying that this is a decision that we have now made. Is there anyone who believes we need to defer this to get full ratification of the working group?

Alice, I see your hand up. I'd like to -- let me just ask, does anyone have any concerns moving forward with just barely five people on this call,



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confirming this? I know we are passed what we were told was the drop-dead date for confirming or not. I see no hands, I hear no one, then I will take this as a decision made that we will be proceeding with the date, but I see Alice has her hand up. Please go ahead, Alice.

ALICE JANSEN: Thanks, Alan. Just so that you know that we're looking forward to welcoming you back to Brussels, and you should receive a notification from notifications, concerning your travel in the upcoming days with respect to your travel arrangements. So, just to notify the group. Thank you.

ALAN GREENBERG: Thank you, Alice. Is it a done deal that we'll be staying in the same hotel, or is that something that is still a moving target?

ALICE JANSEN: I will have to inquire. I'll get back to you on that one.

ALAN GREENBERG: If anyone had any bad experiences in that hotel and want to caution against going back there, then let us know privately or publicly. I thought it was more than adequate, or at least adequate, if not more than adequate. All right.

Next agenda item is scheduling of calls. When we -- just to recap where we are -- when we last set our call schedule, that is of adjacent Fridays

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and Mondays, the issue we were dealing with was we could not find a single time that everyone on the team could make. But we found that if we take and Friday and Monday, that everyone could attend at least one out of two meetings, which is far from optimal but seemed to be the best we could do.

It's becoming more and more obvious that with a Monday call following a Friday call, we, effectively, are scheduling a three-hour meeting with an intermission halfway through. And to date, we have not made full use of those. We have either canceled the Monday call, or used the time schedule for a subgroup, and it has not been an effective use of the time.

Moreover, because it's the Monday call, we cancel; those who cannot attend the Friday call end up not having any calls. So, clearly, this is not working. The suggestion that was made on the leadership call, and I'd like to run past you, is to keep the Friday/Monday schedule, but, essentially, flip it around, and instead of having a Friday call followed by a Monday call, that we do it the other way around.

And essentially, every two weeks, we have a Monday call and a Friday call on the same week. So, there is some time to do work in-between the two, and there's more chance that there will be something of substance to discuss on the Friday call that wasn't covered on the Monday.

And I want to first open it up -- does that sound like it is a reasonable plan going forward, and then, I'll make a proposal for when do we start this? Do I take silence as affirmation? Stephanie says, "Reference to

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flipping the calls to have a week between,” oh, she’s -- okay, and she said, “That would be much better.”

SUSAN KAWAGUCHI:

So, yeah. I mean, if we didn’t have them back-to-back, I think that would be helpful. But I guess I’m not -- I can’t envision -- so, if we don’t -- so we would still have two calls in one week, though, right? If we’re doing Fridays and Mondays?

ALAN GREENBERG:

We are doing two calls in one week, every second week.

SUSAN KAWAGUCHI:

I mean, in some ways that’s better. But I think we’re going to continually have problems with getting the full review team on a call. So, you know, my suggestion is -- no matter when it’s scheduled, and I’m fine with switching Monday or whatever to, you know, a different week, but is that -- even if we don’t have full quorum, even if we don’t have everybody on the call, that we go ahead and just, each time we have, you know, sort of a dead time on a call, maintain the call, have the call, but then, we will focus on one of the subgroup topics because I think everybody has an interest and opinions, at least, on each of the different topics, and so, I think we could make some headway there, just in discussion and brainstorming on ideas of what should be covered and, you know, and what we’ve read in the reports that may have been for our topic, but applies to that also.

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ALAN GREENBERG:

Thank you, Susan. My only concern with what you said, and I agree with it all, you know, I guess in theory -- the problem is not the people who cannot come to the meeting because they know they always have something scheduled on Fridays or Mondays, but it's the relatively poor attendance we have, that notwithstanding. You know, accommodation of the apologies, and people are simple no-shows and, therefore, that makes it a lot more difficult to assume that we will have the people around to talk about a given subtopic.

And if we're not in a position to schedule which subtopic are we going to be talking about, then I wonder to what extent people will be prepared, you know, with -- to really have a substantive discussion, which often includes slides or things like that, just to focus the attention of people.

So, I agree it should work, but I'm -- the relatively poor attendance, overall, I think is one of the tripping points of it. But I think it's -- all we can do is but try.

SUSAN KAWAGUCHI:

Yeah.

ALAN GREENBERG:

I think we tend to agree on that.

SUSAN KAWAGUCHI:

Well, at least, to, you know, there's a few templates that we haven't finished, I think. We could, you know, assist with those in a call.

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Sometimes, what people just need is a little bit of a framework, and then, they have their, “Aha!” moment and go, “Oh, okay.” I’ve got this now, you know?

Because, I mean, we all understand how busy schedules and how difficult it can be to get the time to even just sit down and think about something, so if we can help as a group in any way, during our regular calls, I think we should use that time to do that.

ALAN GREENBERG:

Okay. In any case, I think we’ve made a decision; we will go to the Monday and Friday call, every second week. Hopefully, we’ll be able to use the time effectively. The next question is, when to start this process?

And by the way, one of the downsides, from my personal perspective, is we tend to spend, the leadership tends to spend about an hour on a call preparing for each hour and a half call, and this may well imply that we, now, have, yet another leadership call in-between the Monday and Friday calls.

I’m hoping, with good planning, we can try to avoid that, but if that’s what happens, then the leadership will take it on. The question is when to start it, and Lisa suggested that we move the February 5th call to the 12th. My concern with that is, if we do that, we have calls on the 12th and the 16th, followed by the 26th and 2nd of March, and that’s our last set of calls before the meeting because the following week would already be a travel week for some of us, and possibly gave a call on the 5th.

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I would suggest that if we have something to keep us busy on Monday, we have the Monday call, and then continue with next Friday. So that, essentially, sets the schedule of the 5th and the 9th, the 19th and 23rd, and followed by the 26th and 2nd of March. And that gives us, potentially, three full weeks of calls between now and then.

Lisa, do you have any comments on that, or do you prefer to do the schedule starting, you know, not having the next meeting until, essentially, a week and a bit from now, and then, continuing on that pattern. Do you have any thoughts on which is better or not?

LISA PHIFER:

I would support moving forward with the 5th and the 9th, next week, if you have topics to discuss and, perhaps, the 5th could partially be used to try the suggestion that Susan made, with regard to accelerating work on a topic that really hasn't been worked on yet.

ALAN GREENBERG:

Yeah. It's unfortunate that Volker cannot attend the Monday meeting, and couldn't today because of illness. Cathrin will be able to be on that meeting, presumably. I will not be on that meeting. I'm having some medical procedures, and so I, perhaps, will be on the call, but at this point, I can't commit to it, and Susan has offered to run the call, assuming it happens. All right.

So, we will proceed on the new schedule, and if staff can let everyone who isn't on this call know what the meeting schedule going forward is -  
- that is, officially, our next meetings are on the 5th and the 9th of

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February, and then every two weeks afterwards, ending, I'm guessing, with a final meeting on the 20th -- sorry, on the 5th of March, which should be prior to travel for most people, I would think.

And that is the end our agenda at this point. If we could have staff confirm any decisions made and look at action items, please. Alice, do you something first? Please go ahead.

ALICE JANSEN: Yes. Before we jump to the concluding the call], we do have the ICANN62 deadline that we wanted to highlight.

ALAN GREENBERG: I skipped something. My apologies.

ALICE JANSEN: No worries.

ALAN GREENBERG: That is the question -- the issue is, we have no later than March 27th, which is after the ICANN meeting, to decide whether we want to hold a face-to-face meeting of any form in Barcelona and I'm assuming that we will maintain our position, at this point, of not holding face-to-face meetings at ICANN meetings but, clearly, we will have a window to discuss that, and we'll have to revisit that again. I'm guessing just before the ICANN meeting and immediately afterwards.

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So, I will ask staff to make sure that we have agenda items addressing the idea of a face-to-face meeting in Barcelona, you know, first, just prior to ICANN meeting, and then at one of our plenaries afterwards. I'm assuming we will have no choice but to have a public meeting talking about what our interim findings are at that time. That maybe a reason why we do want a face-to-face, since we'll probably want a significant number of our people to be at the meeting in any case.

And if any meeting has a face-to-face meeting, the shorter ones are more reasonable because it doesn't make for the overall workweek to be completely unreasonable, if we tag on a day or two days to it. Lisa, please go ahead.

LISA PHIFER:

Thanks, Alan. I was just going to bring up the outreach meeting requirement and just make sure that it was clear to everyone that the question for Panama ICANN62 is both, whether you have a face-to-face team meeting and whether you have a scheduled outreach meeting.

And for outreach, because that is a shorter meeting, it's important we begin that meeting planning very quickly. So, if you can confirm you want an outreach session, we can begin that planning.

ALAN GREENBERG:

Yeah. Thank you. I misspoke -- of course, it is Panama, not Barcelona. I don't think we have a choice. If you look at our -- going back -- at our work plan -- let me pull it up -- one second. We are talking about a draft report available for public comment at the end of July. And I would



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think we are going to be in a position to be outlining, perhaps, not with a document published ahead of time, but we will be in a position where we have to -- and, in fact, it was on work plan, to start doing outreach.

And just a caution on terminology, the term outreach is being used in conjunction with the June meeting, as outreach to new people who are not normally familiar with ICANN. So, we might want to use a different word in what we are discussing because we're talking about presenting to the ICANN community, as opposed to trying to find newcomers and bring them into the fold.

Anyone have any thoughts on whether we need or must have some sort of community engagement -- yes, Lisa, a much better word; thank you -- in the June meeting? I don't think we can avoid it to be honest.

CARLTON SAMUELS:

Alan, this is Carlton. I think that we have to have community engagement, and the June meeting seems the best place to start doing that, if you look at our tables. I agree with you that the June meeting seems to be the one that we'd have to do face-to-face.

ALAN GREENBERG:

Yeah.

CARLTON SAMUELS:

Coincide with the ICANN.

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ALAN GREENBERG:

Yeah. The harder decision point we're going to have is whether we do a face-to-face plenary meeting, and you know, it has been a problem prior to the meeting -- it's been problematic for both myself and for Chris. We tend to have things scheduled, at least a day before, if not, for Chris, multiple days before -- and, therefore, accommodating the meeting is problematic, and I think we're going to need some discussion on that on figuring how to move forward on it.

Thank you, Alice, for reminding us to go back to that item, and now, I'll revert to the last item of review of action items and decisions taken. And I'm being told, "Do we have any other business?" Nobody has had any other business. We covered the one I added already and that was the ccNSO, so I don't believe we have any other business, and we are on decisions and action items. And I assume Jean-Baptiste will take that.

JEAN-BAPTISTE DEROULEZ:

Yes, Alan. Thank you. So, on decisions reached work plan stay as it for now. The request for written implementation briefings is confirmed and ICANN.org will forward that. Face-to-face meeting to in Brussels on 16, 17, 18 of April is confirmed.

For the terms of reference and work plan, ICANN.org will send an email to the review team members that were not on the call, informing them that it was agreed that the suggested addition to the terms of reference from Alan was agreed and the same for the response to the ccNSO.

Notifying the review team members will have until the middle of next week to review that, and if no responses are received by then, proposal will be accepted. On the subgroup status update and next steps -- for

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the subgroup compliance, ICANN.org will send out an email including the document presented and mentioned by compliance during yesterday's meeting.

For anything new, Stephanie will provide an update on first-pass planning document, next week. The matrix that was submitted by Alan will be updated and maintained moving forward. And Susan will reach out to law enforcement subgroup to help prepare for the Monday meeting.

And ICANN.org will ask non-attending review team members, today, to be prepared for the Monday plenary to present how their subgroup is going to tackle the work, that they sufficient works for the face-to-face meeting. If unable to participate, rapporteur will have to send subgroup member.

So here, just to confirmation from Alan, maybe, on the plenary call schedules, we would still have plenary call, next Monday and also on Friday, the 8th, and then February 19 and 23, is that correct?

ALAN GREENBERG:

That is correct.

JEAN-BAPTISTE DEROULEZ:

Okay. And then, add an action item to discuss the face-to-face meeting prior to ICANN62.

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ALAN GREENBERG:

That's correct. And we did have -- actually have one other item that was supposed to be on the agenda today that slipped through the cracks and that was to go over the subgroup membership, and look at which ones we need to add any people to, and start that process. And I'll ask if we can do that on Monday, or be put on the agenda for Monday?

And as mentioned, I may or may not be on the call on Monday, but I will not be running it even if I am here. And with that, either by skill or blind luck, it is one minute before our ending time, and unless there is any -- anyone has any final words; I'll call this meeting to an end. Seeing nothing, hearing nothing, thank you all for your participation, and we'll see you online. Bye-bye.

**[END OF TRANSCRIPTION]**